

Board of Commissioners

Regular Meeting * PD Community Room

April 23, 2024 @ 6:30 PM



A. CALL TO ORDER

B. CEREMONIAL OPENING

C. ADOPTION OF AGENDA

D. GENERAL PUBLIC COMMENTS

1. Members of the public may wish to submit comments that are related to the agenda or are general in nature. Public comments will be accepted during this portion of the meeting. Citizens may sign up to speak prior to the meeting. Public comments are limited to three minutes in length per person and the Board will allocate fifteen minutes to read the submitted comments.

E. CONSENT AGENDA

1. **Approval of BOC Meeting Minutes**
Regular Meeting - April 9, 2024
[BOC Meeting Minutes - Pdf](#)
2. **Adoption of Proclamation (PRO2024007) in Support of National Historic Preservation Month**
[Adoption of Proclamation \(PRO2024007\) - Pdf](#)
3. **Adoption of FY 2023-24 Budget Amendment Ordinance (ORD2024014) to Accept Donation from Girls on the Run for Parks & Recreation Program Event**
[Adoption of Ordinance \(ORD2024014\) - Pdf](#)

F. RECOGNITIONS

1. **Recognition of Cuthbertson Middle School's Odyssey of the Mind Teams**
[Recognition of Cuthbertson Middle School's Odyssey of the Mind Teams - Pdf](#)
2. **Recognition of Girls on the Run SMILE Trailer Donation**
[Recognition of Girls on the Run - Pdf](#)
3. **Parks and Recreation Department: 10 Year Service Award**

Information: Amy Merrill, Parks and Recreation Department, has been with the Town of Waxhaw for 10 years and will be honored with a Service Award.

Presenter: Dena Sabinske, Parks and Recreation Director

[Staff Recognition and Service Award - Pdf](#)

4. **Adoption of Proclamation (PRO2024006) for Municipal Clerk's Week**

Information: This is the 55th Annual Professional Municipal Clerks Week on May 5 through 11, 2024. The Office of the Municipal Clerk is the oldest profession among public servants. The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and other outside governmental agencies. The Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Recommended Action:

- **MOTION** to adopt Proclamation (PRO2024006) in Support of Professional Municipal Clerks Week on May 5 through 11, 2024.

Presenter: Jeff Wells, Town Manager

[Adoption of Proclamation - Pdf](#)

5. **Recognition of the Annual Employee Award Winners**

Information: The 7th Annual Employee Awards Ceremony was held on April 11th recognizing employees for the year 2023 in 6 award categories. We will recognize the employees that won in the following categories: Customer Service, Professional Development, Leadership, Team, Department Head of the Year and the Sonny Splawn Employee of the Year.

Presenter: Wendy Davenport, Human Resources Director

[Staff Recognitions - Pdf](#)

G. PRESENTATIONS

1. **Commissioner Hall provided a statement to Mr. Mel Graham [ADDENDUM]**

H. PUBLIC HEARINGS

I. OLD BUSINESS

1. **Consider Approval of the Waxhaw Master Transportation Plan (WMTP) - Project Tier Recommendations [ADDENDUM]**

Information: Staff is presenting information pertaining to the Waxhaw Master Transportation Plan (WMTP) project tier updates based on a community engagement period that began on February 29, 2024 and ended on April 1, 2024. The primary purpose of the presentation is to adopt the updated WMTP project tiers and provide a recommendation on next steps toward planning for the CRTPO grant fall call submittal. Staff will move toward updating the WMTP anticipating a summer (June/July) adoption timeline. Staff recommends submitting the Helms Road Extension project for CRTPO grant funding this fall (August) with an increased local match.

Recommended Action:

- **MOTION** to approve the Waxhaw Master Transportation Plan (WMTP)

project tier prioritizations, as presented.

Presenter: James Kelly, Traffic/Transportation Project Manager

[Consider Adoption of the Waxhaw Master Transportation Plan \(WMTP\) - Pdf](#)

2. **Decision for Rezoning Petition RZ-015255-2024 - Fox Property, Waxhaw Marvin Rd**

Information: Petition RZ-015255-2024 is a request by the applicant Wesley Fox for a rezoning/map amendment for parcel number 05138024 from R-4 Residential to CC - Commercial Corridor. The property is approximately 1.5-acres located on Waxhaw Marvin Road adjacent to Waxhaw Equipment Rental.

Recommended Action:

- **MOTION** to approve the Rezoning Petition RZ-015255-2024 Fox Property and the reasonableness and consistency statement that the request is inconsistent with the Waxhaw 2040 Future Land Use Map, but it is reasonable and in the public interest as the parcel is adjacent to other CC zoned properties and will provide diversity to the tax base.

Presenter: Janet Peirano, Planner II

[Decision for Rezoning Petition RZ-015255-2024 - Pdf](#)

3. **Decisions for Voluntary Annexation Petition 18-234 and Initial Zoning Petition RZ-015121-2023 - Graham Property**

Information: A request has been submitted by Mel Graham, Graham Enterprises, for the annexation of approximately 168.58 acres. The property is a combination of four parcels located off Highway 75 near the South Carolina border. Petition RZ-015121-2023 is a request for an initial zoning/map amendment for the four parcels from Union County R-20 to Waxhaw Employment (approximately 49 acres) and R-3 (approximately 119.58 acres)

Recommended Action:

- **MOTION** to adopt Ordinance (ORD2024013) for Annexation Petition 18-234 to extend the corporate limits of the Town of Waxhaw.
- **MOTION** to approve initial zoning petition RZ-015121-2023 and the Reasonableness and Consistency Statement as presented.

Presenter: Janet Peirano, Planner II

[Decisions for Graham Annexation Petition 18-234 and Initial Zoning - Pdf](#)

J. NEW BUSINESS

1. **Consider Approval of the Proposed Modifications to the Façade Improvement Grant Program**

Information: This is a request from the Planning Staff and the Business Development Director to change the name of the Façade Improvement Grant Program to the Building Exterior Improvement Grant Program, modify the program to include roof repairs as eligible for funding, and extend the timeline for completion of work from four months to six months.

Recommended Action:

- **MOTION** to approve the proposed modifications to the Façade Improvement Grant Program as presented.

Presenter: Janet Peirano, Planner II

[Consider Approval of Proposed Modifications to the Facade Improvement Grant Program - Pdf](#)

2. **Adoption of Resolution (RES2024011) Endorsing the Town of Waxhaw's Application for a Certified Local Government Grant**

Information: In January 2022 the Town of Waxhaw received CLG designation from the U.S. Department of the Interior. CLG designation makes Waxhaw eligible to apply for annual historic preservation fund grants that are exclusive to certified local governments. Staff has worked with the North Carolina State Historic Preservation Office on a proposal for a community-driven project designed to document historic resources based on oral history and community guidance to produce a history of Waxhaw that incorporates African American perspectives. The project is consistent with the HPC workplan and the Waxhaw 2040 comprehensive plan. The estimated cost of the project is \$40,000. The recommended local matching requirement is forty percent of project cost (\$16,000), and the CLG grant share is sixty percent (\$24,000). The final application is due by May 10, 2024.

Recommended Action:

- **MOTION** to adopt Resolution (RES2024011) Endorsing the Town of Waxhaw's Application for a Certified Local Government Grant in the amount of \$24,000 with a 40% match in the amount of \$16,000.

Presenter: Janet Peirano, Planner II

[Adoption of Resolution \(RES2024011\) Endorsing the Town's Application for a CLG Grant - Pdf](#)

3. **Public Art Committee - Mural Finalist - Days of Old, Days of New**

Information: The Public Art Committee & Downtown Waxhaw Association partnered to bring more cultural art projects to Waxhaw. The mural art project is a work plan initiative of both committees for fiscal year 2023-2024. The finalist were vetted using the Waxhaw Art Policy throughout the process. The Committees recommend the final design name "Days of Old, Days of New" themed "Our Train Story".

Recommended Action:

- **MOTION** to approve the final mural design named "Days of Old, Days of New" themed "Our Train Story".

Presenters: Dena Sabinske and Ashley Nowell

[Public Art Committee - Mural Finalist - Pdf](#)

4. **First Reading of Proposed Ordinance (ORD2024015) Amending Regulations for Loading and Unloading Zones on N. Church Street**

Information: The Engineering Department is proposing revisions to Section 66-63 of the Town's Code of Ordinances to add a loading/unloading zone on North Church Street. Staff is presenting the first reading and will seek any feedback at the April 23rd, 2024 Board of Commissioners meeting. The Board of Commissioners will consider adoption at their next regular meeting on May 14, 2024.

Recommended Action:

- Receive feedback on the proposed Ordinance (ORD2024015) amending

regulations for Loading and Unloading Zones on North Church Street.

Presenter: James Kelly, Traffic-Transportation Project Engineer

[First Reading of Ordinance \(ORD2024015\) - Pdf](#)

K. TOWN LEADERSHIP REPORTS

1. Town Manager Jeffrey Wells
2. Planning & Inspections Director Lisa Thompson
3. Assistant Town Engineer Orion Holtey
4. Board of Commissioners

L. CLOSED SESSION

1. No Topics Scheduled

M. ADJOURNMENT

Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2121
Submitted by: Barbie Bruce
Submitting Department: Town Clerk
Meeting Date: April 23, 2024

Subject:

Approval of BOC Meeting Minutes

Regular Meeting - April 9, 2024

ATTACHMENTS

[Regular Meeting - April 9, 2024](#)

Board of Commissioners

Regular Meeting *PD Community Room

Tuesday, April 9, 2024 @ 6:30 PM



The Board of Commissioners held a regularly called meeting at the Police Department Community Room located at 3620 Providence Road South. The following Board members attended this meeting:

Present: Mayor Robert Murray III, Mayor Pro-Tem Brenda McMillon, Commissioner Jason M. Hall, Commissioner Tracy Wesolek, Commissioner Susana Wedra and Commissioner Richard Daunt

Absent: None

Staff: Town Manager Jeffrey Wells, Town Attorney Charles Buckley and Town Clerk Barbara Bruce

CALL TO ORDER

Mayor Murray called the meeting to order at 6:31 pm. A quorum was established as all board members were present.

CEREMONIAL OPENING

The Pledge of Allegiance to the American Flag was recited. Everyone remained standing for a moment of silence.

ADOPTION OF AGENDA

Town Manager Wells requested removal of the years of service award for Amy Merrill. Ms. Merrill was not able to attend due to a family death.

MOTION was made by Commissioner Hall to adopt the agenda as amended. **MOTION** was carried unanimously (5:0).

GENERAL PUBLIC COMMENTS

The public comment period was held as required by law. None were forthcoming.

CONSENT AGENDA

Approval of BOC Meeting Minutes

Regular Meeting - March 26, 2024

Approval of Right of Way Deed Acquisition of Harris Teeter Properties LLC Adjacent to Kensington Drive in Lieu of Condemnation

Approval of Ordinance (ORD2024011) to Accept Donation Funds for the Waxhaw Police Department and Budget Amendment - Royce Publications Inc.

Ordinance (ORD2024011) is attached and hereby incorporated by this reference.

Approval of Proclamation (PRO2024005) In Support of Arbor Day

Proclamation (PRO2024005) is attached and hereby incorporated by this reference.

Approval of Revised ABC Board Meeting Schedule

MOTION was made by Commissioner Daunt to adopt the consent agenda as presented.
MOTION was carried unanimously (5:0).

RECOGNITIONS

Recognition of NC Main Street Award Winners

Ms. Ashley Nowell, Business Development Director, recognized Mr. Matt Hubert, Mr. Todd Matthews, and Mr. Moe Nassiri as Waxhaw’s Main Street Champions for their work on the Downtown Pedestrian Improvement Project. She noted these gentlemen were among 40 Main Street Champions honored for their contributions to downtown revitalization at the North Carolina Main Street Conference in Goldsboro on March 12-14. She also noted the project received the North Carolina Main Street Award.

PRESENTATIONS

Public Art Sculpture Walk - Artist Finalist Presentation

Ms. Dena Sabinske, Parks and Recreation Director, provided an overview of the Public Art Sculptured Walk Project, which was in partnership with the Downtown Design Committee. The artists were vetted by both Committees using the guidelines outlined in the Waxhaw Art Policy.

Ms. Sabinske noted the theme of the project was for the artists to be by local or regional and reflect the region's unique heritage, history and culture. The selected artwork would be displayed along the Downtown Waxhaw Sculpture Walk area for a minimum of one year. A QR code would be added to the display for citizens to select their favorite artwork. Installation of the project would begin on May 1st with a completion date of May 10th and the grand unveiling on May 11th during the Kaleidoscope Festival. An awards presentation for the citizen's favorite artwork will held during the Autumn Treasures Festival on October 12th. The artwork would be on display until March 2025.

The artists selected for the Public Art Sculptured Walk Project are:

1. Mr. Jeff Crano - Sun and Moon - Recycle Scrap Metal. Mr. Crano is a Waxhaw local artist with 30 years of experience as a farrier, blacksmith, and metal artist.
2. Mr. Chris Wilson - Waxhaw Spirit - Red Cedar. Mr. Wilson is a regional artist, founder and owner of Wilson Wildlife Sculpture with 40 years of experience.
3. Ms. Sydney Bucca - Hopper - Carbon Steel. Ms. Bucca is a regional artist from South Carolina with experience in metal work.

PUBLIC HEARINGS

MOTION was made by Commissioner Hall to open the Public Hearings. **MOTION** was carried unanimously (5:0).

Public Hearing on Voluntary Annexation Petition 18-234 - Graham Property

The Board of Commissioners fixed this date, place, and hour to conduct a public hearing for a Voluntary Annexation Petition 18-234 Graham Property. The proposed property being annexed was approximately 168.58 acres, which was a combination of 4 parcels located off Hwy 75 near the South Carolina border.

Ms. Peirano identified the property being annexed. She provided an overview of the proposed site and explained the first four steps of the annexation process. This was only a public hearing, no decision would be made.

Mayor Murray opened the floor to public comments as required by law.

Public Comments:

- Ms. Anne Tanzy, a resident at 4532 Rockwood Drive, noted that her and husband Robert Tanzy had served the Waxhaw community for 41 years in various ways. She encouraged the Board of Commissioners to oppose the annexation.
- Mr. Robert Tanzy, a resident at 4532 Rockwood Drive, expressed opposition for the annexation due to overpopulation and growth and there was no infrastructure mitigations to alleviate the issues.
- Ms. Mary Lou Remano, a resident at 4527 Rockwood Drive, expressed opposition for the annexation due to the widening of Hwy 16 not occurring until 2030. She provided additional information to the Town Clerk for the Board of Commissioners.
- Mr. Doug Frick, a resident at 4635 Rockwood Drive, expressed concerns about the wetlands and the density. He expressed opposition for the annexation.
- Mr. Alan Privette, a resident at 9926 Cherokee Trail, expressed concerns with the overpopulation and asked when would the citizens be able to see the plans for the property in question.
- Mr. Bill Hersch, a resident at 4705 Rockwood Drive, expressed concerns about the rumors planned for the property. He requested that the Board of Commissioners table the annexation until more studies and information was gathered.
- Mr. Aaron Hutson, a resident at 9932 Cherokee Trail, expressed opposition for the annexation and concerns about the plans for the property.

Public Hearing - Graham Property Initial Zoning Petition RZ-015121-2023

The Board of Commissioners fixed this date, place, and hour to conduct a public hearing for information on the proposed Initial Zoning Petition RZ-015121-2023 for the Graham Property.

Ms. Janet Peirano provided an overview of the Graham Property Initial Zoning Petition RZ-015121-2023. This request was submitted by the applicant Mel Graham, Graham Enterprises, for initial zoning and map amendment from Union County R-20 to the Town of Waxhaw R-3 and Employment Center. She explained that the property was comprised of four parcels totaling approximately 163.58 acres and located along Hwy 75 south of the Millbridge Subdivision Phase 7 and adjacent to the South Carolina border.

Ms. Peirano identified the zoning of the surrounding properties: to the North of the property was Millbridge Subdivision zoned R-3, which allows 3 units per acre for the development of single-family detached homes, to the East of the property zoned Union County R-20, single family residential development including manufactured homes at low to moderate densities, intended for areas primarily populated by manufactured homes with a minimum lot size of 20,000 square feet, to the South of the property zoned Union County R-40, which was intended for agriculture and related uses, compatible agribusiness uses and low-density residential. This zoning generally was applied to areas where central water and/or central sewer service was not widely available with a minimum lot size of 40,000 square feet, and to the West of the property zoned Rural Neighborhood in Lancaster County South Carolina. The Rural Neighborhood District was established to protect the residential character of communities and neighborhoods in the rural area at a density of one (1) dwelling unit per acre. The district was intended to promote rural living, protect farmland and to maintain low residential density.

Ms. Peirano explained that the Waxhaw 2040 Future Land Use Map designated the area of the Graham Property as medium density residential. This designation provided a mixture of housing types including detached single family, townhomes, cottage housing and in some cases duplexes, triplexes and quadraplexes. She noted the Union County 2050 Land Use Map designated this area as Employment Corridor. Employment Corridors were planned to have access to transportation infrastructure to support similar uses of the area. Additionally, the proposed zoning for this property was R-3 (Residential) and EC (Employment Center). The R-3 zoned portion was planned for the rear of the property while the front was proposed to be zoned as EC. The R-3 zoning was consistent with the Waxhaw 2040 Comprehensive Plan, whereas the EC zoning was not consistent, but it was reasonable and in the public interest as it would provide diversity to the tax base and allow for high quality employment for the area.

Mr. Graham expressed the same concerns as the public. He grew up in this area and took pride in the properties that he developed worked and with their ability to create a pleasing landscape. He noted that he did not want to increase density, instead wanted to develop the property in the best interest of the Town and its citizens. He wanted to utilize the advice and suggestions of the Planning Board and Town Staff. He would preserve the wetlands that are highly governed and regulated, exceed the required buffers surrounding the property, and he recognized that if the property was annexed and zoned his plans would be brought back for approval by the Board of Commissioners.

Discussion:

- Mayor Pro Tem McMillon asked why annex the property if the same plan could be done within Union County. Mr. Graham answered yes, he could do the same type of plan if not annexed but with Waxhaw's R-3 zoning he could utilize different types of dwelling units.
- Commissioner Wesolek asked if he would be asking for the Employment Corridor if not annexed. Mr. Graham answered yes if the County had interest and it would more likely happen regardless in the future.
- Commissioner Wesolek asked if the Employment Corridor would be industrial or office type businesses. Ms. Peirano answered that she was unsure of the exact uses but Employment Center (Waxhaw) and Employment Corridor (Union County) are very similar. Mr. Graham added that regardless of what the zoning allowed they envisioned office type buildings at the front and the middle would be for vendor type businesses.
- Commissioner Wedra asked if the residential or the Employment Center would come first. Mr. Graham answered the residential would come first.
- Commissioner Wedra asked how long would the project take for completion. Mr. Graham answered the residential portion would be about a 5 year period and the office/business portion would come after with another 5 to 8 years before completion.
- Town Manager Wells added that Waxhaw R-3 zoned properties never ends up with a density greater than 3 units per acre. Mr. Graham added he planned for this property to have a great amount of open space with smaller lots for the home owners to be able to maintain.

Mayor Murray opened the floor to public comments as required by law.

Public Comments:

- Ms. Kristen Tesar, a resident at 10317 Rutledge Court, expressed concerns regarding noise and privacy. She asked if there was a height restriction for potential businesses.
- Ms. Mary Lou Remano, a resident at 4527 Rockwood Drive, expressed concerns about the lack of infrastructure and the schools being overpopulated. She presented the board with a petition signed by her neighbors. She also had concerns with the neighborhood's wells and water supply.
- Mr. Aaron Hutson, a resident at 9932 Cherokee Trail, expressed concerns about what Mr. Graham would be able to build if he was granted the zoning he desired.
- Ms. Mary Miller, a resident at 4516 Rockwood Drive, expressed concerns about overdevelopment, traffic, and trees being removed forcing animals into her neighborhood.

Public Hearing for Rezoning Petition RZ-015255-2024 - Fox Property, Waxhaw Marvin Rd

The Board of Commissioners fixed this date, place, and hour to conduct a public hearing for information on the proposed Rezoning Petition RZ-015255-2024 for the Fox Property. The request was submitted by the applicant Wesley Fox for a rezoning and map amendment of parcel number 05-138-024 from R-4 Residential to CC Commercial Corridor.

Ms. Janet Peirano provided an overview of the petition. She identified that the proposed

property was approximately 1.5 acres located on Waxhaw Marvin Road adjacent to Waxhaw Equipment Rental. She noted the parcel was currently zoned R-4 Residential. The properties to the north were single family homes zoned Neighborhood Center, and an approved attached single family project zoned R-4. To the east were parcels owned by Mr. Fox, zoned commercial corridor and home to Waxhaw Equipment Rental. To the South on the other side of the railroad tracks was a vacant parcel zoned Union County R-40. To the west was vacant parcels zoned Waxhaw R-4.

She noted the Waxhaw 2040 Comprehensive Plan designated the property as Employment Center which allowed for the development of larger scale businesses to drive employment and economic opportunities. Employment Center was intended to provide for high quality jobs that were well connected to current and future transportation routes. The proposed zoning of the property was Commercial Corridor, which provided for service and retail uses to meet daily needs of local residents. It would encourage infill development that would be consistent with existing development and compliment the historic downtown architecture while increasing the walkability of surrounding neighborhoods. The request was inconsistent with the Waxhaw 2040 Future Land Use Map but was reasonable and in the public interest as the property was adjacent to other Commercial Corridor properties. The Planning Board reviewed the rezoning petition at their March 19, 2024 meeting and unanimously voted in favor of the recommendation.

Public Comment:

Mayor Murray opened the floor to public comments as required by law.

No public comments were forthcoming.

MOTION was made by Mayor Pro Tem McMillon to close the Public Hearings.
MOTION was carried unanimously (5:0)

Mayor Murray entertained a 5 minute recess at 7:57 pm.

Mayor Murray reconvened the meeting at 8:04 pm.

OLD BUSINESS

Decision for Charles Beard Rezoning Petition RZ-015085-2023

The Board of Commissioners considered approval the Rezoning/Map Amendment Petition RZ-015085-2023 submitted by Charles Beard from Residential to Neighborhood Center (NC). The property was approximately .364 acres located on Rehobeth Road just behind Sweet Repeats.

Ms. Janet Peirano provided an overview of the petition. She noted that the current parcel was zoned R-3 and the surrounding properties to the west, north and east were zoned Neighborhood Center (NC), and to south was R3 residential. She explained that state law mandates that zoning be undertaken with consideration of a comprehensive plan. The Waxhaw 2040 Comprehensive Plans shows the parcel land use as "Downtown". She identified the principal uses: Historic Main Street building and harmonious infill, the outer limits shall support larger scale buildings for retail, services, offices, artisan studios, light

manufacturing workshops, upper story residential, and institutional uses in a pedestrian-oriented context. The purpose was to foster active streetscapes with preservation of the historic buildings and harmonious infill for employment, access to daily needs, entertainment, and upper-story housing. Conditions: walkable mix of uses in or directly adjacent to historic central core and street grid.

Ms. Peirano explained that downtown land use was typically associated with Town Center (TC) or Main Street zoning, the NC zoning was appropriate and encouraged compact and walkable mixed-use neighborhoods near the downtown core and provided an alternative to auto oriented Corridor Commercial District and promote a town wide architecture identity.

The Planning Board reviewed the petition at their meeting on November 21, 2023. The voted unanimously to recommend denial based on the following concerns: (1) Property was being used as a duplex; to rezone at high density is not in the public interest; (2) Neighboring properties are R-3; NC would not be cohesive with neighboring properties; and (3) Concerned about parking.

The Planning Staff recommended approval based on the following: (1) Property does not meet the definition of a duplex; (2) NC does not allow for standalone residential; (3) Any residential or additional density would come back to the board; (4) Legal non-conforming, cannot add to non-conformity. Planning Staff also recommended approval based on the adjacent Neighborhood Center Properties: (1) 8,300 sq. ft. restaurant and 6,116 sq. ft. neighborhood shopping center. (2) Proposed Rehobeth Flex Space, two single-story buildings totaling 49,074 sq. ft. of commercial space. (3) 3,000 sq. ft. retail store. and (4) Single family residential; (5) Parking must meet Land Development Code requirements; and (6) Development in the NC district may reduce parking minimums by 50% to encourage a compact and walkable mixed use.

Ms. Peirano identified the main concerns of neighborhood property owners and provided solutions that if the property was rezoned:

1. A car was often seen parked illegally blocking the sidewalk. Staff notified the Waxhaw Police Department of the infraction.
2. The adjacent property owner (single family residential) was concerned with her privacy. Staff spoke with the property owner and insured her that the LDC required a buffer between NC and R3. Staff insured the buffer requirements in place once zoning changed.
3. Traffic at the intersection of Rehobeth Road and Hwy 75. A traffic light would be installed before the first certificate of occupancy (CO) as part of the mitigation requirement for the Preserve Project.
4. Concerns about combination of lots creating a larger commercial property. Staff noted that if the combination of the corner lot and the subject property happens, it would most likely be a conditional zoning which would come back before the board.

MOTION was made by Commissioner Wesolek to approve petition RZ-015085-2023 and the Reasonable and Consistency Statement that the request is not consistent with the Waxhaw 2040 Future Land Use Map. However, it is reasonable and in the public interest because the parcel is adjacent to other NC zoned properties. It will expand the walkable mixed-use area near the Downtown core and help to create a connected urban scale mixed

use neighborhood within the Downtown area in accordance with the 2020 Collaborative Growth Strategy. **MOTION** carried by a vote of 3:2 with Commissioner Daunt and Commissioner Wedra in opposition.

Discussion:

- Commissioner Wedra asked when does the buffer apply. Ms. Peirano answered if the use of the property changes then staff would make sure the buffer meets requirements.
- Commissioner Wedra asked will the sidewalk or parking would change. Ms. Peirano answered that the property would be required to have six parking spaces but could ask for a 50% reduction to three spaces and there is space behind the property to extend the driveway around to the back to provide for more spaces if necessary.
- Commissioner Wedra clarified when buffer parking applies would be if the use changes. Ms. Peirano answered yes.
- Commissioner Wedra asked about lighting requirements and the lights encroaching down the street onto the residential area. Ms. Peirano answered lighting requirements would be reviewed and would require lights to be cut off to prevent light encroachment. Ms. Lisa Thompson added that a potential developer would have to have a photometrics plan as well as landscape, sidewalk, and parking plans and new LED lights can be focused on the property to prevent the lights from spilling over to the neighboring properties.
- Commissioner Wedra asked when the traffic light would be installed. Ms. Peirano answered that is was part of the Preserve Project and should be installed approximately January of 2025. Town Manager Wells added that the traffic light is required to be installed before the Preserve Project’s first C.O. which is estimating around the holidays (2024) or just after.
- Commissioner Wesolek asked what the width and type of buffering would be required if the use changes. Ms. Peirano answered it would be a 20 foot buffer.
- Commissioner Wesolek asked if the buffer would be the whole length of the property line that borders the residential area and be landscaped. Ms. Peirano answered yes.
- Commissioner Wedra asked if there was a reason not to consider Commercial Corridor instead of Neighborhood Center. Ms. Peirano answered staff talked about CC zoning but since all the surrounding properties were zoned NC it made sense to keep the same zoning.
- Commissioner Wesolek added that commercial could have things like gas stations and fast food.
- Town Manager Wells added that the zoning was consistent with the Future land Use Plan.
- Town Attorney Buckley stated that if adopted the Future Land Use Plan would also be amended therefore it would be consistent.
- Mayor Murray suggested adding “however” into the Reasonable and Consistency Statement.

Second Reading & Adoption of Proposed Ordinance (ORD2024007) and Ordinance (ORD2024008) - Conversion of N Church Street and W North Main Street & Conversion of S Church Street and Caldwell Street to All-Way Stop Intersections

The Board of Commissioners considered for adoption the proposed Ordinances (ORD2024007) converting N Church Street and W North Main Street to an all-way stop

intersection and (ORD2024008) converting S Church Street and Caldwell Street to an all-way stop intersection amending Chapter 66 Section 66-61 of the Town's Code of Ordinances.

Mr. James Kelly, Traffic – Transportation Project Manager, provided an overview of the amendments. He noted that the conversions of the two intersections would contribute to overall safety at these intersections, which would reduce speed limits, sight distances, and pedestrian considerations to nearby Skate Park and Downtown Park.

MOTION was made by Commissioner Daunt to adopt Ordinance (ORD2024007) converting N Church Street and W North Main Street to an all-way stop intersection. **MOTION** was carried unanimously (5:0)

MOTION was made by Commissioner Daunt to adopt Ordinance (ORD2024008) converting S Church Street and Caldwell Street to an all-way stop intersection. **MOTION** was carried unanimously (5:0)

Ordinances (ORD2024007) and (ORD2024008) are attached and hereby incorporated by this reference.

Waxhaw Master Transportation Plan (WMTP) - Survey Results Update

The Board of Commissioners received as information the results of the Waxhaw Master Transportation Plan (WMTP) Survey results. The WMTP Survey was a community engagement period that began on February 29, 2024, and ended on April 1, 2024, to gain feedback regarding the WMTP, prioritizing projects, and planning for the CRTPO Grant Fall Calls.

Mr. James Kelly, Traffic/Transportation Project Manager, provided an overview of the survey results, which garnered approximately 685 responses. He noted that four public engagement periods were held at the Waxhaw Police Department on February 29th, March 7th, March 21st, and March 28th. The public had an opportunity to learn about the process and provide input on the challenges and constraints that were inherent to the transportation planning. They public also had the opportunity to rank their transportation priorities.

These were the top priorities the citizens identified:

1. Waxhaw Parkway East
2. Helms Road Extension
3. Waxhaw-Marvin and Gray Byrum
4. Waxhaw-Marvin and Kensington
5. Millbridge and Kensington
6. Lawson and Cuthbertson Road

Mr. Kelly noted that the Helm Road Extension was an ideal project for CRTPO Grant Funding. The North Carolina Department of Transportation (NCDOT) maintained Hwy 16 and programmed construction from Rea Road to Waxhaw Parkway was estimated for FY 2029, which would not address the congestion issue Downtown. However, the Waxhaw Parkway Extension would alleviating traffic congestion Downtown at the intersection of NC-16 and NC-75. The importance of the Waxhaw Parkway was to address the traffic impacts to the downtown area. Additionally, he added, the improvements of the parkway

would reduce downtown congestion, increase safety, advanced bicycle and pedestrian accommodations, encourage commercial uses over residential, and would provide a solution to addressing local and regional traffic demand.

Mr. Kelly provided the survey results. There was overwhelming support for the Waxhaw Parkway East and Helms Road Extension. The Parkway CRTPO/CTP Amendment would be April/May of 2024 and the Helms Road Extension CRTPO Fall Call Grant would occur August 2024. There was overall support for projects that could reduce congestion, improve safety for drivers, pedestrians, and bicyclists. There was various feedback on Lawson and Millbridge traffic signals, the next steps was gathering feedback from the HOAs. Staff recommended proceeding with the signals, which would provide immediate improvements along the Kensington/Cuthbertson corridor.

Mr. Kelly explained the Tier 1 and Tier 2 Project prioritization that were reviewed annually for the Capital Improvement Program and any changes would go to the Board of Commissioners for adoption. He also explained the overall support for Transportation Bonds and noted that the Union County was researching alternative approaches in establishing a Transportation Reserve Account.

Staff would continue to compile community input through April and would present a comprehensive recommended action to the Board at their April 23, 2024 meeting. The Next Steps were to anticipate the WMTP draft in May/June and adoption in June/July, which would help with prioritizing project submittals for grant funding in August.

Discussion:

- Commissioner Daunt asked for clarification on the success of Downtown. Mr. Kelly answered that the NC-16 widening project is coming and with that project there would be more traffic heading south and north through Waxhaw and with that traffic the prioritization of pedestrian traffic would be hindered.
- Commissioner Daunt asked if the 9,000 a day vehicle reduction would be once everything is completed. Mr. Kelly answered yes.
- Commissioner Daunt asked what the reduction would be based on a percentage. Mr. Kelly answered it would be approximately 2/3 of the traffic.

NEW BUSINESS

Consider Approval of Pay and Classification Study Recommendations

The Board of Commissioners considered for approval the results of the Pay and Classification Study conducted by Mr. David Hill of Piedmont Triad Regional Council.

Mr. David Hill provided an overview of his findings and recommendations for the Town's employee recruitment and retention initiatives. He noted that in a mature workforce, practically every element regarding employees' pay and performance should be within standard deviations and resemble the "Bell Curve", two-thirds of workforce should be located within the middle third of the measured metric. He provided graphs to represent a 20-year career with the percentages of employees still with the organization as well as percentages of employees in their current position and the average percentage of employee salaries that fell above minimum was 23.97%. He noted that his results were

compared the current versus the proposed pay plan structure, with the market comparison salaries, and the surrounding municipalities similar to the Town of Waxhaw.

Mr. Hill recommended the following:

- Adopt the Salary Administration Philosophy Statement.
- Administer Market-Based Salary Administration Practices and adopting a Biennial Market Review Schedule for all Classifications.
- Pay Plan and Employee Salary Recommendations:
 - Adopt recommended Pay Plan,
 - Adopt Career Ladder for PW Maintenance Technician Classification,
 - Adopt Individual Classification Titles for Building Inspectors,
 - Annual Adoption of the Pay Plan,
 - A Years of Service model for Employee Salary Adjustments.

He explained the Years of Service Model would be to assign each classification to the pay grade range commensurate with each classification's market comparisons and employee salaries. Set at the minimum salary of their assigned pay grade and then each employee's salary was advanced across the assigned pay grade range by 1% for each year of employment or at current salary, whichever was greater.

He explained the implementation required funding with salaries plus (25%) FICA/Retirement/401K etc. the total implementation cost would be \$92.339

MOTION was made by Commissioner Hall to approve the pay and classification study recommendation as presented. **MOTION** was carried unanimously (5:0).

Discussion:

- Commissioner Daunt thanked him and asked with the increase in some salaries would that be considered Market Rate. Mr. Hill answered yes and the recommendations would cover the gaps where employees salaries would be below average.
- Commissioner Daunt asked if those recommendations were implemented what would Market Rate be the term to use for the salary increases. Mr. Hill answered yes, market Rate would be if everyone's salaries were at midpoint.
- Town Manager Wells added some clarification for the cost of implementation would bring everyone up to Market Rate and the employee's have a 3.2% cost of living adjustment. He asked the Board for support for the Pay Study Recommendations and the amounts talked about were in the draft budget within the Town's existing resources. These would be presented at the budget Workshop on April 29th and then staff would look for adoption that would take effect July 1, 2024.
- Town Manager Wells noted that it was a pleasure working with Mr. Hill.

Consider Adoption of Proposed Muzzleloader/Shotgun Ordinance

The Board of Commissioners considered for adoption the proposed amendment to Section 46-4 (g) - (i) to add Muzzleloader/Shotgun regulations in Chapter 46 Miscellaneous Offenses Firearms, archery, fireworks; carrying concealed weapons on certain property; and signs of the Town's Code of Ordinances.

Police Chief Dexter Wilson provided an overview of Ordinance amendment (ORD2024012). He explained that the use of firearms would be permitted under the following conditions;

- The firearm must be a shotgun or muzzleloader.
- Shooting only allowed from dawn until dusk.
- Firearm activity must occur no closer than 150 yards from any residential dwelling, church school or any other occupied building, road, street, gathering area or public recreation within the Town of Waxhaw municipal limits.
- The tract of land must be a minimum of 100 acres of continuous land on which shooting firearms will take place.
- The person(s) must own or have written permission with him or her from the owner to shoot firearms upon the land. If the land changes ownership, then written permission is required by the new property owner.
- Must receive approval from the Chief of Police prior to discharge of such firearms on private land within the limits of the Town of Waxhaw unless dispatching a dangerous animal.
- Self-defense, official duties of officers exempted. Nothing contained herein shall be construed as to prohibit any person from discharging any firearm in lawful self-defense or any sworn law enforcement officer in the performance of official duties.
- Any person discharging firearms shall exercise reasonable regard for the safety and property of other persons and adhere to all applicable state and local regulations.
- The Chief of Police shall oversee the enforcement and implementation of this policy.
- Law enforcement responsible for monitoring firearm activities within the town limits will ensure compliance with these regulations through regular patrols and inspections.
- The Chief of Police shall be the approving official prior to the discharge of such firearms on private land within the limits of the Town of Waxhaw.
- If shooting activities on private land is denied by the Chief of Police, an appeal can be made to the Town Manager, but must be made within 10 days of the denial. The Town Manager's decision shall be the final determination.
- The Town Manager and/or Chief of Police reserve the right to rescind a permit at any time for violations of this ordinance.

He noted that the Waxhaw Police department looked at the crash data for deer crossing crashes, the results showed an increase in crashes over the years and putting this ordinance amendment in place could mitigate some of the deer crashes in the future. He provided a map of the potential properties that could qualify for consideration.

MOTION was made by Commissioner Daunt to adopt the ordinance amending Chapter 46 Miscellaneous Offenses Section 46-4 (g) - (i) to add Muzzleloader/Shotgun regulations, as presented. **MOTION** carried a vote of 3:2 with Mayor ProTem McMillon and Commissioner Wesolek in opposition.

Ordinance (ORD2024012) is attached and hereby incorporated by this reference.

TOWN LEADERSHIP REPORTS

Parks & Recreation Director Dena Sabinske:

- Provided updates for Waxhaw Parks and Recreation

Public Services Director Todd Matthews:

- Provided updates for Public Services

ADJOURNMENT

Being no additional business, Mayor Murray entertained a motion to adjourn. **MOTION** was made by Commissioner Hall to adjourn the regular meeting. **MOTION** carried unanimously (5:0).

The meeting was adjourned at 9:21 pm.

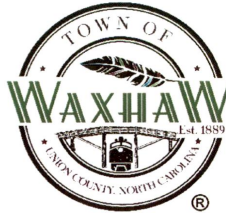
Respectfully submitted,

Robert J. Murray III, Mayor

ATTEST:

Barbara Bruce, Town Clerk

Section: 100-32
ORD: ORD2024011



Town of Waxhaw, North Carolina
Ordinance Authorizing the Acceptance of Donation Funds

WHEREAS, the North Carolina General Statute 160A-12 gives local municipalities the authority to accept Donation Funds;

WHEREAS, the Town of Waxhaw Police is authorized to receive donated funds from Royce Publications Inc. for general use;

WHEREAS, revenues received in excess of \$.00 will be used to fund purchases as needed; and


NOW, THEREFORE, BE IT ORDAINED BY THE WAXHAW BOARD OF COMMISSIONERS THAT:

Section 1. The Board of Commissioners authorizes the Town Manager and Finance Director to receive Funds for the targeted amount of \$2,500.00.

Section 2. A Budget Amendment will be authorized to establish the use of the funds.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ITS ADOPTION AND APPROVAL.

Duly adopted this the 9th day of April 2024.



Robert J. Murray, III, Mayor

ATTEST:


Barbara Bruce, Town Clerk



PROCLAMATION: PRO2024005



A Proclamation In Support of Arbor Day

WHEREAS, trees in our town increase property values, enhance the economic vitality of the business areas, and beautify the community;

WHEREAS, trees help reduce the erosion of our creeks and streams by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife;

WHEREAS, the Town of Waxhaw Board of Commissioners recognizes the importance of protecting and preserving the trees and woodlands; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, BE IT PROCLAIMED, that I, Robert J. Murray III, by virtue of the authority vested in me as Mayor of the Town of Waxhaw, in the State of North Carolina, do hereby proclaim April 13, 2024, as Arbor Day, in the Town of Waxhaw, and I urge all citizens to support efforts in protecting the trees and woodlands while promoting the well-being for present and future generations.

Duly Adopted on this the 9th day of April 2024.

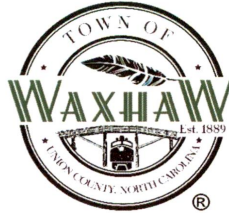

Robert J. Murray III, Mayor

ATTEST:

Barbara Bruce, Town Clerk



Section: 66-61
ORDINANCE: ORD2024007



Town of Waxhaw, North Carolina
An Ordinance Converting the Intersection of N Church
Street and W North Main Street to an All-Way Stop

WHEREAS, in pursuance of authority conferred by G.S. 20-141, 20-158, 20-169, 160A-174, 160A-175, 160A-296 and 160A-300, and for the purpose of protecting the health, safety or welfare of the people traveling on the public streets, alleys and public ways in the Town of Waxhaw; and

WHEREAS, the Waxhaw Board of Commissioners has determined to designate stop and yield intersections on the Town of Waxhaw street system.

NOW THEREFORE, BE IT ORDAINED, by the Waxhaw Board of Commissioners that Section 66-61, Stop and Yield Intersections, of the Code of Ordinances for the Town of Waxhaw, North Carolina is hereby amended to add the following:

1. Conversion of the North Church Street and West North Main Street intersection to an all-way stop condition.
2. The Chief of Police or his designee is authorized to post stop signs and add thermoplastic stop bars to inform the public of this ordinance.
3. The Chief of Police or his designee is authorized to enforce the stop and yield conditions to regulate traffic accordingly.
4. Penalty. Any person violating or failing to comply with provisions of this section shall be subject to a civil penalty of \$50.00 per violation.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ITS ADOPTION AND APPROVAL.

Duly adopted this 9th day of April 2024.

ATTEST:

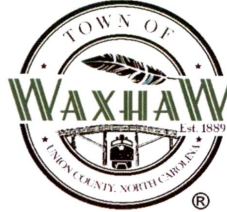


Barbara Bruce, Town Clerk



Robert J. Murray III, Mayor

Section: 66-61
ORDINANCE: ORD2024008



Town of Waxhaw, North Carolina
An Ordinance Converting the Intersection of S Church
Street and Caldwell Street to an All-Way Stop

WHEREAS, in pursuance of authority conferred by G.S. 20-141, 20-158, 20-169, 160A-174, 160A-175, 160A-296 and 160A-300, and for the purpose of protecting the health, safety or welfare of the people traveling on the public streets, alleys and public ways in the Town of Waxhaw; and

WHEREAS, the Waxhaw Board of Commissioners has determined to designate stop and yield intersections on the Town of Waxhaw street system.

NOW THEREFORE, BE IT ORDAINED, by the Waxhaw Board of Commissioners that Section 66-61, Stop and Yield Intersections, of the Code of Ordinances for the Town of Waxhaw, North Carolina is hereby amended to add the following:

1. Conversion of the South Church Street and Caldwell Street intersection to an all-way stop condition.
2. The Chief of Police or his designee is authorized to post stop signs and add thermoplastic stop bars to inform the public of this ordinance.
3. The Chief of Police or his designee is authorized to enforce the stop and yield conditions to regulate traffic accordingly.
4. Penalty. Any person violating or failing to comply with provisions of this section shall be subject to a civil penalty of \$50.00 per violation.

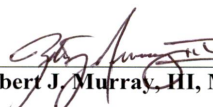
THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ITS ADOPTION AND APPROVAL.

Duly adopted this 9th day of April 2024.

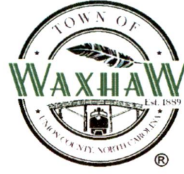
ATTEST:



Barbara Bruce, Town Clerk



Robert J. Murray, III, Mayor



Chapter 46: Section 46-4.

Archery, firearms, fireworks; carrying concealed weapons on certain property; signs.

- (a) *Fireworks prohibited.* No person shall fire any description of fireworks within the corporate limits of the town without the consent of the Board of Commissioners.
- (b) *Signs.*
 - (1) *Posting of signs required.* The police chief is hereby authorized and instructed to post conspicuous signage at appropriate locations on or within each park and each building owned, leased as lessee, operated, occupied, managed, or controlled by the town, as well as the appurtenant premises to the buildings, indicating that carrying a concealed handgun is prohibited therein.
 - (2) *Location of signs.* Signs on buildings shall be visibly posted on the exterior of each entrance by which the general public can access the building. The police chief shall exercise discretion in determining the number and appropriate location of signs to be placed on or within appurtenant premises and parks.
- (c) *Archery.* No person shall hunt by bow and arrow except:
 - (1) During a lawful hunting season validly in effect, including any urban archery season approved by the Board of Commissioners.
 - (2) The parcel or tract of land must be equal to or greater than two acres in area (such area may be comprised of contiguous parcels).
 - (3) The hunter must own or have written permission with him from the owner to hunt upon the land.
 - (4) No arrow shall be discharged within 150 feet of any residential dwelling, school, church, or any other occupied building, street, road, public recreation or gathering area; and
 - (5) The hunter exercises reasonable regard for the safety and property of other persons and adheres to all applicable state and local regulations.
- (d) The Town of Waxhaw understands the importance and tradition of firearm activities while prioritizing the safety and well-being of its residents and properties, and it is important to establish guidelines to regulate activities with firearms within town limits to ensure public safety and minimize disturbance to residential areas:
- (e) *Definitions*
 - (1) "Firearms" refers to a weapon or similar instrument from which shells, shots, bullets, or similar projectiles are discharged by means of the explosion of gunpowder.

(2) "Continuous 100 Acre Tract of Land" refers to an uninterrupted area of at least 100 acres with no substantial breaks or interruptions, as determined by town staff or designated authorities. This limitation is put in place to ensure a safe and adequate distance between people participating in firearm activities and nearby properties, minimizing the risk of accidents or endangerment to neighboring residents.

(f) Unlawful discharge of firearm.

(1) Except as provided in sections (g) - (i), it shall be unlawful for any person to discharge a firearm within the municipal limits of the town.

(g) Firearms Regulations

- (1) Use of firearms is permitted within the Town of Waxhaw municipal limits under the following conditions:
- i. Must be a shotgun or muzzleloader.
 - ii. Shooting is only allowed from dawn until dusk.
 - iii. The firearm activity must occur no closer than 150 yards (450 feet) from any residential dwelling, church, school, or any other occupied building, road, street, gathering area or public recreation, within the Town of Waxhaw municipal limits.
 - iv. The tract of land must be a minimum of 100 acres of continuous land on which shooting firearms will take place.
 - v. The person(s) must own or have written permission with him or her from the owner to shoot firearms upon the land. If the land changes ownership, then written permission is required by the new property owner.
 - vi. Must receive approval from the Chief of Police prior to the discharge of such firearms on private land within the limits of the Town of Waxhaw unless dispatching a dangerous animal.
 - vii. *Self-defense, official duties of officers exempted.* Nothing contained herein shall be construed as to prohibit any person from discharging any firearm in lawful self-defense or any sworn law enforcement officer in the performance of official duties.
 - viii. Any person discharging firearms shall exercise reasonable regard for the safety and property of other persons and adhere to all applicable state and local regulations.

(h) Any violation of these regulations will result in penalties as outlined by the laws of the Town of Waxhaw, including fines or other lawful actions.

(i) Safety Measures and Education

(1) People engaging in shooting activities within the town limits of Waxhaw must prioritize safety by following firearm safety protocols and ensuring proper use and storage of firearms.

(j) Implementation and Enforcement

(1) The Chief of Police shall oversee the enforcement and implementation of this policy.

(2) Law enforcement responsible for monitoring firearm activities within the town limits will ensure compliance with these regulations through regular patrols and inspections.

(3) The Chief of Police shall be the approving official prior to the discharge of such firearms on private land within the limits of the Town of Waxhaw.

(4) If shooting activities on private land is denied by the Chief of Police, an appeal can be made to the Town Manager but must be made within 10 days of the denial. The Town Manager's decision shall be the final determination.

(5) The Town Manager and/or Chief of Police reserve the right to rescind a permit at any time for violations of this ordinance.

(k) Effective Date


(1) This policy shall take effect immediately upon its adoption and publication in accordance with the laws of the Town of Waxhaw.

(l) Adopted and enacted by the Town of Waxhaw Board of Commissioners, this date of April 9, 2024.

ATTEST:


Barbara Bruce, Town Clerk




Robert J. Murray, III, Mayor

This policy aims to permit the use of firearms within town limits while establishing regulations to safeguard residential areas and ensure the safety of residents. It emphasizes responsible firearm practices and adherence to specified requirements, including maintaining a minimum continuous tract of land and maintaining a safe distance from residences during firearm activities. This policy aims to balance the rights of property owners to engage in firearm activities while ensuring the safety and well-being of all residents within the municipal limits of Waxhaw.

Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2120
Submitted by: Janet Peirano
Submitting Department: Planning Department
Meeting Date: April 23, 2024

Subject:

Adoption of Proclamation (PRO2024007) in Support of National Historic Preservation Month

ATTACHMENTS

[Proclamation PRO2024007 in Support of National Historic Preservation Month - 2024.04.23](#)

PROCLAMATION: PRO2024007



A Proclamation in Support of National Historic Preservation Month

WHEREAS, the National Trust for Historic Preservation established May as Historic Preservation Month in 1973, as a way to promote historic places for the purpose of instilling nation and community pride, promoting heritage tourism, and showing the social and economic benefits of historic preservation;

WHEREAS, Historic Preservation Month can instill awareness of the local historically significant buildings and landmarks to the residents of Waxhaw and surrounding communities;

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, the Waxhaw Board of Commissioners recognizes the importance to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a nation.

NOW THEREFORE, BE IT PROCLAIMED, I, Robert J. Murray III, by virtue of the authority vested in me as the Mayor of the Town of Waxhaw, in the State of North Carolina, do hereby proclaim the month of May as “**National Historic Preservation Month**” in the Town of Waxhaw, and I urge all citizens to join me in support of this special observance.

Duly adopted and effective on the 23rd day of April 2024.

Robert J. Murray III, Mayor

ATTEST:

Barbara Bruce, Town Clerk

Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2122
Submitted by: Rosie Dodd
Submitting Department: Finance Department
Meeting Date: April 23, 2024

Subject:

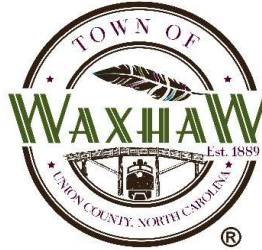
Adoption of FY 2023-24 Budget Amendment Ordinance (ORD2024014) to Accept Donation from Girls on the Run for Parks & Recreation Program Event

Executive Summary/Staff Recommendation:

Recommend acceptance of funds and approval of action to amend FY24 budget.

ATTACHMENTS

[Ordinance #ORD2024014 - 2023-24 Budget Amendment to Accept Cash Donations - PCR Events -2024.04.23](#)



FY 2023-2024 Budget Amendment Ordinance
Acceptance of Cash Donations for Parks & Recreation Events

WHEREAS, Parks & Recreation shall receive a cash donation and sponsorship in the amount of \$3,500.00;

WHEREAS, the donation funds will be received as Revenue and the budget account updated;

NOW, THEREFORE, BE IT ORDAINED, by the Waxhaw Board of Commissioners of the Town of Waxhaw, North Carolina that:

<u>Donation Funds</u>	<u>Total Received</u>
Revenues:	
Sponsorship/Donation – SMILE Sensory Trailer	
Autism Strong Foundation – Girls on the Run	\$3,500.00

Duly adopted and effective this the 23rdth day of April 2024.

Robert J. Murray, III, Mayor

ATTEST:

Barbara Bruce, Town Clerk

Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2110
Submitted by: Barbie Bruce
Submitting Department: Town Clerk
Meeting Date: April 23, 2024

Subject:

Recognition of Cuthbertson Middle School's Odyssey of the Mind Teams

Executive Summary/Staff Recommendation:

Autumn Bell is the Coach of two Odyssey of the Mind Teams at Cuthbertson Middle School. Odyssey of the Mind is a 45-year-old international program that challenges students to think outside the box and use creativity to solve problems with emphasizes teamwork, budgeting, time management, public speaking, and more. Both teams won the Regional and State Competitions and qualified for the World Finals at Iowa State University in Ames, Iowa competing against US state finalist and the top teams from up to 30 countries. There are only two (2) teams in Union County attending the World Finals. The high school team has made it to this highest level 7 years in a row. Last year, this team hosted a team from Shanghai, China and continue to keep in touch with the team members. The middle school Vehicle-Building Team has advanced to Worlds for the second time.

Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2128
Submitted by: Dena Sabinske
Submitting Department: Parks & Recreation Department
Meeting Date: April 23, 2024

Subject:

Recognition of Girls on the Run SMILE Trailer Donation

Executive Summary/Staff Recommendation:

The Girls on the Run donation of \$3,500 for the SMILE "inclusive trailer".

ATTACHMENTS

[Presentation SMILE Trailer Donation](#)



Parks & Recreation Department

SMILE Trailer Donation

Dena Sabinske, Director of Parks & Recreation





S.M.I.L.E. Trailer Donation

\$3,500 DONATION FROM



A community focused and inclusive trailer to provide a haven of sensory experiences designed to provide comfort and support for individuals with autism and sensory processing differences. It's coming to Waxhaw's Town Events, completely free of charge for our wonderful community! It's a space that is dedicated to those who may need a moment to decompress if faced with sensory overload during one of our events or programs.





S.M.I.L.E. Trailer Donation

MOTION to approve and authorize the Town Manager to accept the donation from Girls on the Run.

QUESTIONS





Vision

Professional park facilities, recreational opportunities and quality of life initiatives that unmistakably reflect the unique character of Waxhaw.

Mission

To provide recreational, educational and cultural opportunities that promote a healthy lifestyle and excellent quality of life in a safe environment for citizens of all ages, means and abilities.

Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2082

Submitted by: Emily Howe

Submitting Department: Parks & Recreation Department

Meeting Date: April 23, 2024

Subject:

Parks and Recreation Department: 10 Year Service Award

Information: Amy Merrill, Parks and Recreation Department, has been with the Town of Waxhaw for 10 years and will be honored with a Service Award.

Presenter: Dena Sabinske, Parks and Recreation Director

Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2119
Submitted by: Barbie Bruce
Submitting Department: Town Clerk
Meeting Date: April 23, 2024

Subject:

Adoption of Proclamation (PRO2024006) for Municipal Clerk's Week

Information: This is the 55th Annual Professional Municipal Clerks Week on May 5 through 11, 2024. The Office of the Municipal Clerk is the oldest profession among public servants. The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and other outside governmental agencies. The Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Recommended Action:

- **MOTION** to adopt Proclamation (PRO2024006) in Support of Professional Municipal Clerks Week on May 5 through 11, 2024.

Presenter: Jeff Wells, Town Manager

ATTACHMENTS

[Proclamation PRO2024006 In Support of Professional Clerks Week May 5-11 - 2024.04.23](#)

PROCLAMATION: PRO2024006



A Proclamation In Support of Professional Municipal Clerks Week

WHEREAS, the Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world;

WHEREAS, the Office of the Professional Municipal Clerk is the oldest among public servants;

WHEREAS, the Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels;

WHEREAS, the Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all;

WHEREAS, the Professional Municipal Clerk serves as the information center on functions of local government and community;

WHEREAS, the Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

NOW THEREFORE, BE IT PROCLAIMED, I, Robert J. Murray III, by virtue of the authority vested in me as the Mayor of the Town of Waxhaw, in the State of North Carolina, do hereby proclaim the week of May 5 through 11, 2024, as "Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerks, Barbara Bruce and Brandi Stroud, and too all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Duly adopted and effective on this 23rd day of April 2024.

PROCLAMATION: PRO2024006

Robert J. Murray III, Mayor

ATTEST:

Barbara Bruce, Town Clerk

Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2127

Submitted by: Emily Howe

Submitting Department: Human Resources Department

Meeting Date: April 23, 2024

Subject:

Recognition of the Annual Employee Award Winners

Information: The 7th Annual Employee Awards Ceremony was held on April 11th recognizing employees for the year 2023 in 6 award categories. We will recognize the employees that won in the following categories: Customer Service, Professional Development, Leadership, Team, Department Head of the Year and the Sonny Splawn Employee of the Year.

Presenter: Wendy Davenport, Human Resources Director

ATTACHMENTS

[Employee Award Winners](#)



The Employee Awards

Purpose: To identify and recognize a Town Employee who has demonstrated exceptional work performance during the previous year and has personified the values of Town of Waxhaw: *We live our word – We are in it together – We make it better – We stay on track*

Categories:

- Customer Service
- Innovation
- Leadership
- Professional Development
- Team
- Department Head of the Year
- Sonny Splawn Employee of the Year

Process: Employees fill out a nomination packet to nominate their peer(s). A committee (with a representative from each department) carefully reviews each nomination and selects a winner for each category, making sure all criteria are met



Customer Service Award

This award recognizes an employee who consistently makes it better and demonstrates high levels of performance that improve service levels.

Customer Service Award Winner: Emily Learned – HR Department





Professional Development Award

This award goes to an employee who has exhibited the values of staying on track and making it better with the willingness to pursue professional development or gain additional skills at a higher level to further their career here.

Professional Development Award Winner:
Janet Peirano – Planning Department





Leadership Award

This recognizes an employee who influences the organization by demonstrating all the values in a positive way regardless of their job title.

Leadership Award Winner: James Kelly –
Engineering Department





Team Award

This goes to the team that exemplifies the spirit of teamwork and the value of "in it together." They work together in an exceptional manner to accomplish their goal or initiative.

Team Award Winner: The Planning Team – Mattison Miller, Janet Peirano, Lauren Lafond and Blair Israel





Department Head of the Year Award

This recognizes a department head who lives their word through their actions and influences the organization in a positive way.

Department Head of the Year Award
Winner: Chief Dexter Wilson – Police Department





Sonny Splawn Employee of the Year Award

This award recognizes an employee who consistently demonstrates the acts of a servant leader. They go beyond the expected to advance Waxhaw's mission and promote a positive culture and demonstrate all our values in the process.

Sonny Splawn Employee of the Year Award
Winner: Matthew Faulkenberry – IT
Department



Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2124
Submitted by: James Kelly
Submitting Department: Engineering Department
Meeting Date: April 23, 2024

Subject:

Consider Approval of the Waxhaw Master Transportation Plan (WMTP) - Project Tier Recommendations

Information: Staff is presenting information pertaining to the Waxhaw Master Transportation Plan (WMTP) project tier updates based on a community engagement period that began on February 29, 2024 and ended on April 1, 2024. The primary purpose of the presentation is to adopt the updated WMTP project tiers and provide a recommendation on next steps toward planning for the CRTPO grant fall call submittal. Staff will move toward updating the WMTP anticipating a summer (June/July) adoption timeline. Staff recommends submitting the Helms Road Extension project for CRTPO grant funding this fall (August) with an increased local match.

Recommended Action:

- **MOTION** to approve the Waxhaw Master Transportation Plan (WMTP) project tier prioritizations, as presented.

Presenter: James Kelly, Traffic/Transportation Project Manager

Executive Summary/Staff Recommendation:

Staff recommendation is to approve the Waxhaw Master Transportation Plan (WMTP) project tier prioritizations, as presented.

ATTACHMENTS

[20240423.WMTP_Project Tier Adoption](#)



**WAXHAW MASTER TRANSPORTATION PLAN (WMTP) – PROJECT
TIER PRIORITIZATION UPDATES
APRIL 23, 2024, BOC REGULAR MEETING
JAMES KELLY, P.E. – TRAFFIC/TRANSPORTATION PROJECT ENGINEER**





Community Engagement

- Town social media blitz to inform the public ahead of workshops
- Held four (4) in-person workshops at Waxhaw Police Department
 - *February 29th Workshop (Evening; 6:30pm – 8:00pm)*
 - *March 7th Workshop (Evening; 6:30pm – 8:00pm)*
 - *March 21st Workshop (Afternoon; 1:30pm – 3:00pm)*
 - *March 28th Workshop (Morning; 8:00am – 9:30am)*
- Educated the community about the WMTP process and the challenges and constraints that are inherent to the transportation planning process
- Input received helps establish local transportation priorities and will better relay the community's preferences for additional funding options
- **MetroQuest Online Survey – Live February 29, 2024 – April 1, 2024**
- **Approximately 685 responses to the survey**

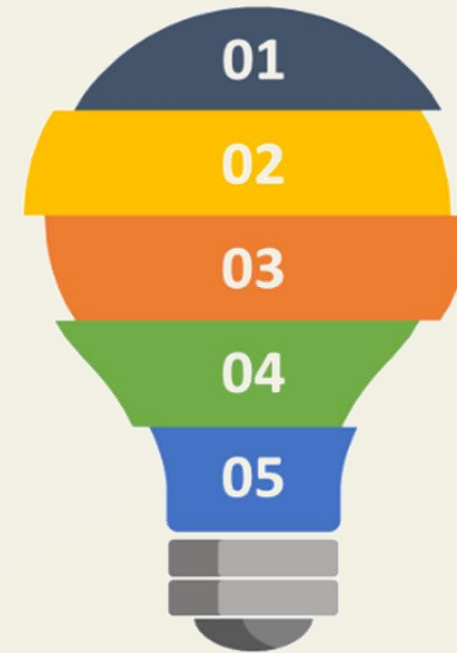




Community Project Prioritization

1. Waxhaw Parkway East
2. Helms Road Extension
3. Waxhaw-Marvin & Gray Byrum
4. Waxhaw-Marvin Corridor
5. Waxhaw-Marvin & Kensington

6. Millbridge & Kensington
7. Lawson & Cuthbertson Road



Recommendation: Submit Helms Road Extension for CRTPO Grant Funding this Fall



WMTP Project Prioritizations

- Tier 1 and Tier 2 projects are evaluated within annual review of the Capital Improvement Program (CIP)
- Any changes to the Tiers will go to the BOC for adoption

Projects Programmed from Tier 1 and Tier 2 Prioritization		Recommended Action
NC-16 (Providence Road) at NC-75 (South Main Street)	Project includes adding an eastbound left turn lane, Programmed within STIP (Construction FY 2028) to occur in conjunction with Broome Street Center Turn Lane Improvements.	Move from Tier 1 to Programmed Prioritization
Broome Street Center Turn Lane Improvements	Project includes widening Broome Street to a 3-lane road section. Programmed within STIP (Construction FY 2028) to occur in conjunction with the NC-16 (Providence Road) and NC-75 (South Main Street) improvements.	Move from Tier 1 to Programmed Prioritization
Alma Blvd, Kingston Drive, and Red Oaks Trail Crosswalks	In process of ordering RRFB supplies for installation at Red Oaks Trail and Kingston Drive. Alma Blvd has planned signal and pedestrian upgrades as part of identified TIA mitigations.	Move from Tier 1 to Programmed Prioritization
Waxhaw-Marvin Road at Bonds Grove Church Road	Roundabout is programmed with NCDOT, Union County, and the Village of Marvin - The project may be delayed as the Village of Marvin is working to secure local match funding.	Move from Tier 1 to Programmed Prioritization
Waxhaw-Marvin Road at Pine Oak Road	Project includes realigning the intersection and adding signalization. Intersection improvements are planned as part of identified TIA mitigations.	Move from Tier 1 to Programmed Prioritization



Tier 1 & Tier 2 Project Prioritizations

Tier 1 Project Prioritization		Recommended Action
Waxhaw Parkway East	Project would include providing a road extension to bypass downtown with a four-lane road section to NC-75. Move toward long-range project programming and obtain stakeholder collaboration.	Keep within Tier 1 and Focus on Project Programming
Helms Road Extension (Waxhaw Parkway West)	Project would include providing a road extension to Helms Road to connect into a programmed NCDOT Rail project. This could be an ideal candidate for CRTPO grant funding with an increased local match.	Keep within Tier 1 and submit for CRTPO DA Grant Funding with an Increased Local Match
Waxhaw-Marvin Road at Gray Byrum Road	Project would include addition of turn lanes and potential signalization to improve the intersection.	Based on Community Engagement, Upgrade to Tier 1 and Focus on Project Programming
Waxhaw-Marvin Corridor	Project would include widening to a three-lane section and adding a multi-use path to enhance pedestrian connectivity to Downtown Waxhaw. Corridor study has been completed.	Based on Community Engagement, Upgrade to Tier 1 and Focus on Project Programming
Waxhaw-Marvin Road at Kensington Drive	Project would include adding turns lanes and upgrades to pedestrian connectivity to improve the intersection. Currently working through various intersection conceptual drawings.	Based on Community Engagement, Upgrade to Tier 1 and Focus on Project Programming
Tier 2 Project Prioritization		Recommended Action
Howie Mine Road Sidewalk	Note that the WMTP is not a good mechanism for comparing pedestrian projects with road projects. Previous CRTPO DA grant submittal was not selected. Upcoming pedestrian plan/CIP prioritization.	Keep within Tier 2 for Plan Consistency
Pine Oak Road Sidewalk	Note that the WMTP is not a good mechanism for comparing pedestrian projects with road projects. Various funding options could be explored. Upcoming pedestrian plan/CIP prioritization.	Keep within Tier 2 for Plan Consistency
Twelve Mile Creek Greenway	Note that the WMTP is not a good mechanism for comparing pedestrian projects with road projects. Feasibility study is currently ongoing.	Keep within Tier 2 for Plan Consistency
Millbridge/Kensington Signal	Project would include signalization and intersection improvements.	Add to Tier 2 Prioritization and Focus on Project Programming
Lawson/Cuthbertson Signal	Project would include signalization and intersection improvements. Project would also convert Brough Hall Drive to a right-in/right-out condition to meet state requirements.	Add to Tier 2 Prioritization and Focus on Project Programming
Kensington Sidewalk	Note that the WMTP is not a good mechanism for comparing pedestrian projects with road projects. Previous CRTPO DA grant submittal was not selected. Resubmit with HOA support and increased funding in a future DA application to be determined.	Add to Tier 2 Prioritization
Sonny Way Greenway	Note that the WMTP is not a good mechanism for comparing pedestrian projects with road projects. Consider project programming from a long-term planning standpoint. Recommend a future feasibility study as the next step.	Add to Tier 2 Prioritization
Blythe Mill Road Realignment and Downtown MUP	Project would include realigning the intersection of Blythe Mill Road and NC-16 (Providence Road) and adding a multi-use path to enhance pedestrian connectivity to Downtown Waxhaw and connect to the programmed NC-16 widening project	Add to Tier 2 Prioritization



Board Action

- **MOTION** to approve the Waxhaw Master Transportation Plan (WMTP) project tier prioritizations, as presented.
- Note that staff will move toward updating the WMTP anticipating a summer (June/July) adoption timeline.
- Note that staff recommends submitting the Helms Road Extension Project for CRTPO grant funding this fall (August) with an increased local match.

Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2114
Submitted by: Janet Peirano
Submitting Department: Planning Department
Meeting Date: April 23, 2024

Subject:

Decision for Rezoning Petition RZ-015255-2024 - Fox Property, Waxhaw Marvin Rd

Information: Petition RZ-015255-2024 is a request by the applicant Wesley Fox for a rezoning/map amendment for parcel number 05138024 from R-4 Residential to CC - Commercial Corridor. The property is approximately 1.5-acres located on Waxhaw Marvin Road adjacent to Waxhaw Equipment Rental.

Recommended Action:

- **MOTION** to approve the Rezoning Petition RZ-015255-2024 Fox Property and the reasonableness and consistency statement that the request is inconsistent with the Waxhaw 2040 Future Land Use Map, but it is reasonable and in the public interest as the parcel is adjacent to other CC zoned properties and will provide diversity to the tax base.

Presenter: Janet Peirano, Planner II

ATTACHMENTS

[RZ-015255-2024 BOC Decision Staff Report](#)
[RZ-015255-2024 BOC Decision Presentation](#)

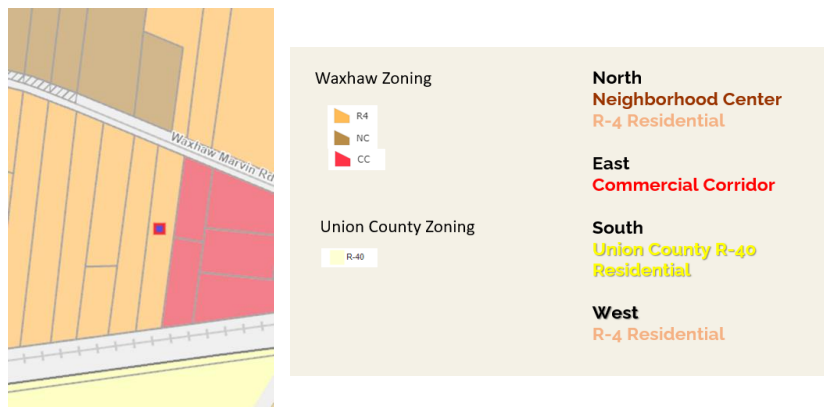
**Rezoning Request RZ-015255-2024
Waxhaw Marvin Rd
Prepared by Janet Peirano, Planner II**

EXPLANATION OF THE REQUEST

Petition RZ-015255-2024 is a request by applicant Wesley Fox for a rezoning/map amendment for parcel number 05138024 from R-4 Residential to CC - Commercial Corridor. The property is approximately 1.5 acres located on Waxhaw Marvin Road adjacent to Waxhaw Equipment Rental.

CURRENT LAND USE

The subject property is vacant land zoned R-4 residential. Adjacent properties to the north are single family homes zoned Neighborhood Center, and an approved attached single family project zoned R-4 (32 units on 7.4 acres, Village of Waxhaw). To the east are parcels owned by Mr. Fox, zoned commercial corridor and home to Waxhaw Equipment Rental. To the South on the other side of the RR tracks is a vacant parcel zoned Union County R40. And to the west there are vacant parcels zoned Waxhaw R4.



COMPREHENSIVE PLAN/FUTURE LAND USE MAP

State law mandates that zoning be undertaken with consideration of a comprehensive plan and that a consistency statement be prepared and approved for every zoning amendment.

The *Waxhaw 2040* Future Land Use Map designates the property as Employment Center. Employment Center zoning allows for the development of larger scale businesses to drive employment and economic opportunities including a variety of industries and uses that have limited impacts on surrounding areas such as office parks, light or high-tech industrial campuses, and warehousing or distribution facilities. EC is intended to provide for high quality jobs that have managed impacts in areas that are well connected to current and future regional transportation routes.



Waxhaw 2040 Future Land Use Map

PLANNING STAFF ANALYSIS

The requested zoning district for the property is CC - Commercial Corridor.

Commercial Corridor zoning provides for service and retail uses to meet daily needs of local residents in a manner conveniently accessible by automobile, while maintaining efficient vehicular and pedestrian access management. CC allows for growth consistent with the existing development primarily located along the Highway 16 corridor. It encourages infill development that is designed to be complementary to the historic downtown architecture and increase the walkability and access to surrounding residential neighborhoods.

PLANNING BOARD/STAFF RECOMMENDATION

The Planning Board reviewed the rezoning petition at their March 19, 2024, meeting and voted unanimously for a favorable recommendation. Staff also recommend approval of the proposed general rezoning from R-4 to CC. This zoning is a general rezoning request therefore no conditions can be placed on the approval.

PUBLIC HEARING

A public hearing was held on April 9, 2024. There were no public comments.

REASONABLENESS AND CONSISTENCY STATEMENT

The request is inconsistent with the Waxhaw 2040 Future Land Use Map, but it is reasonable and in the public interest as the parcel is adjacent to other CC zoned properties and will provide diversity to the tax base.

REQUESTED ACTION

Motion to approve rezoning petition RZ-015255-2024 and the reasonableness and consistency statement as presented.



Rezoning Petition – Fox Parcel, Waxhaw-Marvin Rd
April 23, 2024– BOC Decision





Explanation of Request

Petition RZ-015255-2024 is a request by the applicant Wesley Fox for a rezoning/map amendment for parcel 05138024 from R-4 Residential to CC – Commercial Corridor. The property is approximately 1.5 acres located on Waxhaw Marvin Rd adjacent to Waxhaw Equipment Rental.

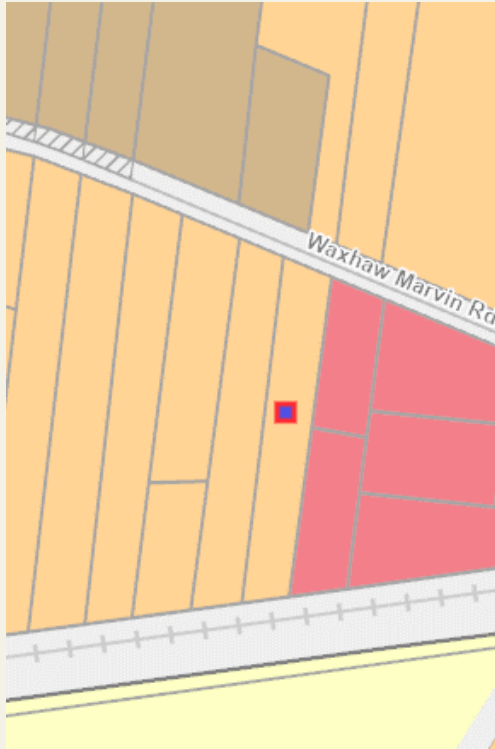


Property Location

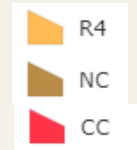




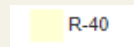
Current Zoning



Waxhaw Zoning



Union County Zoning



North

Neighborhood Center
R-4 Residential

East

Commercial Corridor

South

Union County R-40
Residential

West

R-4 Residential



Future Land Use

Waxhaw 2040 Comprehensive Plan



4.1.8 EC Employment Center

District Description

Employment Center zoning allows for the development of larger scale businesses to drive employment and economic opportunities including a variety of industries and uses that have limited impacts on surrounding areas such as office parks, light or high tech industrial campuses, and warehousing or distribution facilities. EC is intended to provide for high quality jobs that have managed impacts in areas that are well connected to current and future regional transportation routes.



Dimensional Standards

Lot Width, Minimum	100 Feet
Lot Depth, Minimum	100 Feet
Density, Maximum	N/A
Lot Coverage, Maximum	75 Percent
Front Setback, Minimum	40 Feet
Rear Setback, Minimum	30 Feet
Side Setback (Interior), Minimum	15 Feet
Side Setback (Corner), Minimum	20 Feet
Building Height, Maximum	80 Feet

Primary Uses

Hightech Manufacturing
Light Industrial
Research & Development
Warehousing
Distribution
Office Parks
Commercial Kitchens

Associated accessory structures:
Outdoor Storage
Equipment Storage
Off-Street Parking

Notes:

Corridor Overlay District: See Chapter 4 Corridor Overlay district for required right-of-way dedication and expanded lot widths.

Residential Housing Options:

Single family attached and multi-family housing developments shall be allowed only as part of a conditional mixed use request. Exclusive housing developments will not be considered until non-residential uses are well established in the employment center.

*This page intended to provide some of the basic and most common standards of this district. Other applicable standards may be found elsewhere in this Code.

Relevant Code Sections

Chapter 4:
Dimensional Requirements,
Special Requirements,
Table of Permitted Uses
Chapter 5: Subdivisions
Chapter 6: Employment Center
Design Standards, Civic/Landmark
Building Design Standards
Chapter 7: Streets, Driveways &
Parking
Chapter 8: Buffering &
Landscaping, Planting Species List
Chapter 9: Environmental
Standards



Proposed Zoning

CC – Corridor Commercial

Corridor Commercial zoning provides for service and retail uses to meet daily needs of local residents in a manner conveniently accessible by automobile, while maintaining efficient vehicular and pedestrian access management. CC allows for growth consistent with the existing development primarily located along the Highway 16 corridor. It encourages infill development that is designed to be complementary of the historic downtown architecture and increase the walkability and access to surrounding residential neighborhoods.

4.1.7 CC Corridor Commercial

District Description

Corridor Commercial zoning provides for service and retail uses to meet daily needs of local residents in a manner conveniently accessible by automobile, while maintaining efficient vehicular and pedestrian access management. CC allows for growth consistent with the existing development primarily located along the Highway 16 corridor. It encourages infill development that is designed to be complementary of the historic downtown architecture and increase the walkability and access to surrounding residential neighborhoods.



Dimensional Standards

Lot Width, Minimum	100 Feet
Lot Depth, Minimum	100 Feet
Density, Maximum	N/A
Lot Coverage, Maximum	80 Percent
Front Setback, Minimum	20 Feet
Rear Setback, Minimum	20 Feet
Side Setback (Interior), Minimum	10 Feet
Side Setback (Corner), Minimum	15 Feet
Building Height, Maximum	54 Feet

Primary Uses

General Retail
 Shopping Centers
 General Offices
 Restaurants with drive-Through
 Automotive Uses
 Government Facility
 Medical Offices
 Associated accessory structures:
 Decks/Patios
 Sidewalk Dining
 Solid Waste Storage
 Off-Street Parking
 Outdoor Storage

Notes:

Corridor Overlay District: See Chapter 4 Corridor Overlay District for required right-of-way dedication and expanded lot widths.

Relevant Code Sections

Chapter 4:
 Dimensional Requirements,
 Special Requirements,
 Table of Permitted Uses
 Chapter 5: Subdivisions
 Chapter 6: Mixed Use and
 Commercial Buildings Design
 Standards, Civic/Landmark
 Building Design Standards
 Chapter 7: Streets, Driveways &
 Parking
 Chapter 8: Buffering &
 Landscaping, Planting Species List
 Chapter 9: Environmental
 Standards

*This page intended to provide some of the basic and most common standards of this district. Other applicable standards may be found elsewhere in this Code.



Planning Board Recommendation

Planning Board

The Planning Board reviewed the rezoning petition on March 19, 2024, and voted unanimously for a favorable recommendation.

Staff also recommends approval.

Public Hearing

A public hearing was held on April 9, 2024. There were no public comments.



Consistency Statement

Consistency and Reasonableness Statement

The request is inconsistent with the Waxhaw 2040 Future Land Use Map, but it is reasonable and in the public interest as the parcel is adjacent to other CC zoned properties and will provide diversity to the tax base.



Requested Action

Motion to approve rezoning petition RZ-015255-2024 and the reasonableness and consistency statement as provided.

Questions?

Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2112
Submitted by: Janet Peirano
Submitting Department: Planning Department
Meeting Date: April 23, 2024

Subject:

Decisions for Voluntary Annexation Petition 18-234 and Initial Zoning Petition RZ-015121-2023 - Graham Property

Information: A request has been submitted by Mel Graham, Graham Enterprises, for the annexation of approximately 168.58 acres. The property is a combination of four parcels located off Highway 75 near the South Carolina border. Petition RZ-015121-2023 is a request for an initial zoning/map amendment for the four parcels from Union County R-20 to Waxhaw Employment (approximately 49 acres) and R-3 (approximately 119.58 acres)

Recommended Action:

- **MOTION** to adopt Ordinance (ORD2024013) for Annexation Petition 18-234 to extend the corporate limits of the Town of Waxhaw.
- **MOTION** to approve initial zoning petition RZ-015121-2023 and the Reasonableness and Consistency Statement as presented.

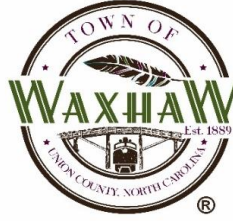
Presenter: Janet Peirano, Planner II

ATTACHMENTS

[Ordinance #ORD2024013 Annexation Petition 18-234 to Extend the Corporate Limits of TOW - 2024.04.23](#)

[RZ-015121-2023 BOC Decision Staff Report](#)

[Graham Annexation Decision Presentation](#)



An Ordinance for Annexation Petition 18-234 to Extend the Corporate Limits of the Town of Waxhaw, North Carolina

WHEREAS, the Waxhaw Board of Commissioners has been petitioned under G.S. 160A-31 to annex the area described below;

WHEREAS, the Waxhaw Board of Commissioners has by resolution directed the Town Clerk to investigate the sufficiency of the petition;

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Police Department Community Room located at 3620 Providence Road South, Waxhaw, North Carolina 28173 on April 9, 2024, at 6:30 pm; and

WHEREAS, the Waxhaw Board of Commissioners finds that the petition meets the requirements of G.S. 160A-31.

NOW THEREFORE, BE IT ORDAINED, by the Waxhaw Board of Commissioners of the Town of Waxhaw, North Carolina that:

Section 1: By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed, **effective April 23, 2024**, and made part of the Town of Waxhaw, North Carolina.

The real property comprising of four parcels(s) 05168009, 05168008, 05168026, and 05168001A located off Waxhaw Highway and Trails End Drive. The portion of the property to be annexed consists of 168.58 acres. **Exhibit A** is attached hereto and incorporated herein.

Section 2: Upon and after **April 23, 2024**, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Waxhaw, North Carolina and shall be entitled to the same privileges and benefits as other parts of the Town of Waxhaw, North Carolina. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

ORDINANCE: ORD2024013

Section 3: The Town Clerk of the Town of Waxhaw, North Carolina shall cause to be recorded in the office of the Register of Deeds of Union County, and in the office of Secretary of State of North Carolina, an accurate map of the annexed territory, described in Section (1) above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Union County Board of Elections as required by G.S. 162- 288.1.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ITS ADOPTION AND APPROVAL.

Duly adopted this 23rd day of April 2024.

Robert J. Murray, III, Mayor

ATTEST:

Barbara Bruce, Town Clerk

Initial Zoning Request RZ-015121-2023
Southpoint
BOC Decision
Prepared by Janet Peirano, Planner II

EXPLANATION OF THE REQUEST

Petition RZ-015121-2023 is a request by the applicant Mel Graham, Graham Enterprises, for an initial zoning/map amendment for four parcels from Union County R-20 to Waxhaw Employment Center (approximately 49 acres) and R-3 (approximately 119.7 acres). The property is located at 4005 Trails End Drive on parcels 05168009, 05168008, 05168026 and 05168001A. The properties combined are approximately 168.58 acres.

CURRENT LAND USE AND ZONING OF ADJOINING PROPERTIES

The subject properties are currently vacant.

The adjoining properties are zoned as follows:

- To the **north** - Union County RA-20 and Waxhaw R-3
- To the **east** - Union County R-20
- To the **south** - Union County RA-40
- To the **west** - Lancaster County, SC RN Rural Neighborhood District

Union County RA-20 is intended to accommodate single-family residential development, including most classes of manufactured housing units, at low to moderate densities. The RA-20 district is generally intended to apply in areas characterized by a prevalence of manufactured housing.

Union County R-20 is intended to accommodate low to moderate density single family residential development in areas served by central water and central sewer facilities; minimum lot size 20,000 sq. ft.

UC RA-40 is intended to accommodate agriculture, agriculture related uses, compatible agribusiness and rural business uses and low-density residential development (including most classes of manufactured housing units). The district is generally intended to apply in areas where central water and/or central sewer service is not widely available.

Lancaster County SC RN - Rural Neighborhood District - established to protect the residential character of communities and neighborhoods in the rural area at a density of 1 dwelling per acre. The district is intended to promote rural living, protect farmland and to maintain low density residential.

LAND USE PLAN

State Law mandates that zoning be undertaken in accordance with a comprehensive plan and that a consistency statement be prepared and approved for every zoning amendment.

Waxhaw 2040 Future Land Use Map

The Waxhaw 2040 Future Land Use Map designates the property as Medium Density Residential. This designation provides for a mixture of housing types including detached single family, townhomes, cottage housing and in some cases duplexes, triplexes and quadraplexes. Density of 3-4 (8 cottages) dwelling units per acre, consistent with traditional suburban style housing currently utilized for a majority of the town's established

subdivisions and for large parcels of land adjacent to major transportation routes and existing neighborhoods.

Union County 2050 Land Use Map

The Union County 2050 Land Use Map designates the property as Employment Corridor. Employment Corridors have access to transportation infrastructure such as railways, airports and major roads, and have available land within a close proximity to similar uses. Employment Corridors connect employment nodes and other large job centers throughout the County and neighboring counties. A variety of employment uses may be appropriate along these corridors. Dependent on location and adjacent facilities, development uses that may be appropriate include distribution, logistics, aeronautics, industrial and agri-business. Connectivity and roadway capacity should be prioritized in these areas to encourage opportunities for job growth.

PLANNING STAFF ANALYSIS

The requested zoning district for the property are Employment Center and R-3.

Employment Center zoning allows for the development of larger scale businesses to drive employment and economic opportunities including a variety of industries and uses that have limited impacts on surrounding areas such as office parks, light or high-tech industrial campuses, and warehousing or distribution facilities. EC is intended to provide for high quality jobs that have managed impacts in areas that are well connected to current and future regional transportation routes.

R-3 Residential zoning allows for the development of single-family detached homes at a rate of 3 units per acre in a pattern that is in harmony with the existing residential subdivisions found throughout the town. R-3 is intended to provide traditional suburban housing while encouraging the clustering of homes to promote the preservation of trees, open space, and other natural features. Developments that meet these goals may qualify for a density bonus of up to 0.5 units per acre.

PLANNING BOARD/PLANNING STAFF RECOMMENDATION

The Planning Board considered the initial zoning petition at their November 21, 2023 meeting and unanimously voted to recommend approval of the initial zoning petition and reasonableness and consistency statement as presented. Staff also recommends approval of the proposed initial zoning. This zoning is a general zoning request therefore, no conditions can be placed on the approval.

PUBLIC HEARING

A public hearing was held at the Board of Commissioners meeting on April 9, 2023.

Commissioner Wedra asked about permitted uses in Union County Employment Corridor. Employment Corridor includes Highway Corridor (HC) and Light Industrial (LI) zoning districts. The Union County Table of Allowed Uses is attached, with HC and LI columns highlighted. The Waxhaw Table of Permitted Uses is also attached.

4 members of the public signed up to speak at the public hearing. Concerns included noise, privacy, traffic, schools, anticipated uses in the employment center, water and light pollution, wildlife habitat and cost to serve. A petition against the rezoning was submitted to the Town Clerk.

REASONABLENESS AND CONSISTENCY STATEMENT

The request for R-3 zoning is consistent with the Waxhaw 2040 Comprehensive Plan in that the parcels are situated within the Twelve Mile Creek basin where utility infrastructure can be easily extended to support development. It is reasonable and in the public interest that it will consolidate and rationalize the town's boundaries through annexation, with the same land use pattern as the surrounding area, to ensure the town grows in an orderly manner.

The request for Employment Center zoning is not consistent with the Waxhaw 2040 Comprehensive Plan. However, it is consistent with the Union County 2050 Plan. It is reasonable and in the public interest as it will provide diversity to the tax base and allow for high quality jobs near the Hwy 75 and 521 regional transportation routes.

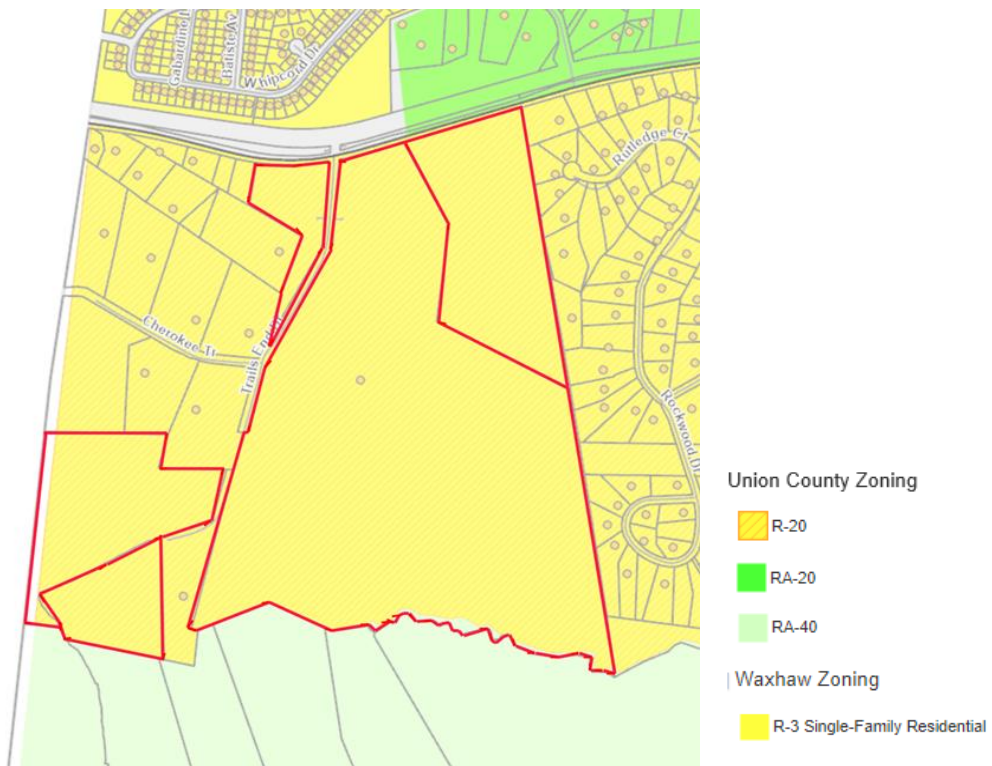
REQUESTED ACTION

A motion for approval of petition RZ-015121-2023 and the Reasonableness and Consistency Statement as presented.

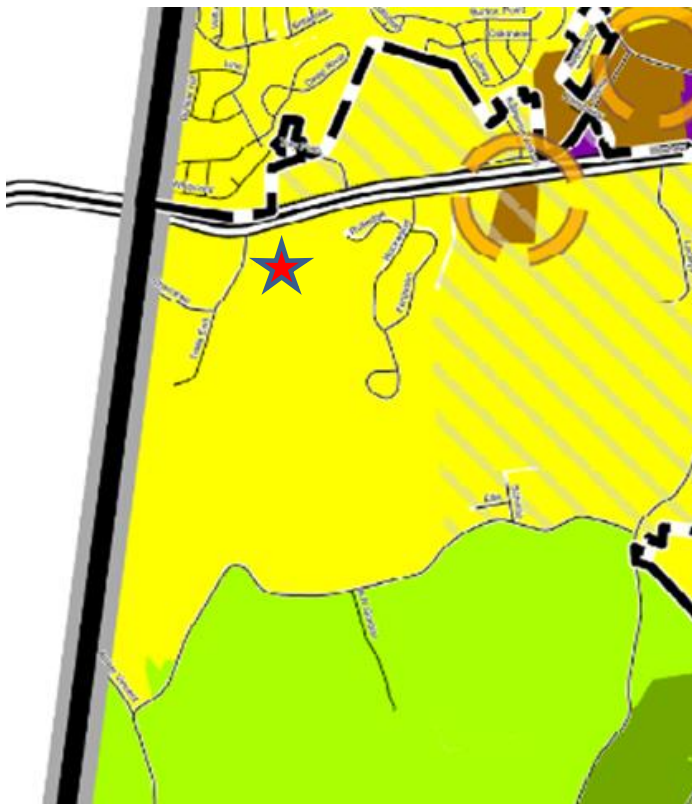
Attachments:

- Maps
 - Existing Zoning Map
 - Waxhaw 2040 Future Land Use Map
 - Union County 2050 Land Use Map
 - Requested Zoning Map
 - Union County Table of Allowed Uses
 - Waxhaw Table of Permitted Uses

Existing Zoning



Waxhaw 2040 Future Land Use Map



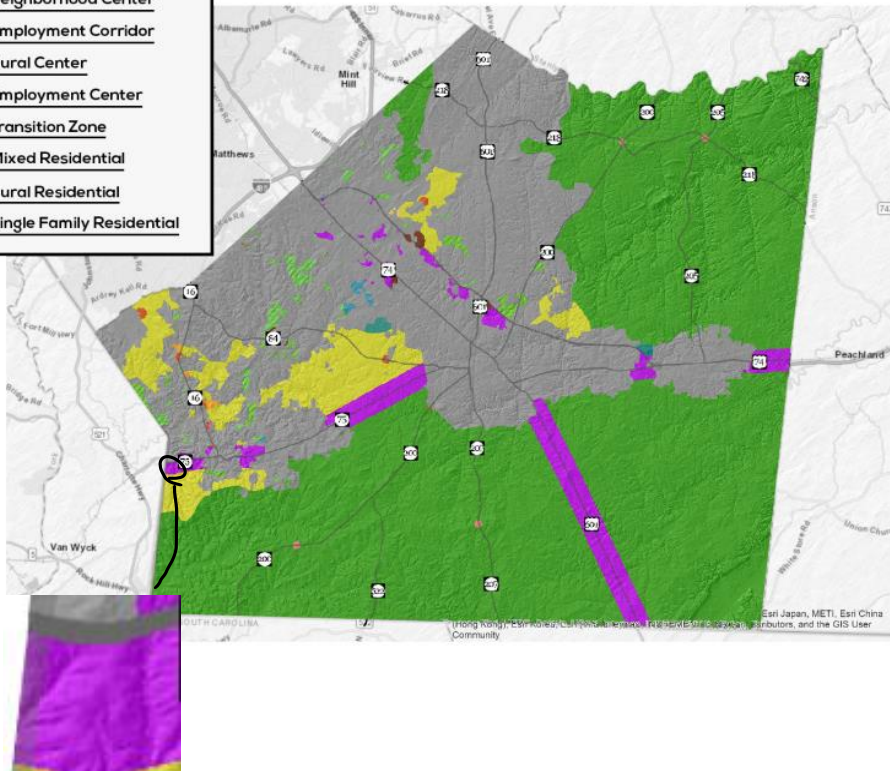
FUTURE LAND USE

- Med. Density Residential
- Low Density Residential

Union County 2050 Land Use Map

Legend

- Community Center - Large
- Community Center - Small
- Neighborhood Center
- Employment Corridor
- Rural Center
- Employment Center
- Transition Zone
- Mixed Residential
- Rural Residential
- Single Family Residential



Requested Zoning



 R-3

 EC

Table 25-1: Table of Allowed Uses

USE CATEGORY	RA	RA	RA	R	R	R	R	R	R	R	O	B	B	B	H	L	H	Supplemental Regulations
Subcategory	200	40	20	40	20	15	10	8	6	4		2	3	4	C	I	I	
Specific use																		
RESIDENTIAL																		
Household Living																		
Detached House	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	
Dwelling unit above ground-floor office/commercial use	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	
Townhouse	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-	
Two-unit House	-	P	P	S	P	P	S	P	P	P	-	-	-	-	-	-	-	
Multi-unit Building	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-	Section 30.050
Manufactured Housing Unit, Class A	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	0
Manufactured Housing Unit, Class B	P	P	P	S	S	S	-	P	-	-	-	-	-	-	-	-	-	0
Manufactured Housing Unit, Class C	-	P	P	-	-	-	-	P	-	-	-	-	-	-	-	-	-	0
Manufactured Housing Unit, Temporary	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	Section 30.120
Manufactured Housing Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Section 30.130
Dependent Care Residence (Temporary)	S	S	S	S	S	S	S	S	S	S	-	-	-	-	-	-	-	Section 30.060
Group Living (except as identified below)	-	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	-	
Continuing Care Facility	-	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	-	Section 30.050
Family Care Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	
Fraternity/Sorority	-	-	-	-	-	-	S	-	-	-	-	-	-	-	-	-	-	
Group Home	-	S	S	S	S	S	S	S	S	S	S	S	P	P	P	-	-	
Nursing Home/Rehabilitation Center	-	S	S	S	S	S	S	S	S	S	S	P	P	P	P	-	-	
PUBLIC, CIVIC AND INSTITUTIONAL																		
Aviation Facility																		
Airport	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	
Airstrip	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	S	S	
Cemetery	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	-	Section 30.040
College or University																		
Campus	-	-	-	-	-	-	-	-	-	-	S	S	S	S	S	-	-	
Satellite	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	
Detention or Correctional Facility																		
Detention or Correctional Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	
Fraternal Organization																		
Fraternal Organization	-	S	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	
Governmental Service																		
Governmental Service	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Hospital																		
Hospital	-	-	-	-	-	-	-	-	-	-	S	-	-	S	P	-	-	
Library or Cultural Exhibit																		
Library or Cultural Exhibit	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	
Natural Resource Preservation																		
Natural Resource Preservation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Parks and Recreation																		
Low-impact	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	
High-impact	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	-	-	

Article 25 | Allowed Uses
Section 25.010 | Allowed Uses

USE CATEGORY	RA 200	RA 40	RA 20	R 40	R 20	R 15	R 10	R 8	R 6	R 4	O	B 2	B 3	B 4	H C	L I	H I	Supplemental Regulations
Postal Service	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	
Religious Assembly	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	
Safety Service	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
School	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utility or Public Service Facility																		
Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Major	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	
Renewable Energy Facility	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<i>(amended 1-16-18)</i>
COMMERCIAL																		
Adult Use	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-	Section 30.010
Animal Service																		
Boarding or Shelter	S	S	-	-	-	-	-	-	-	-	-	-	-	S	S	-	-	
Grooming or Training	S	S	-	-	-	-	-	-	-	-	P	P	-	P	P	-	-	
Supplies	S	S	-	-	-	-	-	-	-	-	-	P	-	P	P	-	-	
Veterinary	S	S	-	-	-	-	-	-	-	-	P	P	-	P	P	-	-	
Commercial Service																		
Building and Maintenance Service	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	
Business Support Service	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	
Communication Service	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	
Consumer Maintenance and Repair Service	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	
Personal Improvement Service	-	-	-	-	-	-	-	-	-	-	S	P	P	P	P	P	-	
Research Service	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	
Studio, Instructional or Service	-	-	-	-	-	-	-	-	-	-	S	P	P	P	P	P	-	
Day Care Center	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	-	-	
Eating Establishment	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	-	-	
Entertainment and Spectator Sports																		
Indoor, Minor	S	S	-	-	-	-	-	-	-	-	-	P	-	P	P	-	-	
Indoor, Major	S	S	-	-	-	-	-	-	-	-	-	S	-	P	P	-	-	
Outdoor, Minor	S	S	-	-	-	-	-	-	-	-	-	S	-	P	P	-	-	Section 30.080
Outdoor, Major	S	S	-	-	-	-	-	-	-	-	-	-	-	S	S	S	S	Section 30.080
Financial Service (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	-	
Bank, Savings and Loan, Credit Union	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	
Funeral and Mortuary Service	-	-	-	-	-	-	-	-	-	-	S	P	P	P	P	-	-	
Lodging																		
Bed & Breakfast Inn	S	S	S	S	-	-	-	-	-	-	-	-	-	-	-	-	-	
Campground/RV Park	S	S	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	Section 30.030
Campsite, Primitive	P	P	P	P	P	P	P	P	P	-	-	P	-	P	P	-	-	Section 30.030

Article 25 | Allowed Uses
Section 25.010 | Allowed Uses

USE CATEGORY	RA 200	RA 40	RA 20	R 40	R 20	R 15	R 10	R 8	R 6	R 4	O	B 2	B 3	B 4	H C	L I	H I	Supplemental Regulations
Hotel/Motel	-	-	-	-	-	-	-	-	-	-	-	S	-	S	P	-	-	
Office	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	
Parking, Non-accessory	-	-	-	-	-	-	-	-	-	-	S	S	-	S	P	P	-	
Retail Sales (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	
Flea Market	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	-	
Large-format Retail (50,000 sq. ft. or more)	-	-	-	-	-	-	-	-	-	-	-	S	-	P	P	-	-	
Sports and Recreation, Participant																		
Indoor, Minor	-	-	-	-	-	-	-	-	-	-	-	S	S	P	P	P	-	
Indoor, Major	-	-	-	-	-	-	-	-	-	-	-	-	-	S	P	P	-	
Outdoor, Minor (except as identified below)	P	P	S	P	S	-	-	-	-	-	-	S	S	P	P	P	-	
Outdoor, Major (except as identified below)	S	S	-	S	-	-	-	-	-	-	-	-	-	-	P	P	-	
Shooting Range, Outdoor	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Section 30.170
Stable or Riding Academy	P	P	S	P	S	-	-	-	-	-	-	-	-	-	-	-	-	Section 30.180
Self-service Storage Facility																		
Type 1	-	-	-	-	-	-	-	-	-	-	P	S	P	P	P	-	-	
Type 2	-	-	-	-	-	-	-	-	-	-	-	S	S	S	P	P	-	
Type 3	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	P	-	
Trade School	-	-	-	-	-	-	-	-	-	-	-	S	S	P	P	-	-	
Vehicle Sales and Service																		
Commercial Vehicle Repair and Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	
Commercial Vehicle Sales and Rentals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	
Fueling Station	-	-	-	-	-	-	-	-	-	-	-	S	-	S	P	P	-	
Personal Vehicle Repair and Maintenance	-	-	-	-	-	-	-	-	-	-	-	S	-	S	P	P	-	
Personal Vehicle Sales and Rentals	-	-	-	-	-	-	-	-	-	-	-	S	-	S	P	P	-	
Vehicular Equipment and Supplies	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	-	-	
Vehicle Body and Paint Shops	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	P	-	
WHOLESALE, DISTRIBUTION & STORAGE																		
Equipment and Materials Storage, Outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	P	
Trucking and Transportation Terminals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	P	
Warehouse	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	
Wholesale Sales and Distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	
INDUSTRIAL																		
General Industrial	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	P	P	
Intensive Industrial	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	
Junk or Salvage Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	
Mining/Extraction	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	Section 15.040

Article 25 | Allowed Uses
Section 25.010 | Allowed Uses

USE CATEGORY	RA 200	RA 40	RA 20	R 40	R 20	R 15	R 10	R 8	R 6	R 4	O	B 2	B 3	B 4	H C	L I	H I	Supplemental Regulations
RECYCLING AND WASTE-RELATED																		
Construction and Demolition Debris Recycling Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	P	
Recyclable Material Processing Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	P	P	
Landfill																		
Construction and Demolition Debris, On-site	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 30.090
Construction and Demolition Debris, Off-site	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	P	
Reclamation (1 acre or less)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 30.090
Reclamation (more than 1 acre)	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	P	Section 30.090
Sanitary	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S
Solid Waste Convenience Center	S	S	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	
Solid Waste Transfer Station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	P	
AGRICULTURE & AGRICULTURE-RELATED, NON-EXEMPT																		
Agribusiness	S	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Agriculture	P	P	P	P														
Agritourism	P	S	S	S	-	-	-	-	-	-	-	-	-	-	-	-	-	
Nursery or Greenhouse	P	P	P	S	-	-	-	-	-	-	P	-	P	P	P	P	P	
Silvicultural Operations	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	P	P	
OTHER																		
Drive-in or Drive-through Facility	-	-	-	-	-	-	-	-	-	-	P	S	-	P	P	P	-	
Wireless Facility (Amended 11/21/2022)																		
Carrier on Wheels (COW)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 30.150
Collocation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 30.150
Concealed Wireless Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 30.150
All other Wireless Facilities (excluding wireless support structures) (Amended 11/21/2022)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 30.150
Support Structures (Amended 11/21/2022)																		
Wireless Support Structures and Radio, Television, or other Broadcast Support Structures (up to 60 feet in height), excluding concealed wireless facilities (Amended 11/21/2022)	P	P	P	S	S	S	S	S	S	S	S	S	P	P	P	P	P	Section 30.190 , Section 30.150 is also applicable to wireless support structures
Wireless Support Structures and Radio, Television, or other Broadcast Support Structures (60.01 feet in height and greater) excluding concealed wireless facilities (Amended 11/21/2022)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 30.190 , Section 30.150 is also applicable to wireless support structures

Table of Permitted Uses

No use shall be authorized unless said use is listed as permitted use or special use in the Table of Permitted Uses. Uses not listed as a permitted use or a special use shall be presumed to be prohibited from the applicable zoning district. The Zoning Administrator shall determine if a use not listed in the table can reasonably be interpreted to fit into a listed use category and be deemed as a permitted use or special use. Uses that are identified as permitted are listed with an "P." Uses that are identified as a special use are listed with an "S." The uses are listed in rows and the zoning districts are listed in columns.

Select definitions are provided in Chapter 13. The NAICS code is listed for certain uses to assist in defining said use or uses that are considered similar. "SR" denotes that the use has special requirements found in Chapter 4.

Use	P = Permitted	S = Special Use	Definitions Chapter 13	NAICS	Special Requirements	Single-Family Residential R-1	Single-Family Residential R-3	Single-Family Residential R-4	Mainstreet MS	Town Center TC	Neighborhood Center NC	Corridor Commercial CC	Employment Center EC
Residential													
Dwelling, Attached Single Family	Yes		236115		SR	-	-	P	-	-	P	-	S
Dwelling, Cottage	Yes				SR	-	-	S	-	-	S	-	-
Dwelling, Detached Single Family	Yes		236115		SR	P	P	P	-	-	-	-	-
Dwelling, Duplex	Yes		236117		SR	-	-	P	-	-	P	-	-
Dwelling, Triplex & Quadplex	Yes		236117		SR	-	-	-	-	-	P	-	-
Dwelling, Manufactured Home (*Permitted only in Manufactured Home Overlay District - See Sec. 4.3.2)	Yes				See Sec. 4.3.2	P*	P*	P*	-	-	P*	-	-
Dwelling, Multi-Family	Yes		236116		SR	-	-	-	P	P	P	-	S
Family Care Home	Yes		621610		SR	P	P	P	-	-	-	-	-
Live/Work Units	Yes				SR	-	-	-	P	-	P	-	-
Tiny Home Park	Yes				SR	-	S	S	-	-	-	-	-
Civic & Institutional													
Animal Shelter	Yes		812910			-	-	-	-	-	-	S	-
Cemetery & Mausoleum	Yes		812220		SR	P	P	P	-	-	-	P	-
Civic, Social, Fraternal & Veteran Organization			813410			-	-	-	P	P	P	P	-
Community Center	Yes					-	-	-	-	P	P	P	-
Convention Center/Visitors Bureau			561591			-	-	-	-	P	-	P	P
Daycare Center (Child & Adult)	Yes		624120		SR	-	S	S	-	P	P	P	P
Event Center (ex. Wedding Venue)	Yes				SR	S	S	S	-	P	P	P	-
Funeral Home & Crematory			812210			-	-	-	-	-	-	P	-
Government Buildings & Facility			925120			P	P	P	P	P	P	P	P
Hospital			622110			-	-	-	-	-	-	P	P
Library & Archives (Private)			519120			-	-	-	-	P	P	P	-
Museum & Art Gallery			712110			-	-	-	P	P	P	P	-
Nursing Home & Assisted Living	Yes		623110			S	-	-	-	S	P	P	-
Parks			712190			P	P	P	P	P	P	P	P
Performing Arts Company & Studio			711190			-	-	-	P	P	P	P	P
Preschool			624410			S	S	S	-	-	P	P	P
Religious Institution	Yes		813110			P	P	P	P	P	P	P	-
Retirement Community	Yes		623311			-	S	S	-	-	S	-	-
School, Primary/Secondary			611110			P	P	P	-	P	P	P	P
School, Technical & Trade			611519			-	-	-	-	P	P	P	P
School, University or College			611310			-	-	-	-	P	P	P	P
Social Assistance	Yes		813319			-	-	-	-	-	S	P	-
Tutoring, Learning Center			611691			-	-	-	P	P	P	P	S
Zoo, Public or Private			712130			S	-	-	-	-	-	S	-

Use	P = Permitted	S = Special Use	Definitions Chapter 13	NAICS	Special Requirements	Single-Family Residential R-1	Single-Family Residential R-3	Single-Family Residential R-4	Maintstreet MS	Town Center TC	Neighborhood Center NC	Corridor Commercial CC	Employment Center EC
Professional Office/Business Services													
Animal Hospital & Boarding	Yes		541940			-	-	-	-	P	-	P	-
Animal Kennel	Yes		812910			-	-	-	-	-	-	S	-
Bank & Financial Service			522110			-	-	-	P	P	P	P	P
General Office & Professional Service	Yes					-	-	-	P	P	P	P	P
HVAC, Electricity, Plumbing Sales and Service			238220			-	-	-	-	-	P	P	P
Medical Offices & Service			621491			-	-	-	S	P	P	P	P
Pest Control Service			561710			-	-	-	-	-	P	P	-
Printing Service			561439			-	-	-	-	P	P	P	-
Radio & TV Studio			515112		SR	-	-	-	-	S	-	-	P
Retail, Commercial, & Entertainment													
ABC Store	Yes		445310			-	-	-	-	P	P	P	-
Adult Establishment	Yes				SR	-	-	-	-	-	-	S	-
Animal Grooming			812910			-	-	-	P	P	P	P	-
Art Gallery/Studio			453920			-	-	-	P	P	P	P	-
Auction House	Yes		453998			-	-	-	-	-	-	P	-
Auto, Truck, Boat, Motorcycle, & Recreational Vehicle Sales & Dealership			423110		SR	-	-	-	-	-	-	S	-
Automobile Body Shop	Yes		811121		SR	-	-	-	-	-	-	S	-
Auto Detailing	Yes		811192			-	-	-	-	-	-	P	P
Automobile Parts & Supply			441310			-	-	-	-	P	-	P	-
Automobile Rental			532111			-	-	-	-	-	-	P	-
Automobile Towing & Wrecker Service	Yes		488410			-	-	-	-	-	-	S	-
Automobile/Vehicle Repair & Service	Yes		811111			-	-	-	-	-	-	P	-
Bakery			424490			-	-	-	P	P	P	P	P
Barber & Salon			812112			-	-	-	P	P	P	P	-
Beer & Wine Shop			424810		SR	-	-	-	P	P	P	P	-
Bed & Breakfast Establishment	Yes		721191		SR	P	-	P	S	S	P	-	-
Brewery, Distillery, Winery (Primarily Retail)	Yes		312140		SR	-	-	-	P	P	P	P	-
Bicycle Sale & Service			423110			-	-	-	P	P	P	P	-
Bookstore						-	-	-	P	P	P	P	-
Butcher Shop			445210			-	-	-	P	P	P	P	-
Car Wash			811192			-	-	-	-	-	-	P	-
Clothing & Apparel Store			448140			-	-	-	P	P	P	P	-
Coffee, Tea & Juice Shop			722515			-	-	-	P	P	P	P	P
Commercial Development, Under 10,000 sq ft	Yes					-	-	-	P	P	P	P	-
Commercial Development, 10,001 sq ft - 60,000 sq ft	Yes					-	-	-	P	P	S	P	-
Commercial Development, 60,001 sq ft & Above	Yes					-	-	-	S	S	-	S	-
Convenience Store with fuel			447110		SR	-	-	-	-	-	-	P	S
Convenience Store without fuel			445120			-	-	-	P	P	P	P	S
Drug Store			446110		SR	-	-	-	P	P	P	P	-
Dry Cleaning Establishment			812320			-	-	-	-	P	P	P	-
Electronic Gaming (Sweepstakes)	Yes		713290		SR	-	-	-	-	-	-	S	-
Flea Market	Yes					-	-	-	-	-	-	S	-

Use	P = Permitted	S = Special Use	Definitions Chapter 13	NAICS	Special Requirements	Single-Family Residential R-1	Single-Family Residential R-3	Single-Family Residential R-4	Maintstreet MS	Town Center TC	Neighborhood Center NC	Corridor Commercial CC	Employment Center EC
Florist				453110		-	-	-	P	P	P	P	-
Gas Station				447110		-	-	-	-	-	-	S	S
Grocery Store				445110	SR	-	-	-	P	P	P	P	-
Gun & Ammunition Shop				423910		-	-	-	-	-	-	P	-
Hotel	Yes			721110	SR	-	-	-	S	P	-	P	S
Ice Cream & Dessert Shop				722515		-	-	-	P	P	P	P	-
Indoor Gaming (Arcade, Billards, ...)				713120		-	-	-	P	P	P	P	P
Laundromat				812310		-	-	-	-	P	P	P	-
Medical Equipment				423450		-	-	-	-	P	-	P	-
Nightclub	Yes			722410	SR	-	-	-	-	P	-	P	-
Nursery, Garden Center, Farm Supply (Retail)				444220		-	-	-	-	P	-	P	-
Pawn Shop				522298		-	-	-	-	P	-	P	-
Personal Care Service				812199		-	-	-	P	P	P	P	-
Pet Store				453910		-	-	-	P	P	P	P	-
Postal Service Store (Packaging & Shipping)				491110		-	-	-	-	P	P	P	P
Rental Center (Household Items)				532310		-	-	-	-	-	-	P	-
Restaurant, with drive-thru				722513	SR	-	-	-	-	-	-	P	S
Restaurant, with no drive-thru				722511		-	-	-	P	P	P	P	S
Self Storage	Yes			531130	SR	-	-	-	-	-	-	P	-
Smoke & Tobacco Shop				453991		-	-	-	P	P	P	P	-
Taproom & Tasting Room	Yes			722410		-	-	-	P	P	P	P	-
Tattoo & Piercing				812199		-	-	-	-	P	-	P	-
Theater, Indoor	Yes			512131		-	-	-	P	P	-	P	-
Theater, Outdoor	Yes			512132		-	-	-	-	-	-	S	-
Manufacturing, Industrial, & Research													
Brewery, Distillery, Winery (Primarily Manufacturing)				312140	SR	-	-	-	-	-	-	-	P
Cabinet & Woodworking				337110		-	-	-	-	P	-	P	P
Cold Storage Plant				493120		-	-	-	-	-	-	-	P
Commercial Kitchen	Yes					-	-	-	-	P	-	P	P
Contractor Storage & Equipment Yard				493110	SR	-	-	-	-	-	-	-	S
Distribution Center						-	-	-	-	-	-	-	P
Industrial Equipment Rental				532490	SR	-	-	-	-	-	-	S	S
Laboratory						-	-	-	-	P	-	-	P
Light Manufacturing	Yes					-	-	-	-	P	-	-	P
Machine Shop	Yes			332710		-	-	-	-	P	-	-	P
Manufacturing Machinery, Sales & Service				333249		-	-	-	-	-	-	-	S
Prototype Design & Development				541490		-	-	-	-	P	-	-	P
Repair & Service of Industrial Equipment				811310	SR	-	-	-	-	-	-	-	S
Research, Development, & Production						-	-	-	-	P	-	-	P
Server Farm						-	-	-	-	-	-	-	P
Spray Booth						-	-	-	-	-	-	-	S
Warehouse						-	-	-	-	-	-	-	P
Welding					SR	-	-	-	-	P	-	-	P

Use	P = Permitted	S = Special Use	Definitions Chapter 13	NAICS	Special Requirements	Single-Family Residential R-1	Single-Family Residential R-3	Single-Family Residential R-4	Maintstreet MS	Town Center TC	Neighborhood Center NC	Corridor Commercial CC	Employment Center EC
Infrastructure & Utilities													
Automobile Parking Lot				812930		-	-	-	S	S	-	S	S
Automobile Parking Garage				812930		-	-	-	S	S	S	S	S
Cell Towers	Yes			237130	SR	S	S	S	S	S	S	S	S
Railroad Terminal				488210		-	-	-	S	-	-	-	S
Solar Electric Power Generation	Yes			221114	SR	S	-	-	-	-	-	-	-
Utility Facilities						P	P	P	P	P	P	P	P
Wastewater Treatment Facility				221320		S	S	S	S	S	S	S	S
Water Treatment Facility				221310		S	S	S	S	S	S	S	S
Agricultural													
Agritourism	Yes					S	-	-	-	-	-	-	-
Farmers' Market	Yes			454390		S	S	S	-	P	P	P	-
Farming Operation	Yes					S	-	-	-	-	-	-	-
Farming Structure (incl. Horse Barn)						P	P	-	-	-	-	-	-
Farming Supplies						-	-	-	-	P	-	P	-
Flower & Nursery Stock (Wholesale)				424930		S	-	-	-	-	-	-	S
Nursery & Tree Production (not Reforestation)				111421		S	-	-	-	-	-	-	S
Produce Stand	Yes			445230		-	-	-	-	P	P	P	-
Vineyard				115112	SR	S	-	-	-	-	-	-	-
Recreation & Assembly Uses													
Amphitheater	Yes				SR	-	-	-	-	-	-	S	S
Amusement Park, Indoor	Yes			713110		-	-	-	-	-	-	P	P
Amusement Park, Outdoor	Yes			713110	SR	-	-	-	-	-	-	S	S
Aquarium				712130		-	-	-	-	-	-	S	S
Archery, Indoor				713990		-	-	-	-	-	-	S	-
Auditorium/Indoor Assembly						-	-	-	-	P	-	P	P
Auditorium/Outdoor Assembly					SR	-	-	-	-	-	-	S	S
Casino				713210	SR	-	-	-	-	-	-	S	S
Driving Range, Golf Facility						P	-	-	-	-	-	P	P
Equestrian Facility					SR	P	-	-	-	-	-	-	-
Fairground					SR	-	-	-	-	-	-	S	-
Firing Range, Indoors						-	-	-	-	-	-	S	-
Fitness Center, Gymnasium				713940		-	-	-	P	P	P	P	P
Fitness Instruction				611620		-	-	-	P	P	P	P	P
Golf Course, Country Club				713910		S	-	-	-	-	-	-	-
Mini Golf Facility						-	-	-	-	P	P	P	P
Pool, Indoor				713940		-	-	-	-	P	P	P	P
Racetrack, Outdoor	Yes			711212	SR	S	-	-	-	-	-	S	-
Recreation Facility, Indoor				713940		P	-	-	-	P	P	P	P
Recreation Facility, Outdoor					SR	P	-	-	-	-	-	P	P
Recreational Sports Club (Hunting, Fishing, etc.)				713990		S	-	-	-	-	-	-	-
Stadium	Yes				SR	-	-	-	-	-	-	S	S

Use	P = Permitted	S = Special Use	Definitions Chapter 13	NAICS	Special Requirements	Single-Family Residential R-1	Single-Family Residential R-3	Single-Family Residential R-4	Maintstreet MS	Town Center TC	Neighborhood Center NC	Corridor Commercial CC	Employment Center EC
Accessory Uses													
Accessory Dwellings		Yes				P	P	P	-	-	P	-	-
Accessory Structures		Yes			SR	P	P	P	P	P	P	P	P
Athletic Court/Field (tennis, basketball, etc.)						P	P	P	-	P	P	P	P
Automated Teller Machines (ATM)				334118		-	-	-	P	P	P	P	P
Automobile Parking Garage						-	-	-	P	P	P	P	P
Bike Sharing Station						P	P	P	P	P	P	P	P
Carpool				332311		P	P	P	-	-	-	-	-
Clubhouse (Residential)						P	P	P	-	-	P	-	P
Community Garden		Yes				P	P	P	P	P	P	P	P
Dormitory		Yes		721310		-	-	-	-	-	-	S	S
Electric Vehicle Charging Station						-	-	-	-	P	P	P	P
Fence, Wall		Yes				P	P	P	P	P	P	P	P
Food Truck						P	P	P	P	P	P	P	P
Greenhouse (not commercial)						P	P	P	-	-	P	-	-
Home Occupation		Yes			SR	P	P	P	P	P	P	-	P
Off Street Parking Facility						P	P	P	P	P	P	P	P
Outdoor Storage (Commercial)						-	-	-	-	-	-	P	P
Produce Stand		Yes				P	-	-	P	P	P	P	P
Propane						-	-	-	-	-	-	P	P
Recycling Drop Off Station						-	-	-	-	-	-	P	P
Restaurant, Cafeteria				722511		-	-	-	P	P	P	P	P
Sales Office (onsite for multi-family and single family attached, multi-tenant commercial, etc.)						P	P	P	P	P	P	P	P
Satellite Dish						P	P	P	P	P	P	P	P
Sign		Yes				P	P	P	P	P	P	P	P
Stable, Barn						P	P	P	-	-	-	-	-
Storage Building						P	P	P	P	P	P	P	P
Swimming Pool						P	P	P	P	P	P	P	P
Telecommunication Antenna and Equipment to Support Tower						P	P	P	P	P	P	P	P
Vending Machine						-	-	-	-	P	P	P	P
Any other building or use incidental to the principal building or use as determined by the Zoning Administrator						P	P	P	P	P	P	P	P



**ANNEXATION PETITION – 18-234 AND
INITIAL ZONING PETITION - GRAHAM PROPERTY
APRIL 23, 2024 – BOARD DECISIONS**





Explanation of Request

A request has been submitted by the applicant Mel Graham for the annexation and initial zoning of approximately 168.58 acres.

The property is a combination of 4 parcels located off Hwy 75 near the SC border.

The property is zoned Union County R-20. The proposed zoning is R-3 and Employment Center.



Property Location





Annexation Process

160A-31



1

An annexation petition shall be signed by each owner of real property in the area and shall contain the address of each owner.



2

The municipal governing board shall cause the clerk to investigate the sufficiency thereof and to certify the result of the investigation.

March 26



3

The governing board shall fix a date for a public hearing and shall cause notice of the public hearing to be published once in a newspaper having general circulation in the municipality at least 10 days prior to the date of the public hearing.



4

At the public hearing persons resident or owning property in the area described in the petition and persons resident or owning property in the municipality shall be given an opportunity to be heard.

April 9



5

The governing board shall have authority to pass an ordinance annexing the territory described in the petition

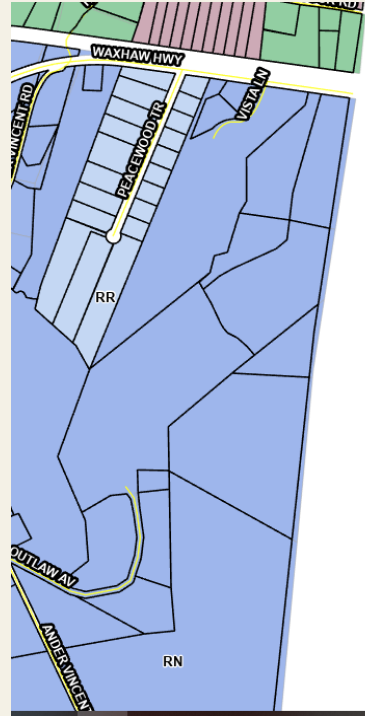
April 23



Current Zoning

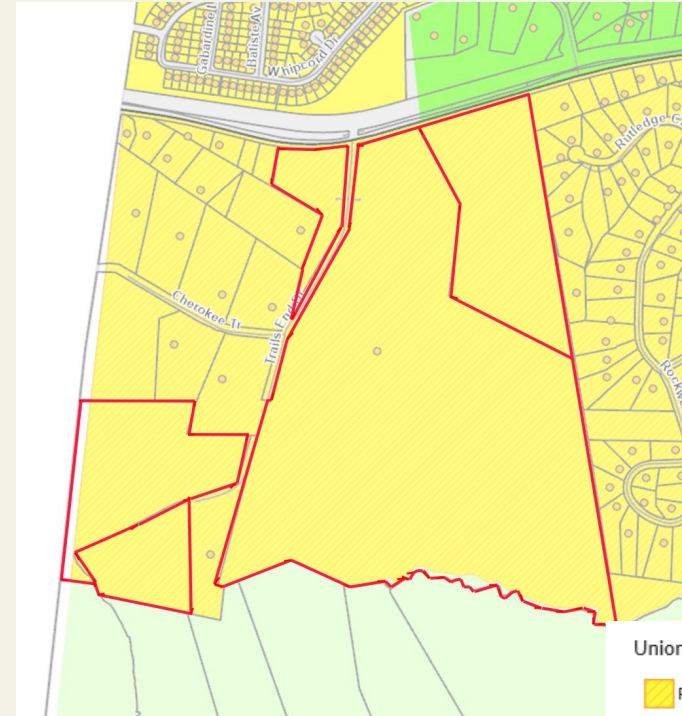
Adjacent properties:

- ▶ **NORTH** - Waxhaw R-3 (Millbridge Subdivision) and UC RA-20
- ▶ **EAST** - UC R-20 (Heathwood Subdivision)
- ▶ **SOUTH** - UC RA-40
- ▶ **WEST** - UC R-20 and Lancaster County, SC RN Rural Neighborhood District



Lancaster County SC Zoning

■ RN



Union County Zoning

■ R-20

■ RA-20

■ RA-40

Waxhaw Zoning

■ R-3 Single-Family Residential



Future Land Use – Waxhaw 2040

The *Waxhaw 2040* Future Land Use Map designates the property as Medium Density Residential



FUTURE LAND USE

- Med. Density Residential
- Low Density Residential

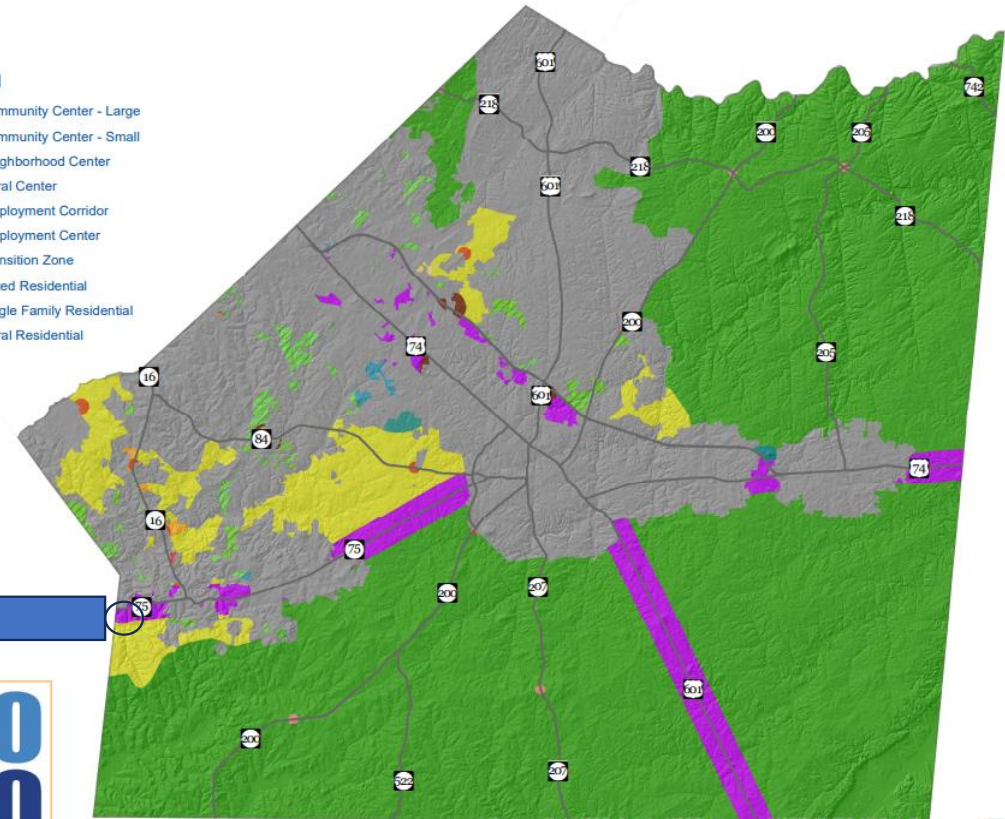


Future Land Use – *Union County 2050*

Adopted Union County 2050 Land Use Map

Legend

- Community Center - Large
- Community Center - Small
- Neighborhood Center
- Rural Center
- Employment Corridor
- Employment Center
- Transition Zone
- Mixed Residential
- Single Family Residential
- Rural Residential



Union County **2050**

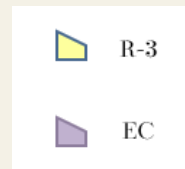
Sources: Esri, HERE, Garmin, USGS, Intermap, NGE, NRC, NRC, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



Proposed Zoning

The proposed zoning is R3 and EC

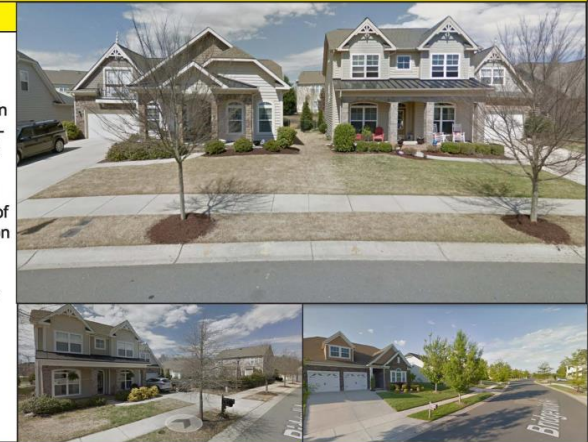
R3 Residential zoning allows for the development of single-family detached homes at a rate of 3 units per acre in a pattern that is in harmony with the existing residential subdivisions found throughout the town. R3 is intended to provide traditional suburban housing while encouraging the clustering of homes to promote the preservation of trees, open space, and other natural features. Developments that meet these goals may qualify for a density bonus of up to 0.5 units per acre.



4.1.2 R-3 Residential

District Description

R-3 Residential zoning allows for the development of single family detached homes at a rate of 3 units per acre in a pattern that is in harmony with the existing residential subdivisions found throughout the town. R-3 is intended to provide traditional suburban housing while encouraging the clustering of homes to promote the preservation of trees, open space, and other natural features. Developments that meet these goals may qualify for a density bonus of up to 0.5 units per acre.



Dimensional Standards (cluster)

Lot Width, Minimum	80 (60) Feet
Lot Depth, Minimum	140 (105) Feet
Density, Maximum	3 (3.5) Units/Acre
Lot Coverage, Maximum	60 (75) Percent
Front Setback, Minimum	20 (15) Feet
Rear Setback, Minimum	30 (25) Feet
Side Setback (Interior), Minimum	10 (7.5) Feet
Side Setback (Corner), Minimum	20 (15) Feet
Building Height, Maximum	45 Feet

Primary Uses

Single-Family, Detached Dwelling
 Religious Institutions
 Horse Barn
 Parks
 Government Buildings/Facilities

Associated accessory structures:
 Garages
 Pools
 Porches
 Sheds

Notes:

Double Frontage Lots: front yard setback distance required on both frontages.
Buffer Yards: required around perimeter of all major subdivisions.
Cluster Subdivisions: See Section 5.8 for clustering standards.
Corridor Overlay District: See Chapter 4 Corridor Overlay district for required right-of-way dedication and expanded lot widths.

Relevant Code Sections

Chapter 4:
 Dimensional Requirements,
 Special Requirements,
 Table of Permitted Uses
 Chapter 5: Subdivisions
 Chapter 7: Streets, Driveways &
 Parking
 Chapter 8: Buffering &
 Landscaping, Planting Species List
 Chapter 9: Environmental
 Standards

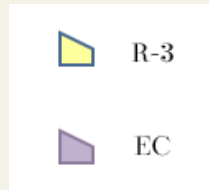
*This page intended to provide some of the basic and most common standards of this district. Other applicable standards may be found elsewhere in this Code.



Proposed Zoning

The proposed zoning is R3 and EC

Employment Center zoning allows for the development of larger scale businesses to drive employment and economic opportunities including a variety of industries and uses that have limited impacts on surrounding areas such as office parks, light or high-tech industrial campuses, and warehousing or distribution facilities. EC is intended to provide for high quality jobs that have managed impacts in areas that are well connected to current and future regional transportation routes.



4.1.8 EC Employment Center

District Description

Employment Center zoning allows for the development of larger scale businesses to drive employment and economic opportunities including a variety of industries and uses that have limited impacts on surrounding areas such as office parks, light or high tech industrial campuses, and warehousing or distribution facilities. EC is intended to provide for high quality jobs that have managed impacts in areas that are well connected to current and future regional transportation routes.



Dimensional Standards

Lot Width, Minimum	100 Feet
Lot Depth, Minimum	100 Feet
Density, Maximum	N/A
Lot Coverage, Maximum	75 Percent
Front Setback, Minimum	40 Feet
Rear Setback, Minimum	30 Feet
Side Setback (Interior), Minimum	15 Feet
Side Setback (Corner), Minimum	20 Feet
Building Height, Maximum	80 Feet

Primary Uses

Hightech Manufacturing
 Light Industrial
 Research & Development
 Warehousing
 Distribution
 Office Parks
 Commercial Kitchens
 Associated accessory structures:
 Outdoor Storage
 Equipment Storage
 Off-Street Parking

Notes:

Corridor Overlay District: See Chapter 4 Corridor Overlay district for required right-of-way dedication and expanded lot widths.

Residential Housing Options:

Single family attached and multi-family housing developments shall be allowed only as part of a conditional mixed use request. Exclusive housing developments will not be considered until non-residential uses are well established in the employment center.

*This page intended to provide some of the basic and most common standards of this district. Other applicable standards may be found elsewhere in this Code.

Relevant Code Sections

Chapter 4:
 Dimensional Requirements,
 Special Requirements,
 Table of Permitted Uses
 Chapter 5: Subdivisions
 Chapter 6: Employment Center
 Design Standards, Civic/Landmark
 Building Design Standards
 Chapter 7: Streets, Driveways &
 Parking
 Chapter 8: Buffering &
 Landscaping, Planting Species List
 Chapter 9: Environmental
 Standards



Public Hearing

Public Hearings for both the annexation and initial zoning were held on April 9, 2024.

9 individuals signed up to speak

Comments included:

- Lack of infrastructure
- Density of residential
- Effect on environment/wildlife/wetlands
- Employment Center Uses not identified
- Noise/Privacy
- Increased traffic
- Schools
- ROI (Cost to Serve)



TIMELINE/PROCESS - ANNEXATION THROUGH FINAL PLAT FOR A MAJOR SUBDIVISION



THE TOWN HAS 60 DAYS TO ZONE A PROPERTY AFTER ANNEXATION

1. ANNEXATION

- Application
- Town Clerk and Planning Division Review
- Board of Commissioners Resolution Adoption
- Board of Commissioners Public Hearing with Public Notice.
- Board of Commissioners Action
- Recorded by Town Clerk

2. INITIAL ZONING

- Application
- Planning Division Review
- Planning Board Review & Recommendation
- Board of Commissioners Public Hearing
- Board of Commissioners Action

3. PRELIM. PLAT REVIEW - TRC

- Application
 - Planning Division Review
- Town planners will review the plat. The applicant will have the opportunity to revise plans based on staff comments.

4. PLANNING BOARD REVIEW

- Application
- Planning Board Review & Recommendation: The Planning Board has 60 days to provide a recommendation to the BOC.

5. BOC ACTION

- Board of Commissioners Action: After the case is presented, the Board will vote to approve or deny the subdivision petition.

6. CONSTRUCTION PLAN REVIEW - TRC

- Application
- TRC & Outside Agency Review: NCDEQ, TIA, Stormwater, NCDOT, Schools

7. FINAL PLAT REVIEW

- Application
- Planning Review
- Plat Approval

PUBLIC HEARING NOTICE REQUIRES A SIGN TO BE PLACED ON THE PROPERTY, MAILED NOTICE TO ADJACENT PROPERTY OWNERS, AND AN AD IN THE NEWSPAPER BETWEEN 10-25 DAYS OF THE HEARING.



ADMINISTRATIVE PROCESS - THE TOWN IS REVIEWING IT'S MERITS BASED ON THE ORDINANCE AND MUST BE APPROVED IF IT MEETS THE STANDARDS OF THE TOWNS LDC.



Plan Review

Technical Review Committee

- NCDOT
- Union County Environmental Health
- Union County Public Works
- NCDEQ Stormwater
- US Army Corp of Engineers
- US Fish and Wildlife
- Union County Public Schools
- Union County Urban Forester
- Union Power/Duke Power
- Union County Communication

Review Includes:

- Traffic Impact Analysis
- Park Land/Fee In Lieu
- Stormwater
- Open Space
- Tree Save
- Buffers & Screening
- Trails/Greenways
- Erosion Control
- Street Trees
- Lighting Design Standards
- Parking
- Connectivity



Recommendations

Planning Board

The Planning Board considered the initial zoning petition at their November 21, 2023 meeting and unanimously voted to recommend approval of the proposed zoning and the reasonableness and consistency statement as provided.

Planning Staff also recommends approval.



Consistency Statement

Reasonableness and Consistency Statement

The request for R-3 zoning is consistent with the Waxhaw 2040 Comprehensive Plan in that the parcels are situated within the Twelve Mile Creek basin where utility infrastructure can be easily extended to support development. It is reasonable and in the public interest that it will consolidate and rationalize the town's boundaries through annexation, with the same land use pattern as the surrounding area, to ensure the town grows in an orderly manner.

The request for Employment Center zoning is not consistent with the Waxhaw 2040 Future Land Use Map, however, it is consistent with the Union County 2050 Plan. It is reasonable and in the public interest as it will provide diversity to the tax base and allow for high quality jobs near the Hwy 75 and 521 regional transportation routes.



Requested Action - Annexation

MOTION to adopt Ordinance ORD2024013 for Annexation Petition 18-234 to extend the corporate limits of the Town of Waxhaw.



Requested Action – Initial Zoning

MOTION to approve initial zoning petition RZ-015131-2023 and the Reasonableness and Consistency Statement as presented.

Reasonableness and Consistency Statement

The request for R-3 zoning is consistent with the Waxhaw 2040 Comprehensive Plan in that the parcels are situated within the Twelve Mile Creek basin where utility infrastructure can be easily extended to support development. It is reasonable and in the public interest that it will consolidate and rationalize the town's boundaries through annexation, with the same land use pattern as the surrounding area, to ensure the town grows in an orderly manner.

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Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2115

Submitted by: Janet Peirano

Submitting Department: Planning Board

Meeting Date: April 23, 2024

Subject:

Consider Approval of the Proposed Modifications to the Façade Improvement Grant Program

Information: This is a request from the Planning Staff and the Business Development Director to change the name of the Façade Improvement Grant Program to the Building Exterior Improvement Grant Program, modify the program to include roof repairs as eligible for funding, and extend the timeline for completion of work from four months to six months.

Recommended Action:

- **MOTION** to approve the proposed modifications to the Façade Improvement Grant Program as presented.

Presenter: Janet Peirano, Planner II

ATTACHMENTS

[Proposed Changes to FIP 2024](#)

[Modification to Facade Grant Guidelines 4-2024](#)



2023-2024 Downtown Waxhaw
Façade-Building Exterior Improvement Grant
Application Form

(All work MUST comply with the *Waxhaw, NC Historic Landmark Standards.*)

Please print clearly in blue or black ink.

Date: _____

Property Physical Address _____ Waxhaw, NC 28173

Applicant Name _____

Relationship of Applicant to Property Owner _____

Property Owner Name _____

Business Name (if applicable) _____

Mailing Address _____

Phone Number _____

Fax Number _____

Email Address _____

Estimated Completion Date of Work _____

Provide a brief description of the proposed work below.

Improvement Information: On attached sheet(s) describe the proposed improvement project-
specific to the individual facade: provide samples, "before" photographs, pictures or a sketch of
"after", show size, proposed color(s), method of cleaning brick storefronts, materials, location on
property/building, and manner of installation, etc. This information must be in accordance with the
Downtown Waxhaw **Façade** Building Exterior Grant Program Standards attached.

QUOTES

Name of First Contractor Quoted Price* (for this façade)

Name of Second Contractor Quoted Price* (for this façade)

***If you are applying for more than 1 façade (side) of your building different itemized quotes must be submitted for each façade.**

SIGNATURES

Property Owner _____ Date _____

Applicant _____ Date _____

WHPC Staff Liaison _____ Date _____

Town Manager _____ Date _____

FOR WHPC USE ONLY:

Approved & Submitted Approved with Modifications or Conditions (modifications/conditions attached) Rejected Withdrawn

FOR STAFF USE ONLY:

Payment Information: Approved for Reimbursement Rejected for Reimbursement (see reverse)

Approved Award (Amount to Not Exceed): _____ \$ _____

Actual Documented Cost of Façade Improvement: _____ \$ _____

All documentation must be attached for reimbursement. No reimbursement can be given without documentation.

Town of Waxhaw Reimbursement: _____ \$ _____
(50% of Actual Documented Cost)

Downtown Waxhaw Façade-Building Exterior Improvement Grant Guidelines

Program Overview

Waxhaw's Façade-Building Exterior Improvement Grant program is an incentive-based measure intended to encourage and provide economic inducement for the:

- Renovation of commercial, industrial, residential and institutional buildings within the approved program boundary;
- Implementation of appropriate design standards for the rehabilitation of historic properties (see the *Waxhaw, North Carolina Historic Landmark Standards* at www.waxhaw.com); and
- Preservation of the unique architectural character of downtown Waxhaw.

In 2010, the Board of Commissioners (BOC) began setting aside money to be used for improving properties in downtown Waxhaw. Downtown Waxhaw is an asset to the Town and the region, and it is well documented that a vibrant downtown can bring economic benefits to the larger community.

The purpose of the Façade-Building Exterior Improvement Grant program is to assist property owners as they invest in historically appropriate rehabilitation projects that will serve to increase the vitality of Downtown Waxhaw. It is intended that this program will spur interest and investment in the downtown and thereby benefit the greater community.

Projects related to exterior building improvements are eligible to apply, but priority will be given to projects that improve the structural integrity of the building.

Funding

Façade-Building Exterior Improvement Grants will match up to 50% of the cost of rehabilitation. A minimum \$250 must be spent. For fiscal year 2023-24, the Town has set aside \$65,000 for reimbursements for façade improvements. Consult with staff liaison and/or [Downtown Manager/Business Development Director](#) to determine availability.

- The final award amount is based on documentation of actual costs.
- Façade-Building Exterior Improvement Grants are paid only when the approved project is completed in accordance with the approved plans and specifications submitted with the application and the appropriate tax documents have been submitted to the Town.
- Reimbursement checks will be made by the Town once completed work is approved and documentation of payment is provided.

What is a Façade?

~~A façade is defined as one exterior face of a building regardless of the number of stories. Each storefront of a building can be considered a façade. Side and rear facades are eligible, but priority will be given to applications that are requesting money for the front façade.~~

Examples of Improvements

Improvements may include, but are not limited to the following:

- ~~Structural repairs – including roofs~~
- Removal of false fronts, metal canopies and additions that detract from a building's architectural or historical character. Evidence must be provided (in the form of photographs, publications, period-specific examples, etc.) to verify that the rehabilitation will replicate a previous version of the same building wall/façade ~~if previous building wall is not located behind false front.~~
- Safe cleaning of brick storefronts – chemical stripping, scraping and water wash. Power washing is not recommended. Sand blasting is prohibited;
- Exterior painting/repainting;
- Historic reconstruction – storefront, door, or window repair or replacement, masonry repointing, etc.;
- Approved awning installation;
- ~~Structural repairs – except including roofs, and foundations, or other repairs not directly related to the façade of the building; and~~
- Approved sign and/or exterior lighting installation. Simple sign changes are eligible but by themselves are given low priority.

What Projects are Eligible?

Any non-residential, residential, non-profit or church structure built 50 or more years ago and within the program boundary (*see attached map*) approved by the BOC is eligible for ~~façade-Building Exterior Improvement Grant~~ funding. If you are unsure about the eligibility of your property, contact the Waxhaw Planning and Inspections Department at 704-843-2195. Additional stipulations include:

- Only one application is required for each building submittal. Either the property owner or the tenant of a building may apply, or both may apply jointly.
- If a building has multiple units, each tenant with a separate entrance may apply. Where a single tenant occupies multiple units, the tenant is eligible for one application only.
- A tenant applicant must obtain the property owner's written consent for ~~façade building exterior~~ renovations and must submit that permission with the application.

Criteria

- All ~~façade-building~~ design proposals MUST:
 - Meet the applicable zoning and code requirements of Waxhaw;
 - Comply with these ~~Façade-Building Exterior Improvement Grant~~ Guidelines;
 - Receive ~~Façade-Building Exterior Improvement Grant~~ application approval and, where appropriate, be issued a Certificate of Appropriateness from the Waxhaw Historic Preservation Commission (WHPC); and
 - Adhere to the *Waxhaw, North Carolina Historic Landmark Standards*.
- Only exterior façade ~~and roof~~ renovations are eligible.
- A property does not have to be occupied at the time a ~~Façade-Building Exterior Improvement Grant~~ application is submitted.
- Priority consideration will be given to proposals that make highly visible and significant design contributions and which contribute to the program's goal of preserving the architectural and historic character of downtown Waxhaw.

- A building may receive one grant ~~for each façade~~, and tenant shopfronts may receive one grant per shopfront. However, no more than one grant ~~per façade~~ per building or shopfront shall be awarded within one fiscal year.

Process Overview

1. **Pre-submittal Meeting** – Property owner/tenant (applicant) reviews the ~~Façade-Building Exterior Improvement~~ Grant package and meets with the staff liaison to discuss the proposed work.
2. **Estimate of work** – The applicant contacts two contractors for itemized cost estimates of the proposed work ~~for each individual façade in the grant application~~.
3. **Application Submittal** – The applicant submits grant application with photographs of the ~~façade(s) building~~ and itemized contractor estimates to staff liaison. Applications must be submitted a minimum of two weeks prior to the WHPC regular monthly meeting for consideration.
4. **Staff Review** – Staff reviews application for completeness and adherence to Town standards including the Waxhaw Land Development Code, the *Waxhaw, North Carolina Historic Landmark Standards*, and NC Building Code. The staff liaison will notify the applicant if there is any missing information.
5. **WHPC Review** – The WHPC reviews the application (and Certificate of Appropriateness application simultaneously, where applicable) at a WHPC regular meeting. The WHPC will request any further information if needed. If no further information is required, the WHPC may make a recommendation to the BOC to approve, approve with suggested modifications, or deny the request.
6. **BOC Review** – Following the WHPC recommendation, the application will be added to the next Board of Commissioner agenda for review. The BOC may request additional information, approve, approve with modifications, or deny the application.
7. **Notification** – Each applicant will receive a letter notifying them of approval (or denial) of the application and notifying them of any permit requirements. All application fees associated with a ~~Façade-Building Exterior Improvement Grant~~ issued by the Town of Waxhaw will be waived, however, **the applicant must still obtain any required permits.**
8. **Work Begins** – Following approval of the application, work may begin. Work must be completed, as originally described in the submitted application, within ~~two-three~~ months of approval.
9. **Extension of Deadline** – A written request may be made to staff to extend deadline up to ~~two-three~~ additional months. If more time is needed, the applicant must provide a written statement requesting extension for review and approval for an additional ~~three-two~~ months. The applicant shall not exceed ~~four-six~~ months for completion of the project unless they appear before the BOC to request an extension and can prove a hardship in writing.
- 9-10. **Modification of Grant** – A written request may be made to staff for a modification to the scope or cost of the project. Minor modifications to scope may be approved administratively. Major modifications must be approved by the BOC. Requests for an increase to the grant award must be approved by the BOC and be accompanied by an explanation for the overrun and a quote from the contractor.

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11. **Staff Final Review of Completed Work** – An inspection conducted by the staff liaison must be completed to ensure conformance with the approved grant and all applicable Town standards. Upon approval of work by the staff liaison, the applicant may submit for reimbursement.
12. **Reimbursement** – After the applicant receives their approval letter and prior to grant money being disbursed, a W-9 form must be filled out and submitted to the Waxhaw Tax Collector. Additionally, a Misc. 1099 form will be mailed at the end of the year that the applicant must complete.

To claim grant payment, the following must be submitted to the staff liaison no later than close-of-business on the day of the deadline:

- a copy of the approved application
- paid invoices, cancelled checks, or other acceptable forms of proof of payment.

Grant award payment from the Town of Waxhaw will be issued following staff review of all documents provided.

Quotes

Two quotes must be provided with each **Façade-Building Exterior Improvement** Grant application. These shall include a complete description of the proposed work. These quotes must comply with the following criteria:

- The quote must be itemized for each repair.
- Materials must be specified for any replacement of materials.
- If painting, show proposed color.
- Identify method that will be used if cleaning brick storefronts or washing wood siding.
- **If applying for more than one façade, separate quotes shall be provided for each façade.**

Materials

- The **Façade-Building Exterior Improvement** Grant Program is to encourage preservation, rehabilitation, and restoration of historic structures, so materials used shall be those that are the same or the most comparable material available to existing materials.
- In the case of a historically appropriate rehabilitation materials shall be the same as those used on the original building.
- Substitute materials should be considered only if the original material is no longer available and after all other options for repair and replacement have been ruled out. Refer to the *Waxhaw, North Carolina Historic Landmark Standards* for appropriate materials.

Appropriateness

The Waxhaw Building Inspector may be consulted to:

- inspect the existing structure if it shows need of repair;
- determine if the proposed work is necessary and/or appropriate;
- access the accuracy of the quote;
- evaluate the appropriateness of the proposed building materials.

The State Historic Preservation Office Restoration Specialist may be consulted to confirm historically appropriate rehabilitation materials are used, or to recommend substitute materials if the original material is no longer available.

A Certificate of Appropriateness will be required for locally designated landmarks seeking ~~façade~~ grant funds from the Town of Waxhaw.

Denied Applications

Applicants whose grant applications are denied by the WHPC are encouraged to reapply the next grant cycle. The WHPC, or their designee, will provide a written statement as to why the grant application was denied.

Annual Review

To ensure the ~~façade~~-Building Exterior Improvement Grant program is a success, the BOC is committed to reviewing the program on an annual basis prior to budget discussions for the new fiscal year. During this review, the BOC may choose to increase funding, change the boundary, or expand the number/type of eligible properties.

I have read and understand the Downtown Waxhaw Façade Improvement Program Application and Waxhaw, North Carolina Historic Landmark Standards.

Applicant Signature

Date



Modifications to Waxhaw Façade Improvement Grant Program

Board of Commissioners - April 23, 2024





Explanation of Request

This is a request from the Planning Staff and the Business Development Director to change the name of the Façade Improvement Grant Program to the **Building Exterior Improvement Grant Program**, modify the program to **include roof repairs** as eligible for funding and extend the timeline for the completion of work from four months to six months.



Building Exterior Improvement Grant



Indigo Pearl Building aka Broome-Rodman Building c. 1900/1924
Corner of Broome & E North Main



Tack Exchange aka A.W. Heath Company Mill
103 S. Church St. (c. 1905)



Historic Preservation Commission Recommendation

Waxhaw Historic Preservation Commission

The Waxhaw Historic Preservation Commission reviewed the proposed changes to the Façade Improvement Grant Program at their April 11, 2024 meeting, and voted unanimously for a favorable recommendation.



Requested Action

Motion to approve the proposed modifications to the Façade Improvement Grant Program as presented.

Questions

Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2116
Submitted by: Janet Peirano
Submitting Department: Planning Department
Meeting Date: April 23, 2024

Subject:

Adoption of Resolution (RES2024011) Endorsing the Town of Waxhaw's Application for a Certified Local Government Grant

Information: In January 2022 the Town of Waxhaw received CLG designation from the U.S. Department of the Interior. CLG designation makes Waxhaw eligible to apply for annual historic preservation fund grants that are exclusive to certified local governments. Staff has worked with the North Carolina State Historic Preservation Office on a proposal for a community-driven project designed to document historic resources based on oral history and community guidance to produce a history of Waxhaw that incorporates African American perspectives. The project is consistent with the HPC workplan and the Waxhaw 2040 comprehensive plan. The estimated cost of the project is \$40,000. The recommended local matching requirement is forty percent of project cost (\$16,000), and the CLG grant share is sixty percent (\$24,000). The final application is due by May 10, 2024.

Recommended Action:

- **MOTION** to adopt Resolution (RES2024011) Endorsing the Town of Waxhaw's Application for a Certified Local Government Grant in the amount of \$24,000 with a 40% match in the amount of \$16,000.

Presenter: Janet Peirano, Planner II

Financial Impact:

\$16,000

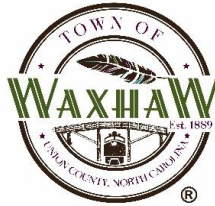
ATTACHMENTS

[Resolution RES2024011 Endorsing TOW Application for CLG Grant - 2024.04.23](#)

[Letter of Support from HPC](#)

[Resolution of Support CLG Grant](#)

RESOLUTION: RES2024011



**Resolution Endorsing the Town of Waxhaw’s Application for
A Certified Local Government Grant**

WHEREAS, the National Park Service has established an annual grant program that supports state and local preservation programs and projects;

WHEREAS, the North Carolina State Historic Preservation Office has issued a call for applications for the 2024 Historic Preservation Fund Certified Local Government Grant Program;

WHEREAS, the Town of Waxhaw Board of Commissioners has expressed a desire to assist in historic preservation efforts within the Town of Waxhaw;

WHEREAS, the Town of Waxhaw is seeking endorsement from the Waxhaw Board of Commissioners to apply for the Certified Local Government Grant for the amount of \$24,000;

WHEREAS, the Town of Waxhaw will contribute a 40% match of \$16,000; and

WHEREAS, the staff recommends applying for the Certified Local Government Grant, which will fund a community-driven project designed to document historic resources based on oral history and community guidance and produce a history of Waxhaw that incorporates African American perspectives.

NOW, THEREFORE, BE IT RESOLVED, by the Waxhaw Board of Commissioners of the Town of Waxhaw, North Carolina hereby endorses the Town of Waxhaw’s Certified Local Government Grant Application in the development of a community-driven project to document historic resources and produce a history of Waxhaw that incorporates African American perspectives.

Duly adopted on this 23rd day of April 2024.

Robert J. Murray, III, Mayor

ATTEST:

Barbara Bruce, Town Clerk



Waxhaw Historic Preservation Commission

April 11, 2024

Michele McCabe, Grants Coordinator
NC State Historic Preservation Office
109 E. Jones Street
Raleigh, NC 27601

Ms. McCabe,

The Waxhaw Historic Preservation Commission is excited to offer this letter of support for the Town of Waxhaw's application for a CLG grant. This grant will be a catalyst for documenting historic resources based on oral history and community guidance and preserving a history of Waxhaw that incorporates African American perspectives.

The Waxhaw Historic Preservation Commission serves to protect, preserve, and sustain its historic buildings, landmarks, and unique character. The Commission advocates for Waxhaw's heritage by identifying historical structures, recommending historical designations, reviewing design changes, and assisting with preservation planning. In addition, the Commission promotes the appreciation of historic preservation and serves as an education resource to enable the community to reap the benefits of preservation for future generations.

We are honored to support the Town of Waxhaw's application for a CLG grant.

Sincerely,

Kirsten Messinger
Waxhaw Historic Preservation Commission Chairperson



Hours: Monday-Friday
8:00 a.m. – 5:00 p.m.

P. 704.843.2195
F. 704.843.2196

www.waxhaw.com

P.O. Box 6
1150 North Broome St
Waxhaw, NC 28173



**RES2024011 - RESOLUTION OF SUPPORT
CERTIFIED LOCAL GOVERNMENT GRANT
APRIL 23, 2024 BOARD OF COMMISSIONERS MEETING**





Background



Certified Local Government Program

GOAL:

To facilitate State and local government cooperation with Federal partners to promote nationwide preservation initiatives.

"Saving the Past for Future Generation"

Waxhaw received CLG designation in January 2023



CLG Grants



Federal Historic Preservation Fund provides funds to the state annually

At least 10% of appropriations used to fund CLG grants

Matching Funds are required
Grant covers 60%
CLG match 40%



African American History Project

- **Community Driven**
- **Oral History**
 - **Follow State Archives of NC oral history protocols**
- **Identify Geographic locations, neighborhoods and individual landmarks**
- **Architectural Surveys**
- **African American History Event**
 - **Scan photos and documents**
 - **Document artifacts**



Waxhaw Rosenwald School



Dora Winchester Hall
Born 1880
Died 1920
Midwife and Woman of Medicine



David G. Barnes
Teacher
Role Model
Public Servant
Commissioner
1979 – 2007



Dr. John S. Massey (1866 – 1946)
First Black Doctor in Union County
Built Quality Hill Sanitarium, Monroe



Consistency with Plans



Section 8: Cultural & Recreational Life

Goal 5. Highlight and protect Waxhaw's historic heritage: Partner with members of the African American Community to learn about the people and places that contributed to the history of Waxhaw and share those stories.



Consistent with the goals of the HPC workplan:

- Public Outreach
- Oral History Projects
- Preservation of Waxhaw's African American History



Letter of Support

Letter of Support Received:

- Waxhaw Historic Preservation Commission

Requested Action:

MOTION: to approve Resolution (RES#2024011) Endorsing the Town of Waxhaw's Application for a Certified Local Government Grant in the amount of \$24,000 with a match in the amount of \$16,000.

Questions?

Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2123
Submitted by: Dena Sabinske
Submitting Department: Parks & Recreation Department
Meeting Date: April 23, 2024

Subject:

Public Art Committee - Mural Finalist - Days of Old, Days of New

Information: The Public Art Committee & Downtown Waxhaw Association partnered to bring more cultural art projects to Waxhaw. The mural art project is a work plan initiative of both committees for fiscal year 2023-2024. The finalist were vetted using the Waxhaw Art Policy throughout the process. The Committees recommend the final design name "Days of Old, Days of New" themed "Our Train Story".

Recommended Action:

- **MOTION** to approve the final mural design named "Days of Old, Days of New" themed "Our Train Story".

Presenters: Dena Sabinske and Ashley Nowell

Financial Impact:

Parks and Recreation Budget for Public Art in the amount of \$6,000. DWA budget in the amount of \$5,500 (\$3,000 UCAC grant and \$2,500 from general budget)

ATTACHMENTS

[BOC Presentation Mural PR. PAC. DWA 4.23.24](#)



**Parks & Recreation & Downtown Waxhaw Association
Public Art Mural Project
Dena Sabinske, Director of Parks & Recreation &
Ashley Nowell, Business Development Director**





Downtown Waxhaw Mural Project

Partnership between PAC & DWA

Public Art Committee (PAC): The Waxhaw Public Mural Project is a part of the PAC's 2023 and 2024 Work Plan.

- Update application
- Identify locations and contact business owners
- Working **In Partnership with** the Downtown Waxhaw Association & Downtown Design Committee
- Understand funding with partnerships- DWA and PR (PAC) budgets & grants

Downtown Waxhaw Association (DWA): Public Art was prioritized in DWA's FY24 Design Workplan and Budget

- Identify prime locations in our downtown for public art
- Act as liaison between business/property owners and PAC to facilitate site selection
- Assist in funding mural

Collaborate with PAC to identify a theme





Theme & Location

Location:

- The committee identified several prime locations
- Design Committee & Staff worked with several property owners
- Landed on Great Wagon Road Distillery
- Historic building with historic brick means mural must be mounted

Theme:

- Focused on art by local or regional artists
- Art reflecting the region's unique heritage, history, and culture
- This theme was too broad!
- Committees revisited and refocused
- We wanted the first mural to focus on the start of our town and what makes downtown unique – the train!





Timeline & Funding

Mural Timeline:

- January 2023: mural added to PAC & DWA Workplans
- June 2023: Public Art initiative was budgeted in the Parks & Rec. Dept.
- August 2023: PAC & DWA Committees began working through location, themes, and applications. DWA applied for a grant with Union County Arts Council (UCAC)
- October 2023: DWA received a grant from UCAC
- January 2024: Public Art Discussion with BOC concerning locations, themes, and direction. PAC & DWA propose a timeline and budget.
- February 16: Applications due; 18 applications received
- February 22: artist selection with PAC, DWA, and DW-Design Committee
- February 29: staff met with artists
- March 13: reviewed designs with artists and committees
- March 21: refined mural theme
- March 28: reviewed new designs with committees and provided feedback to artists
- April 10: reviewed final designs with artists and committees and chose the final design

Funding sources:

- PR Budget for Public Art \$6,000
- DWA Budget: \$5,500 (\$3,000 UCAC grant; \$2,500 general budget)





Volunteer Commitment

Public Art Committee: 150 hours

Downtown Waxhaw Association Board: 90 hours

Downtown Design Committee: 80 hours





Meet the Artists Swych & Carla





Final Design Selection Our Train Story



“Days of old, Days of new”



What's Next?

- BOC Meeting: April 23, 2024
- May 6- 17, 2024: Installation of Waxhaw Mural
- **May 11, 2024:** Mural will be in the process of being painted during the Kaleidoscope Festival; Education and information will be given during the event
- June 7th: Highlight at First Friday & Jammin' by the Tracks events
- May 2034: De-installation or Restoration of Waxhaw Mural



Parks & Recreation- **mission** of the department is to provide recreational, educational, and **cultural opportunities** that promote a healthy lifestyle and excellent quality of life in a safe environment for citizens of all ages, means, and abilities.

DWA Vision

Iconic Downtown Waxhaw is a small town steeped with historic character and is the **premier destination in Union County** to experience authentic **craftsmanship** and **culture**.

DWA Mission

The mission of the Downtown Waxhaw Association is to be the leading resource for preserving, promoting, and connecting the past, present, and future of Downtown Waxhaw.

Questions?

Board of Commissioners Agenda Item Report

Agenda Item No. AIR-2126
Submitted by: James Kelly
Submitting Department: Engineering Department
Meeting Date: April 23, 2024

Subject:

First Reading of Proposed Ordinance (ORD2024015) Amending Regulations for Loading and Unloading Zones on N. Church Street

Information: The Engineering Department is proposing revisions to Section 66-63 of the Town's Code of Ordinances to add a loading/unloading zone on North Church Street. Staff is presenting the first reading and will seek any feedback at the April 23rd, 2024 Board of Commissioners meeting. The Board of Commissioners will consider adoption at their next regular meeting on May 14, 2024.

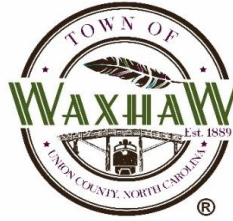
Recommended Action:

- Receive feedback on the proposed Ordinance (ORD2024015) amending regulations for Loading and Unloading Zones on North Church Street.

Presenter: James Kelly, Traffic-Transportation Project Engineer

ATTACHMENTS

[Ordinance #ORD2024015 Amending Regulations for Loading and Unloading Zones on N. Church - First Reading - 2024.04.23](#)
[20240423.Loading and Unloading N Church - First Reading](#)



**An Ordinance Amending Regulations for Loading
and Unloading Zones on North Church Street
Town of Waxhaw, North Carolina**

WHEREAS, in pursuance of authority conferred by G.S. 160A-174 and 160A-175 and for the purpose of protecting the health, safety, or welfare of the people traveling on the public streets, alleys and public ways in the Town of Waxhaw.

NOW THEREFORE, BE IT ORDAINED, by the Waxhaw Board of Commissioners of the Town of Waxhaw, North Carolina that Chapter 66: Traffic, Article III. – Traffic Regulations, Section 66-63, Loading and Unloading Zones, is hereby established.

Section 66-63. – Loading and Unloading Zones

- a. Whenever vehicle loading and unloading zones are designated by this section, and when signs are placed, erected, or installed, giving notice thereof, it is a violation of this section for any person to stop, stand, or park any vehicle for any purpose or period of time except in accordance with the requirements of this section.
- b. The streets, or parts thereof, hereby incorporated herein are hereby designated as loading and unloading zones and no person shall stop, stand, or park a vehicle therein during the hours of 8:00 a.m. to 4:00 p.m. Monday – Friday for any purpose other than the expeditious unloading and delivery, or picking and loading of materials and goods, and then only for a period not to exceed fifteen (15) minutes.
 1. Loading and unloading portion of East North Main Street located approximately 165 feet east of the intersection of Broome Street (NC-16) and East North Main Street.
 2. Loading and unloading portion of North Providence Street located approximately 175 feet south of the intersection of Howie Mine Road and North Providence Street.
 3. Loading and unloading portion of North Church Street located approximately 50 feet north of the intersection of North Church Street and West North Main Street.
- c. Authorized food trucks are permitted to utilize the following designated loading and unloading zone(s) after 4:00 p.m. Monday through Friday, and without time restrictions on weekends. Food trucks shall not impact parking spaces adjacent to the loading and unloading zone(s).

Chapter 66: Section: 66-63
ORDINANCE: ORD2024015

1. Loading and unloading portion of North Providence Street located approximately 175 feet south of the intersection of Howie Mine Road and North Providence Street.
 2. Loading and unloading portion of North Church Street located approximately 50 feet north of the intersection of North Church Street and West North Main Street.
- d. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.
 - e. If any section, subsection, paragraph, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.
 - f. Penalty. Any person violating or failing to comply with the provisions of this section shall be subject to a civil penalty of \$50 per violation.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ITS ADOPTION AND APPROVAL.

Duly adopted this 14th day of May 2024.

Robert J. Murray, III, Mayor

ATTEST:

Barbara Bruce, Town Clerk



FIRST READING – AMENDING REGULATIONS FOR LOADING AND UNLOADING ON NORTH CHURCH STREET

APRIL 23, 2024, BOC REGULAR MEETING

JAMES KELLY, P.E. – TRAFFIC/TRANSPORTATION PROJECT ENGINEER





Background

- Proposed amendment to Section 66-63 of the Code of Ordinances
- Aids to regulate larger vehicle parking and provide clarity on food truck utilization
- Historically, this has provided improvements in other areas (i.e. along N. Providence Street and E. North Main Street)



North Church Street Section

Proposed text to be amended is depicted in red below.

Section 66-63. – Loading and Unloading Zones

- a. Whenever vehicle loading and unloading zones are designated by this section, and when signs are placed, erected, or installed, giving notice thereof, it is a violation of this section for any person to stop, stand, or park any vehicle for any purpose or period of time except in accordance with the requirements of this section.
- b. The streets, or parts thereof, hereby incorporated herein are hereby designated as loading and unloading zones and no person shall stop, stand, or park a vehicle therein during the hours of 8:00 a.m. to 4:00 p.m. Monday – Friday for any purpose other than the expeditious unloading and delivery, or picking and loading of materials and goods, and then only for a period not to exceed fifteen (15) minutes.
 1. Loading and unloading portion of East North Main Street located approximately 165 feet east of the intersection of Broome Street (NC-16) and East North Main Street.
 2. Loading and unloading portion of North Providence Street located approximately 175 feet south of the intersection of Howie Mine Road and North Providence Street.
 3. Loading and unloading portion of North Church Street located approximately 50 feet north of the intersection of North Church Street and West North Main Street.





Food Truck Utilization

Proposed text to be amended is depicted in red below.

- c. Authorized food trucks are permitted to utilize the following designated loading and unloading zone(s) after 4:00 p.m. Monday through Friday, and without time restrictions on weekends. Food trucks shall not impact parking spaces adjacent to the loading and unloading zone(s).
 1. Loading and unloading portion of North Providence Street located approximately 175 feet south of the intersection of Howie Mine Road and North Providence Street.
 2. Loading and unloading portion of North Church Street located approximately 50 feet north of the intersection of North Church Street and West North Main Street.
- d. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.
- e. If any section, subsection, paragraph, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.
- f. Penalty. Any person violating or failing to comply with the provisions of this section shall be subject to a civil penalty of \$50 per violation.



Requested Action

- Provide any feedback on the proposed Ordinance (ORD2024015) amending regulations for Loading and Unloading Zones on North Church Street
- Second reading and adoption on May 14th BOC meeting.