



BLUEPRINT WOODFIN – LAND DEVELOPMENT ORDINANCE PROJECT

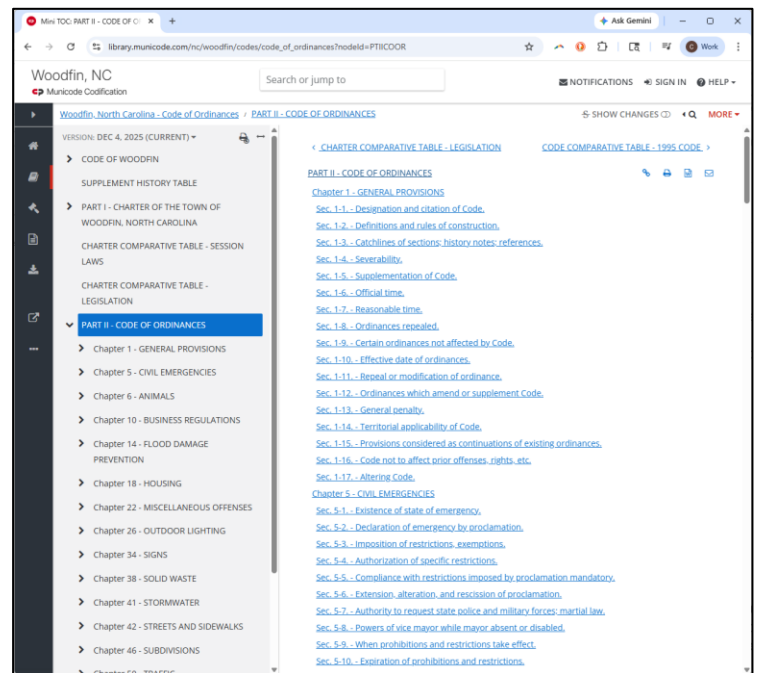
Summary of Existing Land Development Ordinances – April 2026

The Blueprint Woodfin Land Development Ordinance (“LDO”) project is an update of the Town’s current development regulations into a new consolidated LDO and associated zoning map. The new LDO is a single document that integrates the current zoning, subdivision, flood damage prevention, signs, stormwater, and development application review procedures into a modern, easy-to-use document that implements Woodfin Together and other adopted land use policy guidance. It also integrates recent legislative changes with judicial precedent and best practices in development regulation.

The Town’s development regulations are currently housed in numerous Chapters of the Town’s Code of Ordinances, including:

- Chapter 6, Animals;
- Chapter 10, Business Regulations;
- Chapter 14, Flood Damage Prevention;
- Chapter 18, Housing;
- Chapter 26, Outdoor Lighting;
- Chapter 34, Signs;
- Chapter 41 Stormwater;
- Chapter 42, Streets and Sidewalks;
- Chapter 46, Subdivisions; and
- Chapter 54, Zoning.

Blueprint Woodfin will integrate the relevant standards from these 10 chapters into a single document with a common voice and intuitive structure. It will update and revise these standards, where appropriate, to align with the Town’s adopted policy guidance and be supplement the current provisions as necessary to address new legislation and best practices.



The Town has expressed a strong desire to modernize the current standards in an easy-to-use and consolidated Land Development Ordinance (LDO). The tables on the following pages summarize the current standards indicated for relocation to the new LDO and provide suggestions for how these current regulations can best be integrated with other provisions.

These tables, along with the Policy Document Review, the summary report from the stakeholder interviews conducted during Task 1 of Blueprint Woodfin, and the and the Key Themes for Improvement comprise the Code Diagnosis (prepared in Task 2). The Code Diagnosis provides a series of summary recommendations for alterations to the Town’s current development regulations in pursuit of a modern, user-friendly unified document that implements the Town’s policy guidance in ways that are consistent with State law and recent court precedent. The summary tables follow:





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 6: ANIMALS

Section # / Description	Potential Disposition in the LDO
<p>6-1 through 6-26 Non-applicable sections</p>	<p>Sections to remain in the Town Code of Ordinances</p>
<p>6.27 Keeping of Livestock Bars the keeping of livestock on lots in the City of less than 1 acre in area; lots larger than 1 acre may have maintain up to two animals per acre</p>	<ul style="list-style-type: none"> - Carry forward in Secondary Uses portion of new Ch. 4, Land Uses - Clarify requirements (if any) for fencing/containment
<p>6.28 Wild Animals or Dangerous Insects Bars keeping live reptiles, wild animals, or insects “likely to be dangerous to humans”</p>	<p>Remove and replace with new prohibitions (in the Prohibited Uses portion of new Ch. 4, Land Uses) on the keeping of exotic or dangerous fauna or flora within the corporate limits and ETJ</p>
<p>6-29. Keeping Fowl Permit required to keep domestic fowl; annual inspection, sanitation, confinement, acreage limits, and nuisance prevention mandated; revocable for violations or health, safety, and welfare concerns</p>	<ul style="list-style-type: none"> - Relocate to Secondary uses portion of new Ch. 4, Land Uses - Remove requirement for annual permit removal, but clarify that any such use must be permitted whether in the corporate limits or the ETJ - Clarify that fowl may be maintained in a run, and must be in the coop between sunset and sunrise - Clarify that setbacks also apply to runs
<p>6-30. Special Permission to Keep Animals Allows the Town Administrator to grant exceptions to 6.28 with no criteria</p>	<p>Delete</p>
<p>6.31. Sale or Giving of Baby Fowl or Rabbits Appears to limit private individuals from selling or giving away certain animals, but does not permit their commercial sale</p>	<p>Suggest deletion – difficult to enforce</p>
<p>6-32. Bees Beekeeping allowed only in movable-frame hives, 75 feet from neighboring homes; limits based on lot size; no hive manipulation between sunset and sunrise unless relocating.</p>	<ul style="list-style-type: none"> - Relocate these standards to Secondary Uses portion of Ch. 4, Land Uses - Suggest applying these standards in the ETJ as well - Revise max hive count from 4 to 5 to comply with NCGS§106-645, continue with lot size provisions, but apply to 6+ hives - Carry forward 75-foot setback, and feral bee limitations - Clarify hives must be ground level or attached to securely-mounted frame - Not sure the manipulation standard is practical unless code enforcement works at night
<p>6-33. Penalty Non-applicable sections</p>	<p>Address violations of animal control provisions in LDO (including criminal penalties) in new Ch. 7, Violations</p>





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 10: BUSINESS REGULATIONS

Subdivision II. Mobile Food Vendors

Section # / Description	Potential Disposition in the LDO
<p>10-119. Mobile food vendor regulation</p> <p>Mobile food vendors require permits, must meet location, sanitation, and display standards, follow zoning, health, signage, and operational rules, and face revocation or penalties for violations</p>	<ul style="list-style-type: none"> - Carry these regulations forward in various portions of new Ch. 4 Land Uses - Suggest mobile food vendor uses be considered a principal use in some contexts (food truck court, commissary), a secondary use in some contexts (as part of a ‘brick & mortar’ restaurant, an area on an existing developed site occupied by an unrelated principal use), or a temporary use in other areas - The new LDO should clarify the districts where these uses are permitted, whether as a principal, secondary, or temporary - Relocate definitions to Definitions portion of new Ch. 8, Word Usage - Clarify that these uses must maintain a health department certification and zoning approval - Clarify that mobile food vending may take place within the right-of-way as part of a permitted special event - Clarify if mobile food vending may take place on a vacant lot - Clarify rules for vehicle mounted signage - Discuss spacing requirements for uses with generators – is this enforced?

Subdivision III. Peddlers

<p>10-169 - 171</p> <p>Sets out definitions, registration, limitations on door-to-door solicitation</p>	<ul style="list-style-type: none"> - Supplement with new secondary use provisions for Outdoor Seasonal Sales (e.g., Christmas trees, pumpkins, fireworks, etc.) that address placement, circulation, limitations on duration/frequency - Include cross references to Code of Ordinance requirements
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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 14: FLOOD DAMAGE PREVENTION

Section # / Description	Potential Disposition in the LDO
<p>14-1 through 14-94</p> <p>This chapter governs flood damage prevention in all special flood hazard areas within the Town of Woodfin's jurisdiction. It requires a floodplain development permit for all development activities</p>	<ul style="list-style-type: none"> - Carry this chapter forward and incorporate into the LDO - Review for consistency with the 2026 State model ordinance - Reorganize to locate definitions to Definitions portion of new Ch. 8, Word Usage - Relocate procedures (flood permit, elevation certificate, variance) and review authority provisions with other procedures in new Ch. 2, Applications - Relocate violation-related provisions with other enforcement material in new Ch. 7 Violations - Relocate standards to Special Flood Hazard Area section of new Ch. 6, Standards





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 18: HOUSING

Section / Description	Potential Disposition in the LDO
<p>18-1 through 18-17</p> <p>Empowers the town to identify and address unsafe or unfit dwellings through enforcement and minimum habitability standards. It applies to all residential structures</p>	<p>Suggest retaining in Town Code of Ordinances rather than the LDO</p>

TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 26: OUTDOOR LIGHTING

Section # / Description	Potential Disposition in the LDO
<p>26-1. Intent and Purpose</p> <p>The intent is to encourage lighting practices that minimize light pollution, glare, and trespass, conserve energy, and maintain nighttime safety, utility, comfort, and security.</p>	<ul style="list-style-type: none"> - Carry forward in new Exterior Lighting portion of new Ch. 6, Standards - Carry forward and update Intent and purpose material - Suggest exterior lighting be applied to development sites and street lighting be applied as part of infrastructure standards - Ensure standards avoid overly technical terminology - Revise applicability provisions where necessary in light of downzoning provisions- standards in new LDO should only be applied to new development (to avoid potential for creating nonconformities) - Suggest current approach of limiting compliance to threshold amounts of increase and then only requiring the new lighting to comply with the standards be revised – both in terms of the thresholds for what constitutes changes that must comply, and the requirement that only the new lighting fixtures must meet the standards. Consider: A reliance on percentage increases to present (assessed) value presupposes that all site improvements impact assessed value – is that true? Could significant changes to a site be made without reaching the 25% threshold?
<p>26-2. Applicability</p> <p>Applies to new land uses, buildings, and lighting expansions. Single-family/duplex lighting, except security lights, is exempt. Changes of use or intensity requiring a $\geq 25\%$ increase in parking must upgrade all lighting.</p>	<ul style="list-style-type: none"> - We suggest that to keep things simple and avoid downzoning claims, full compliance with all standards be applied at time of change in use, time of site reconfiguration, or at time of building expansion. The administrative adjustment, variance, conditional rezoning, and nonconforming authorization processes establish a uniform means of dealing with current site conditions or variable compliance regimens - Additional discussion about the maintenance standards is needed – these provisions pre-date the downzoning provisions – so they can be carried forward - Suggest removal of the language related to compliance by 2013 be removed - Some terminology, like security lighting, or dusk-to-dawn lighting, or pole lighting would benefit from definition - Add a section on exemptions to include things beyond single-family and duplex uses, like emergency lighting, government activity, special events, etc.





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 26: OUTDOOR LIGHTING

Section # / Description	Potential Disposition in the LDO
<p>26-3. Materials and methods of installation/operation</p> <p>High pressure sodium (HPS) lamps are the preferred source for outdoor illumination. Alternate designs, materials, or methods require town administrator approval for equivalence and intent compliance.</p>	<ul style="list-style-type: none"> - Remove preference for high pressure sodium and consider allowing LED with a color temperature below 3,000K - Delegate Planning Director (or designee) as review authority
<p>26-4. Definitions</p> <p>Defines terms like Footcandle, Fully-shielded fixture (full cutoff), Partially-shielded fixture (semi-cutoff), and Shielded fixture (cutoff).</p>	<ul style="list-style-type: none"> - Definitions should be updated and carried over and included in the new Ch. 8 Word Usage - As needed, the images used should be revised and include in the Measurements section or included with the appropriate definitions - Suggest removal of partial shielding options
<p>26-5. General requirements</p> <p>Covers floodlight aiming/location, shielding effectiveness, light trespass limits (0.5 FC at residential property lines), maximum height limits for pole-mounted lights, and total outdoor light output limits per acre.</p>	<ul style="list-style-type: none"> - Reconfigure as general standards applicable to all exterior lighting, prohibited lighting, lighting height, etc. in Exterior Lighting section of new Ch. 6, Standards - Add new limitations to LED lighting around the exterior of buildings windows, doors, and corners - Relocate sign-related lighting standards to Signage section of new Ch. 6, Standards - Suggest review of and update to maximum lighting heights to reduce these to 16 feet in non-residential pedestrian areas + clarify maximum wall-mounted lighting heights - Relocate maximum light level standards to a new section on maximum illumination, apply as maximum footcandles measured at lot lines that varies based on the district where measured (suggest moving away from maximum lumens per acre; but maintaining minimum footcandle uniformity ratios with parking areas) - Discuss limits on floodlights in residential districts; is this enforceable? - Eliminate lighting zones, town administrator references, lighting classes, etc. as these are dated and no longer utilized - Add a new section for recreation facilities - Discuss 9:00 PM activity limit
<p>26-6. Infrared security lighting</p> <p>Infrared security lighting is exempt from filtration rules but fixed lights must be fully-shielded. Movable lights must be mounted to prevent directing the beam higher than 20° below the horizon.</p>	<p>Suggest removal of these standards</p>
<p>26-7. Application requirements</p> <p>Applicants requiring various town permits must submit information demonstrating compliance with this chapter.</p>	<ul style="list-style-type: none"> - Retain a lighting plan standard, and clarify that it is to be submitted along with site plan and construction drawing applications - Suggest requiring photometric or illuminance contour lighting plan requirement for non-residential and multi-family development abutting residential zoning districts





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 26: OUTDOOR LIGHTING

Section # / Description	Potential Disposition in the LDO
<p>26-8. Temporary lighting permits</p> <p>The town administrator may grant a 30-day temporary lighting permit (with one renewal) if the purpose is public interest and the design minimizes light pollution/trespass.</p>	<p>Suggest temporary lighting provisions be addressed with other temporary use standards, as subject to a temporary use permit</p>
<p>26-9. Nonconforming lighting</p> <p>Nonconforming fixtures need removal or modification to conform if abandoned, ≥50% damaged, or when a permit triggers certificate of occupancy requirements. Security lights must be fully shielded or removed by the contract end or December 31, 2013.</p>	<p>The downzoning strategy proposed to deal with SL2024-57 means that all lighting standards are applied solely to “new” development, that all lighting existing on effective date may remain as-is, except that, any change of principal use type, increase in impervious surface, expansion of an existing building floor area or footprint, or renovation exceeding 50% of current assessed value is considered “new” development that requires the <u>entire site</u> to comply with the standards in place at the time of the application (there are three “safety valve” options for sites that cannot reach full compliance: a variance, a conditional rezoning, or approval of a nonconforming authorization)</p>
<p>26-10. Variances</p> <p>Any person desiring non-compliant outdoor lighting may apply to the board of adjustment for a variance from the regulation.</p>	<p>Remove. Address variance provisions in the Variance procedure in new Ch. 2, Applications</p>

TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 34: SIGNS

Section # / Description	Potential Disposition in the LDO
<p>34-1. Title</p> <p>This chapter is officially known as the "Town of Woodfin Sign Ordinance".</p>	<p>Remove as this is no longer a stand-alone chapter</p>
<p>34-2. Definitions</p> <p>Provides the meanings for various terms related to signs, structures, messages (commercial/noncommercial), measurements, and types of signs.</p>	<ul style="list-style-type: none"> - Relocate sign-related definitions to Terms Defined section of new Ch. 8, Word Usage, but do not carry forward terms already addressed in other sections - Update and refine definitions and remove content-based sign terminology that relates to commercial/non-commercial distinctions or use/activity types (e.g., garage sale sign, land for sale sign, residential real estate sign, etc.) - Retain specific sign-type definitions to be located with tabular information related to individual sign type standards
<p>34-3. Purpose and intent</p> <p>Creates a legal framework for a balanced sign system to ensure clear communication, enhance safety, protect economic viability, and improve community aesthetics.</p>	<p>Carry forward and supplement with language pertaining to protection of 1st Amendment rights, avoiding content-based regulations except where absolutely necessary, and discuss the balance between promotion of beneficial commercial activity and limiting negative impacts of over-signage</p>





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 34: SIGNS

Section # / Description	Potential Disposition in the LDO
<p>34-4. Common standards</p> <p>Sign regulations are based on street type; all signs must meet codes, lighting ordinance, and visibility guidelines; limited to three business identification signs, only one permanent ground sign.</p>	<ul style="list-style-type: none"> - Carry forward a section of general sign standards and address: signs in public street rights-of-way, changeable copy, illumination, structural configuration, maintenance, and portions of murals as signage - Suggest departing from street-based sign standards in favor of a zoning district-based approach with utilization of street type as a means to include incentives for adjustments to maximum sign height and face area for ground or pole signs - Address individual sign-type standards in the appropriate section of standards associated with each individual sign type - Remove any standards pertaining to a sign's message - Address sign measurement in its own section (height, face area, # of signs, wall size, etc.) - Suggest abolishing exemptions based on letter size (but maintaining exemptions of property address numbers) - Discuss current limitation on the max. number of signs for a business (3 signs) are applied to multi-tenant buildings with more than three tenants - Add cross reference to nonconforming signage standards, which are located in new Ch. 5, Nonconformities
<p>34-5. Sign permit requirement</p> <p>A duly approved sign permit from the town is required to erect, display, or alter any sign unless specifically exempted. Permits are conditional on a Certificate of Occupancy.</p>	<ul style="list-style-type: none"> - Carry forward sign permit in new Ch. 2, Applications - Remove Master Sign Plan provisions (Sec 34-10) but clarify that addition of more lots can authorize more signage in some cases - Discuss if temporary signage requires issuance of a sign permit or a temporary use permit, or no permit at all
<p>34-6. Exemptions</p> <p>Lists signs exempt from the chapter or from permit requirements, including warning signs, government signs, holiday decorations, and certain temporary signs.</p>	<ul style="list-style-type: none"> - Split this section into two sections: exempted signs that do not need to comply with the LDO, and signs permitted without a sign permit (but that remain subject to LDO requirements)) - Remove content-based standards (e.g., warning & security signs, no dumping, – these should be treated as incidental signage instead) - Discuss governmental flag exemptions – this is content-based, suggest exempting all flags on lots owner/operated by governmental entities instead - Add statutory sign exemptions – fence wraps, farm signs, etc. - Strongly suggest dropping exemption for signs under a certain size or home occupation signs (if exempt, I could have an unlimited number of these signs on my lot) - Revisit current list of signs that are exempt from permit requirements – almost all of these sign rules are content-based; suggest maintaining tabular approach, but need revisions to sign types. Standards the differ based on land use type, sale or rent, type of activity (yard sale), or commercial status are content-based; address as temporary, incidental, ideological instead - Discuss the Town's desire to carry forward political sign standards (the Town may apply NCDOT rules, its own rules, or no rules at all)





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 34: SIGNS

Section # / Description	Potential Disposition in the LDO
<p>34-7. Temporary signs requiring a permit</p> <p>Specific temporary signs like event and grand opening banners, sandwich boards, and utility pole banners require a permit and must meet specific standards.</p>	<ul style="list-style-type: none"> - Carry forward standards for temporary signs in tabular format; most sign types are for banners – what about other kinds of signs? - Supplement with details regarding which districts permit temporary signs and images showing examples and how dimensions are determined - Discuss the permit type to be used (sign permit vs temporary permit) - Suggest ‘sandwich board’ signs be renamed sidewalk signs and addressed with other permanent signs since these signs are often used every day - Special purpose signs for nonprofit civic organizations is a content-based standard and should not be continued - Do residential uses get temporary signs? Isn’t a for lease or for sale sign temporary? - Remove utility pole signs
<p>34-8. Permanent sign requirements</p> <p>Permanent signs must comply with the NC Building Code. Regulations vary based on street type, number of tenants, sign face area, and height, detailed in four tables.</p>	<ul style="list-style-type: none"> - Suggest regulations be revised to no longer distinguished between “attached” vs “ground/monument” and just set out the standards for permanent sign types: awning, directory, electronic message board, incidental, ideological, monument, menu board, political, projecting, sidewalk, subdivision, suspended, wall, window - Discuss the ability to have “pole” signs - Supplement with imagery and zoning districts where permitted - Suggest utilizing street type to address max face area and height for monument signs; address multi-tenant aspects in wall sign standards - Clarify how rules apply to internal driveways, type 3 zones, industrial zones - Suggest removal of the ability to permit roof signs on new development - Murals that are not copyrighted are not signs, though they may include a wall sign within them, provided the “wall sign” portion of the mural may not exceed the maximum standards for wall signs in the district where located - Gasoline pricing is a content-based standard – address as incidental - Incorporate minimum letter size standards in directory signs
<p>34-9. Offsite directional signs</p> <p>A special class of signs for businesses not on main streets, installed and maintained by the town, are only permitted on primary or secondary arterial streets on a space available basis.</p>	<p>Consider removing. Offsite directional signage should be a function of the Town as part of a wayfinding signage program. Offsite directional signage should not otherwise be permitted by individual businesses</p>
<p>34-10. Master sign plans</p> <p>Allows applicants to propose unique sign elements for a development to promote site consistency and architectural compatibility, subject to review and approval by the Planning and Zoning Board of Adjustment.</p>	<p>Suggest deletion of these standards (variances remain authorized and standards may be revised as part of a conditional rezoning or development agreement)</p>





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 34: SIGNS

Section # / Description	Potential Disposition in the LDO
<p>34-11. Amortization of nonconforming signs Legal nonconforming signs are allowed a period to remain based on initial cost before compliance or removal is required, with some exceptions and immediate loss conditions.</p>	<p>Remove this – this is no longer authorized under NCGS§160D-912.1, and is inconsistent with the strategy for dealing with nonconformities under SL2024-57</p>
<p>34-12. Prohibited signs Prohibits signs like billboards, those on public property or traffic controls, moving/flashing signs, signs creating a hazard, and those not specifically permitted.</p>	<ul style="list-style-type: none"> - Carry forward this section with some adjustments; suggest removing (9) as this is a value judgment- is ok to limit obscenities, profanity, or “fighting words” - Clarify air-powered signs – why not just prohibit all moving signs and be done with it? - Clarify vehicle signs are prohibited when the vehicle sign is parked in one location for more than a 24-hour period - Clarify (20) – what is this? - Suggest prohibiting feather flags, bow signs, pennants, and streamers as well as other signs that move - Consider supplementing with images
<p>34-13. Administration Details the Town Administrator's role, permit application process, fees, consistent interpretation, permit expiration, appeals, variances, enforcement, and penalties for violations.</p>	<ul style="list-style-type: none"> - Relocate this material to appropriate sections in new Ch. 2, Applications - Reference Planning Director (or a designee) instead of Town Administrator - Maintain a section on obsolete signs and unsafe signage - Relocate enforcement-related material to new Ch. 7, Violations, and clarify penalties are civil penalties, not criminal penalties

TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 41: STORMWATER

Section # / Description	Potential Disposition in the LDO
<p>41-1 through 41-48 This establishes requirements for controlling post-development stormwater runoff, nonpoint source pollution, and illicit discharges. It sets forth standards, design criteria, and procedures for structural stormwater control measures (SCMs), long-term maintenance, enforcement, and a stormwater management utility</p>	<ul style="list-style-type: none"> - Carry forward in a new section on Stormwater in new Ch.6, Standards - Relocate definitions to Terms Defined section of new Ch. 8, Word Usage - Clarify when stormwater control measures must be installed – is that for every development requiring a permit or some subset? - Discuss adding standards clarifying the range of allowable SCMs and how this relates to use of green stormwater infrastructure or low impact development features (like pervious pavers) - Remove material like severability, transitional provisions, etc. since this will no longer be a stand-alone ordinance - Relocate Stormwater Administrator material, Stormwater Permit material, and Variances to new Ch. 2, Applications - Conform performance security to recent statutory changes regarding maintenance warranty amounts and holding - Relocate enforcement-related material to new Ch. 7, Violations - Carry forward illicit discharges material with other stormwater provisions - Discuss stormwater utility material -does this belong in a policy document? - Discuss potential edits to how Town approaches stormwater retention pond “sheds” on larger sites over 3 acres in area





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 42: STREETS AND SIDEWALKS

Section # / Description

Potential Disposition in the LDO

Article I. General Provisions

42-1. Council approval of new streets

The board must approve any new street dedicated to the town; must comply with engineering standards and serve the town

- Suggest this material remain in the Town Code
- The LDO should include a sub-section on Streets within the Infrastructure portion of new Ch. 6, standards, that deals with street standards, extensions, rules for private streets, and other requirements applied to new development
- Sidewalk requirements should be added to a new section on Pedestrian Facilities in new Ch. 6, Standards that addresses sidewalks, multi-use paths, greenways, and on-site pedestrian circulation requirements for new development

Article II. Excavation and Repair

42-21 through 42-29

To remain in the Code of Ordinances. The Town may want to consider adding a Right-of-way Encroachment Permit and a Street Cut Permit

Article III. Public Sidewalk Administration

42-47. Public sidewalks

Public sidewalks are those within the right-of-way or dedicated to public use, including public parks and walkways.

42-48. Structures, merchandise, equipment or other objects on sidewalks

No objects are allowed on public sidewalks unless covered by a written encroachment agreement. Exclusions apply.

42-49. Community events and festivals

The Town may permit events on public streets/sidewalks. Sponsors may be responsible for town costs, e.g., cleaning

42-50. Awnings, overhangs, signage

Awnings, overhangs, or signage in right-of-way, attached to building with encroachment agreement and minimum clearance

42-51. Bicycles, skateboards and similar apparatus on sidewalks

No person shall ride or operate a bicycle, skateboard, scooter, skates, or similar apparatus upon the sidewalks.

42-52. Central business district

A minimum passage for pedestrians must be maintained for merchandise displays.

This ordinance should remain in the Code of Ordinances (suggest removal of language pertaining to central business district)





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 42: STREETS AND SIDEWALKS

Section # / Description	Potential Disposition in the LDO
<p>42-53. Spaces under sidewalks Use of space under a sidewalk requires a permit from the Town Council.</p>	This ordinance should remain in the Code of Ordinances

TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 46: SUBDIVISIONS

Section # / Description	Potential Disposition in the LDO
Article I. In General	
<p>46-1. Title This chapter is known and may be cited as the "Subdivision Regulations of the Town of Woodfin, North Carolina," or "Subdivision Regulations".</p>	Remove this as it will be incorporated into the new LDO and new title will be "Land Development Ordinance of Woodfin, North Carolina"
<p>46-2. Purpose Establishes purpose for land to ensure orderly growth, coordinate streets/public facilities, reserve recreation areas/rights-of-way, manage population/traffic for public health, safety, and welfare, and facilitate adequate services.</p>	These sections will be addressed in the new Ch 1, Administration
<p>46-3. Authority This chapter is adopted under the authority and provisions of G.S. 160D, Art. 8.</p>	
<p>46-4. Jurisdiction These regulations govern every subdivision within the town official boundary map, as provided in G.S. 160D-201.</p>	
<p>46-5. Definitions Provides the meanings ascribed to specific words, terms, and phrases, such as lot, buffer strip, dedication, easement, minor subdivision, plat, private street, street, and subdivision.</p>	Relocate to the Terms Defined portion of new Ch. 8, Word Usage, except for terms related to lot types, which should be relocated to Rules of Language Construction
<p>46-6. Prerequisite to plat recordation Subdivision plats must be approved by the planning board before recordation.</p>	Suggest subdivision review be delegated to Town staff since it is ministerial





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 46: SUBDIVISIONS

Section # / Description	Potential Disposition in the LDO
<p>46-7. Acceptance of streets</p> <p>No street in a required plat subdivision will be maintained or its dedication accepted by the town unless the final plat is approved and the board of commissioners accepts the dedication by resolution.</p>	<ul style="list-style-type: none"> - Suggest relocating this standard to the streets sub-section of the Infrastructure portion of new Ch. 6, Standards - Change Board of Commissioners to Town Council
<p>46-8. Thoroughfare plans</p> <p>Subdivisions including an officially adopted thoroughfare must plat it per the plan's location and this chapter's specified width. School sites determined jointly by the board of commissioners and county board of education may be reserved for 18 months.</p>	<ul style="list-style-type: none"> - Carry forward in streets sub-section of infrastructure portion on new Ch. 6, Standards - Identify applicable comprehensive transportation plans as source for street alignment and specifications - Require new development that abuts a thoroughfare street to continue the street through the property in accordance with its alignment, including dedication and construction (regardless of whether the development is a subdivision or a site plan)
<p>46-9. Zoning and other plans</p> <p>Proposed subdivisions must comply in all respects with the requirements of chapter 54 (Zoning Code) and any other officially adopted plans.</p>	<p>Remove, unnecessary</p>
<p>Article II. Legal Provisions</p>	
<p>46-37. Plat Approval</p> <p>After February 15, 1988, no subdivision plat will be filed or recorded until it is submitted and approved by the planning board per Section 46-81 and has written approval from the board of commissioners.</p>	<ul style="list-style-type: none"> - Remove provisions related to review and approval of plats by Planning Board or signature by Town Clerk - Carry forward language pertaining to Register of Deeds recordation in limited, minor, and major subdivision application procedures in new Ch. 2, Applications - Clarify that the Town may not require a plat for an exempt subdivision, though review is provided as a courtesy, and that any new lots are subject to the minimum dimensional standards for the district where located and no Building Permit or Zoning Permit may be issued for a use that would be in violation of the Ordinance
<p>46-38. Statement by owner</p> <p>The landowner or agent shall sign a statement on the plat indicating whether the land is within the town's subdivision regulation jurisdiction.</p>	<p>Suggest removal; unnecessary</p>





BLUEPRINT WOODFIN – LAND DEVELOPMENT ORDINANCE PROJECT

Summary of Existing Land Development Ordinances – April 2026

TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 46: SUBDIVISIONS

Section # / Description	Potential Disposition in the LDO
<p>46-39. Dedications</p> <p>Plat approval does not constitute acceptance of dedication by the town. The board of commissioners may accept dedication of lands for public purposes by resolution within its jurisdiction.</p>	<ul style="list-style-type: none"> - Carry forward and incorporate into the major subdivision preliminary plat and final plat application procedures in new Ch. 2, Applications - Remove references to Board of Commissioners
<p>46-40. Variances</p> <p>The board of adjustment may authorize a variance from these regulations for undue hardship if specific findings are made after a public hearing.</p>	<p>Carry forward with the other Variance procedure material in new Ch. 2, Applications</p>
<p>46-41. Amendments</p> <p>The board of commissioners may amend this article after submission to the planning board for review and recommendation, and after holding a public hearing</p>	<p>Remove since the text amendment procedure will address changes to the LDO, including changes to subdivision requirements</p>
<p>46-42. Abrogation</p> <p>This article does not intend to repeal existing easements, covenants, or restrictions; where this article imposes greater restrictions, its provisions govern.</p>	<p>Remove. This is included in new Ch. 1, Administration</p>
<p>46-43. Administrator</p> <p>The holder of the office of zoning administrator is appointed to serve as the subdivision administrator.</p>	<p>The Planning Director will be delegated as the review authority for subdivisions in Review authority portion of new Ch. 2, Applications</p>
<p>Article III. Subdivision Plats</p>	
<p>46-75. Plat required on subdivision</p> <p>A final plat must be prepared, approved, and recorded pursuant to this article whenever any subdivision of land takes place, per G.S. 160D-804.</p>	<p>Carry forward with the clarification that plats are not required for the subdivision of land that are exempt from local regulations (though such subdivisions may be submitted for a plat review at applicant's request)</p> <p>Clarify that Preliminary Plats are subject to the requirement for a Final Plat, approvals of other subdivisions, like Minor Subdivisions or Limited Subdivisions do not require "final plats" just Subdivision approvals</p>
<p>Sec. 46-76. Approval prerequisite</p> <p>No final plat of a subdivision within the town's jurisdiction can be recorded by the register of deeds until it is approved by the town planning board.</p>	<p>Planning Director delegated as review authority for subdivisions, not Planning Board</p>





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Section # / Description	Potential Disposition in the LDO
<p>46-77. Procedures for review of subdivisions All subdivisions are considered major unless defined as minor. Major subdivisions follow sections 46-79 through 46-81 procedures; minor subdivisions follow section 46-78. Abbreviated minor procedure has restrictions based on adjacent property interest or prior use.</p>	<ul style="list-style-type: none"> - Remove this provision, the new LDO will include a variety of different subdivision procedures, including: Exempt, Limited, Minor, Major, and Conservation - Discuss the “abbreviated” procedure language – is this the Minor Subdivision process, the Limited Subdivision process or some other procedure? - Suggest removal of proximate land ownership standards
<p>46-78. Minor subdivisions The subdivider submits a preliminary plat to the administrator, which must be approved before preparation of the final plat, followed by final plat preparation, submission, review, approval, and recording.</p>	<ul style="list-style-type: none"> - Carry forward Minor Subdivision procedure in new Ch. 2, Applications, but remove requirements for both a preliminary and final plat in favor of a single minor subdivision plat requirement - Clarify that minor subdivisions include more than ten lots with no extension of public utilities - Suggest the Minor Subdivision procedure include a pre-application conference to inform applicants of the requirement to submit a preliminary soils suitability analysis to ensure the land can be served by an on-site wastewater treatment system - Suggest the Minor Subdivision procedure include a new limitation on successive minor plats that requires any subsequent subdivision of land subject to a Minor Subdivision that is not an Exempt or Limited subdivision to be treated as a Major Subdivision - Ensure certificates are current and reflect those as required by NCGS 47-30
<p>46-79. Major subdivisions The subdivider must submit a sketch plan (concept plan) to the planning board at least 21 days before the meeting, and the board advises on regulations and procedures.</p>	<ul style="list-style-type: none"> - Carry forward Major Subdivision procedure in new Ch. 2, Applications - Suggest the sketch plan process be revised to be a pre-application conference instead of having to do a sketch plan
<p>46-80. Preliminary plat submission and review Upon concept plan approval, the subdivider prepares and submits a preliminary plat to the administrator for review by other agencies and the planning board. The planning board recommends approval or disapproval to the board of commissioners.</p>	<ul style="list-style-type: none"> - Organize the Major Subdivision procedure into a Preliminary Plat and a Final Plat, with a requirement for Construction Drawings (for public infrastructure) between the two as a separate procedure - Clarify that a Major Subdivision is two or more lots with extension of public infrastructure (streets, water, or sewer) or more than ten lots without public infrastructure extension - Require a preliminary soils suitability analysis if the site will not include public or community sewer - Suggest the Preliminary Plat be decided by the Planning Director (or a designee) rather than the Planning Board - Include requirements for TIA if subdivision generates sufficient traffic





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Section # / Description	Potential Disposition in the LDO
<p>46-81. Final plat submission and review After board of commissioners' preliminary plat approval, the subdivider prepares the final plat and installs or guarantees improvements. Final plat submission, review by the administrator, and recording within 30 days are required.</p>	<ul style="list-style-type: none"> - Establish as its own procedure following approval of Construction Drawing or Preliminary Plat approval, as appropriate in new Ch. 2, Applications - Separate Performance Guarantee provisions into a separate procedure in Ch. 2, Administration and conform to recent statutory changes - Address timing of recordation (after acceptance of public improvements) - Add clarity regarding acceptance of public improvements
<p>46-82. Information to be contained or depicted Preliminary and final plats must depict or contain specific information, such as the title block, surveyor information, boundaries, street details, easements, utilities, and acreage, as indicated in a table.</p>	<ul style="list-style-type: none"> - Carry forward chart of plat requirements for different kinds of plats and supplement with details on site plans and concept plans (for conditional rezonings and special use permits) - Relocate plat/plan requirements to summary table to new Ch. 9, Appendix - Supplement with a summary table of required certifications and declarations for different kinds of subdivisions or infrastructure features
<p>46-83. Recombination of land An owner may vacate a plat before selling any lots, with the same approval and recording as the final plat, which divests public rights; with lots sold, all owners must join to vacate.</p>	<p>Suggest addressing these provisions with the Exempt Subdivision material in new Ch. 2, Applications</p>
<p>46-84. Resubdivision procedures Any replatting or resubdivision of land must follow the same procedures, rules, and regulations prescribed for an original subdivision.</p>	<ul style="list-style-type: none"> - Suggest removal since any subsequent subdivision must follow appropriate procedure as though it were a new subdivision - Consider limitations on the use of Minor Subdivisions to circumvent the major subdivision requirements for infrastructure and other improvements
<p>46-85. Zoning vested right Implements G.S. 160D-108.1 by establishing a zoning vested right upon board of commissioners' approval of a site-specific vesting plan, lasting five years unless terminated under specific conditions.</p>	<ul style="list-style-type: none"> - Integrate with new section on Vested Rights in new Ch. 1, Administration - Conform for consistency with General Statutes on types of vesting and vesting terms, and add details on common law vesting
Article IV. Requirements	
<p>46-114. Minimum standards Each subdivision must contain the specified improvements, installed per requirements and paid for by the subdivider, dedicate/reserve land, and adhere to minimum design standards.</p>	<p>Remove; unnecessary – new Ch. 1, Administration includes broad language for all new development to comply with applicable minimum standards</p>





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Section # / Description	Potential Disposition in the LDO
<p>46-115. Suitability of land</p> <p>Land determined unsuitable for the proposed use due to danger to life or property, or former solid waste disposal, shall not be platted unless conditions are corrected or tests prove suitability.</p>	<p>Carry forward in new section on Subdivision Design in new Ch. 6, Standards</p>
<p>46-116. Name duplication</p> <p>A subdivision's name shall not duplicate or closely approximate the name of an existing subdivision within the county.</p>	<p>Carry forward in Subdivision Design section of new Ch. 6, Standards</p>
<p>46-117. Subdivision design</p> <p>Addresses block design (lengths, widths, crosswalks), lot standards (zoning compliance, street abutment, flag lots), and utility/other easements that must be provided and delineated on the plat.</p>	<ul style="list-style-type: none"> - Carry forward in Subdivision Design section of new Ch. 6, Standards - Address flag lots in new General Dimensional Standards in new Ch. 3, Districts; and add standards for Special Purpose Lots - Relocate and supplement easements material in new section on Infrastructure in new Ch. 6, Standards
<p>46-118. Streets</p> <p>All newly constructed streets must meet NCDOT standards and specific town standards for pavement and right-of-way width, require a driveway permit, and include rules for pole offset, disclosure, and street names.</p>	<ul style="list-style-type: none"> - Carry forward in the Streets portion of the Infrastructure section of new Ch. 6, Standards - Ensure streets standards are in alignment with adopted policy guidance and emergency services requirements, and cross-reference Walk Bike Woodfin with respect to technical street standards - Require private streets to meet public street standards - Address sidewalks and access ramps in Pedestrian Facilities section of new Ch. 6, Standards
<p>46-119. Utilities</p> <p>Planning board approval depends on a written agreement with the water and sewer district board. Subdividers must provide a stormwater drainage system built to state standards and install street lights and underground wiring in some subdivisions.</p>	<ul style="list-style-type: none"> - Relocate to the appropriate sub-section of the Infrastructure portion of new Ch. 6, Standards - Discuss the degree to which the Town wants to address street lights in the Exterior Lighting section or in the Infrastructure section - Review and update underground utilities requirements for consistency with state statute – all new utilities must be underground (except when crossing a body of water); existing overhead utilities are encouraged to be placed underground as well - Suggest new standard requiring new water and sewer lines to be in the public right-of-way, and limitations of an individual potable water sewer service lateral to cross lot lines
<p>46-120. Other requirements</p> <p>Surveys and monument placement must comply with the Manual of Practice for Land Surveying. Construction cannot start until the preliminary plat and plans are approved, and the town may pay the cost for required oversized utilities.</p>	<p>Carry forward in the Subdivision Design section of new Ch. 6, Standards</p>





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 46: SUBDIVISIONS

Section # / Description	Potential Disposition in the LDO
<p>46-121. Penalty</p> <p>Violations subject the offender to a written notice and a civil penalty of \$500.00, due in ten days, with each day being a separate offense, and equitable remedies are also available to the town.</p>	Relocate to new Ch. 7, Violations

TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 54: ZONING

Section # / Description	Potential Disposition in the LDO
Article 1. In General	
<p>54-1. Short Title</p> <p>Establishes this chapter as “The Zoning Ordinance for the Town of Woodfin, North Carolina,” and identifies “The Official Zoning Map” as the zoning map.</p>	<ul style="list-style-type: none"> - Revise to refer to the new LDO as the “Land Development Ordinance of Woodfin, North Carolina” - Supplement with references to the Official Zoning Map
<p>54-2. Purpose and Authority</p> <p>States the purpose to promote public welfare and references authority under North Carolina General Statutes Chapters 160D and 160A, Article 8.</p>	<ul style="list-style-type: none"> - Remove “morals” from the purpose, and join with intent statements - Carry forward with new references to various NCGS statutes and any special legislation - Incorporate key concepts from the adopted policy guidance
<p>54-3. Introduction</p> <p>Applies zoning regulations and additional restrictions to all land, structures, waters, and air within the town’s jurisdiction.</p>	Suggest removal, unnecessary
<p>54-4. Interpretation, purpose, and conflict</p> <p>Sets minimum standards for public welfare; ordinance prevails where stricter than other laws, covenants, or agreements.</p>	<ul style="list-style-type: none"> - Split into new subsections in new Ch. 1, Administration, clarifying that these are minimum requirements, and that new development may surpass these minimum requirements, unless subject to an incentive or allowable alternative - Supplement with a new comprehensive conflict section that explains how conflicting standards are interpreted - Carry forward an Abrogation section in new Ch. 1, Administration
<p>54-5. Intent</p> <p>Lists zoning goals including safety, health, open space, light, air, reduced congestion, and adequate public facilities.</p>	Join with purpose statements, add language from adopted policy guidance





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 54: ZONING

Section # / Description	Potential Disposition in the LDO
<p>54-6. Zoning affects every building and use</p> <p>Requires all land and buildings to conform to district regulations unless otherwise provided.</p>	<ul style="list-style-type: none"> - Relocate to new Applicability section in new Ch. 1, Administration - Enhance with more discussion about how there may be no grading, tree removal, transfer of land, or construction of buildings, except in compliance with the LDO - Clarify that there is no double counting and subdivision rules apply to division of land everywhere in Town (except for subdivisions exempted by State law) - Discuss the Town’s desire to exempt land used for bona fide farm purposes within the corporate limits
<p>54-7. Reduction of lot and yard areas</p> <p>Prohibits reducing existing lots or yards below minimum requirements, except for street widening; new lots must meet standards.</p>	<ul style="list-style-type: none"> - Carry forward in new Applicability section in new Ch. 1, Administration with additional clarity regarding governmental acquisition of land - Clarify that no lot or yard may be shared by two different lots - Recognize that some development approvals like Variances, Administrative Adjustments, or Conditional Rezonings may authorize reductions in lot or required yard dimensions
<p>54-8. Relationship of building to lot</p> <p>Limits one principal building per lot except in approved group developments such as campuses, clusters, or industrial parks.</p>	<ul style="list-style-type: none"> - Carry forward with other basic applicability provisions in new Ch. 1, Administration - Remove the “group development” concept
<p>54-9. Relationship to the comprehensive plan</p> <p>Requires zoning actions to consider adopted plans and consistency statements from boards; cannot be legally challenged for plan nonconformity.</p>	<ul style="list-style-type: none"> - Relocate to new section on Consistency with Adopted Policy Guidance in new Chapter 1, Administration - Enumerate adopted policy guidance documents (Woodfin Together, Walk Bike Woodfin) - Clarify that policy guidance is advisory in nature, and that a failure to comply with policy guidance does not invalidate the LDO or an action undertaken by the Town - Clarify that in cases where a text or map amendment that is inconsistent with adopted policy guidance is adopted, the relevant policy guidance shall be considered amended
<p>54-10. Definitions</p> <p>Provides detailed definitions for terms used in the ordinance, including land use, structure types, measurements, and administrative terms.</p>	<ul style="list-style-type: none"> - Relocate these to a new Terms Defined section of new Ch. 8, Word Usage - Ensure consistency with 160D terminology (e.g., Building, Dwelling, Development, etc.) - Ensure all use types (principal, accessory, temporary) are defined - Removal of any standards from definitions - If terms are defined in-line in portions of the LDO text, use cross-references in Terms Defined sections instead of duplication definitions - Recognize instances where a particular term is defined in different ways under different sections of the LDO - Remove obsolete terms - Remove definitions of terms that are not used in the ordinance text - Identify and add definitions for terms used but not already defined





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TOWN OF WOODFIN CODE OF ORDINANCES - CHAPTER 54: ZONING

Section # / Description	Potential Disposition in the LDO
<p>54-11. Bona fide farms exempt Exempts bona fide farms and related agricultural buildings from zoning control; non-farm residences and uses remain regulated.</p>	<ul style="list-style-type: none"> - Relocate to the Applicability section of new Ch. 1, Administration - Review and update for consistency with NCGS, including exemptions for forestry and agritourism - Clarify that subdivision, flood damage prevention, and stormwater standards still apply to bona fide farms
<p>54-12. Traffic visibility Prohibits obstructions over three feet within 50-foot sight triangles at intersecting streets or alleys.</p>	<ul style="list-style-type: none"> - Relocate to a section on required sight distance triangles in new Access and Driveways section of new Ch. 6, Standards - Clarify if and how the visibility standards are applied to locations where driveways access a roadway - Supplement with an illustration
<p>54-13. On-site sewage service Requires lot width and area sufficient for approved on-site sewage systems where public sewer is unavailable.</p>	<ul style="list-style-type: none"> - Relocate to Subdivision Design section of new Ch. 6, Standards - Clarify these standards do not apply to special purpose lots
<p>54-14. Cemeteries Allows cemetery establishment or expansion by special use permit, with site considerations including topography, health, and groundwater.</p>	<ul style="list-style-type: none"> - Relocate to Use-Specific Standards section of new Ch. 4, Land Uses - Discuss if and how these standards apply to family cemeteries - Discuss if the LDO should include standards for interment of an individual as a secondary use
<p>54-15. Projection and encroachments Specifies allowable yard encroachments for projections like eaves, porches, steps, and windows within defined limits.</p>	<ul style="list-style-type: none"> - Relocate to the Rules of Measurement section of new Ch. 8, Word Usage - Supplement with additional provisions for a wider array of allowable encroachments - Separate height exemption provisions - Supplement with illustrations
Article 2. Administration	
<p>54-32. Zoning administrator The town manager appoints a zoning administrator to enforce zoning and land use regulations, with assistance as directed.</p>	<p>Relocate to the Review Authority section of new Ch. 2, Applications</p>
<p>54-33. Duties The zoning administrator issues written notices of violations, orders corrections, and enforces compliance or discontinues illegal land or structure uses.</p>	<ul style="list-style-type: none"> - Carry forward in new subsection on Town Staff in Review Authorities section of new Ch. 2, Applications - Address powers and duties through cross references to Application Review Summary Table portion of new Ch. 2, Applications - Include basic responsibilities, powers and duties, including but not limited to: Conduct pre-application conferences, enforce the LDO, maintain the Official Zoning Map, process development applications and prepare staff reports, and maintain public records pertaining to the LDO





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Section # / Description	Potential Disposition in the LDO
<p>54-34. Certificate of zoning compliance Requires zoning compliance permit before construction, alteration, land disturbance, or new use; sets application, fee, validity, and simultaneous processing rules.</p>	<ul style="list-style-type: none"> - Carry forward as a Zoning Compliance Permit new Ch. 2 Applications - Ensure procedure follows standardized structure (purpose, applicability, exemption, application filing, criteria, amendment, effect, expiration, vesting, and appeal) - Supplement with procedural flow chart - Suggest adding a Certificate of Compliance procedure for new development that must be issued by the Town prior to issuance of a CO by the County - Relocate concurrent processing provisions to new section on Common Review Procedures in new Ch. 2, Applications
<p>54-35. Building permit required Requires county building permit after zoning compliance approval; permits expire if work isn't started or resumed within set timeframes.</p>	<ul style="list-style-type: none"> - Replace with additional details about the Building Permit procedure, including issuance by the County in new Ch. 2 Applications - Add clear applicability provisions, including fences over six feet, retaining walls over four feet, sign-supporting structures, anything with new electrical service, etc. - Include details on permit types issued prior to Building Permit, and effect of permit issuance - Clarify that things exempt from Building Permit review still require issuance of a Zoning Compliance Permit
<p>54-36. Health department approval Zoning compliance permits need written approval for water and sewer facilities from appropriate agencies before issuance.</p>	<ul style="list-style-type: none"> - Delete Health Department approval since no longer issuing prior approvals for on-site wastewater compatibility (rely on preliminary soil suitability analysis filed by applicant) - Local governments may not hold approvals on pending State or federal permits, but may condition permit issuance and close out on these approvals
<p>54-37. Permit choice Applicants may choose which version of a development regulation applies if rules change before a decision, per state law.</p>	<ul style="list-style-type: none"> - Carry forward in the Permit Choice portions of the common review procedures section of new Ch. 2, Applications - Clarify the applicant must make a choice in writing, and once a choice has been submitted, it may not be changed (but may be withdrawn)
<p>54-38. Site plans Lists site plan content requirements including dimensions, utilities, parcel ID, and structure locations for zoning compliance.</p>	<ul style="list-style-type: none"> - Carry forward Site Plan procedure in new Ch. 2, Applications - Clarify that site plans that include extension of public infrastructure allow require approval of Construction Drawings prior to issuance of Building Permit - Suggest Planning Director (or a designee) decide site plans - Suggest Special use Permits and Conditional rezoning applications include Concept Plans, and that a Concept Plan is not a Site Plan (though a Site Plan can be submitted concurrently with a Concept Plan) - Relocate Site Plan submittal requirements to summary tables in new Ch. 9, Appendix





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Section # / Description

Potential Disposition in the LDO

54-39. Completeness review

Application completeness must be determined within five working days; incomplete applications receive written notice and are withdrawn after 20 days if uncorrected.

- Relocate to Common Review Procedures section of new Ch. 2, Applications
- Supplement this with additional details, such as conducting pre-application conference or neighborhood meetings, if required
- Discuss five-day review period, suggest “reasonable” time language be used instead since five-day period does not account for deficiencies
- Clarify that permit choice and any review timing provisions do not commence until after an application is declared complete
- Supplement Common Review Procedures section with new section detailing application withdrawal, continuance, and abandonment (plus what happens to application fees)

54-40. Site specific vesting plan

Establishes vested rights for approved site-specific plans for up to two years, extendable to three, limiting zoning changes during that period.

- Relocate this material to vested Rights section in new Ch. 1, Administration
- Clarify that two-year vesting terms is established automatically for site plans, subdivisions, and concept plan other than multi-phase development plans (which have a seven-year vesting term)
- Clarify that other permit approvals that are not site specific vesting plans or multi-phase vesting plans have statutory vesting for a period of one year
- Clarify that concept plans associated with a conditional rezoning are considered site-specific vesting plans or multi-phase development plans subject to vesting durations

54-41. Notice(s) of violation

Defines procedures for written violation notices, appeals, fines, and restoration requirements for unlawful land disturbance or tree removal.

- Relocate this to a new section on Enforcement Procedure in new Ch. 7, Violations
- Clarify the full range of responsible parties
- Describe the violation process from compliant through remedy/appeal
- Clarify the provisions for inspection
- Relocate remedy provisions to new Remedies section in new Ch.7, Violations and supplement with other suite of remedies

54-42. Remedies available

Authorizes injunctions, mandamus, or legal actions to prevent or remedy zoning violations.

- Relocate remedy provisions to new Remedies section in new Ch.7, Violations and supplement with other suite of remedies
- Address remedies for violation of flood damage prevention, stormwater, and related provisions in their respective sub-sections in new Ch. 7, Violations

54-43. Performance guarantees

Allows agreements requiring developers to complete improvements for group, mixed-use, or cottage cluster developments per section 46-81(b).

- Relocate these standards to a new procedure on Performance Guarantees in new Ch. 2, Applications
- Broaden the standards to apply to any instance of performance guarantee
- Clarify those things not available for performance guarantees (like functional fire protection)
- Conform the performance guarantee provisions to recent statutory changes
- Clarify the processes for forfeit and return





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Section # / Description

Potential Disposition in the LDO

54-44. Conflicts of interest

Prohibits staff from decisions where financial or personal interests exist; reassigns such cases to other authorized staff.

- Relocate these provisions to the section on Review Authorities in new Ch. 2, Applications
- Include conflict provisions for all review authorities (even staff) that recognize distinctions between interest conflicts in legislative, evidentiary, and ministerial decision-making

Article 3. Boards

54-69. Planning board of adjustment

One body acts as both a Planning Board (7 members) for legislative review and a Board of Adjustment (5 regular, 2 alternate) for quasi-judicial decisions like variances and special use permits.

- Split this material up into its constituent parts: relocate review authority-related material (including powers and duties) to Review Authorities section of new Ch. 2, Applications; relocate procedural material (including separate text and map amendment application procedures) to appropriate procedural sections in new Chapter 2
- Ensure the Planning Board makes no final decisions (as there is no appropriate appeal authority)
- Establish new sections describing the procedures for public meetings versus evidentiary or legislative public hearings in the Common Review Procedures section of new Ch. 2, Applications
- Supplement Variance procedure material with new Reasonable Accommodation provisions
- Discuss additions/revisions to Variance and Special Use Permit criteria (like deviations are the minimum necessary)
- Establish a separate section for required public notice in the Common Review Procedures portion of new Ch. 2, Applications (strongly suggest simply providing required public notice to adjacent landowners in accordance with State statute rather than a notice radius – additional notice to those beyond adjacent lots can be provided via Town policy rather than via ordinance to limit legal exposure for notice failures)
- Add a new section on Conditions of Approval in the Common Review Procedures section of new Ch. 2, Applications, that includes federal limitations, proportional relationship tests, and the various procedures for ensuring enforceable conditions
- Carry forward no temporal limits on refiling a denied application
- Discuss the Town’s desire to record Variance final orders

Article 4. Establishment of Districts





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Section # / Description

Potential Disposition in the LDO

54-119. Districts

The town is divided into 14 use districts, including residential (R-43, R-21, R-10, R-7), transitional, village, commercial (C-S, C-S-2, C-S-3), industrial (L-I, H-I), manufactured home, and conditional zoning.

- Suggest the way conventional zoning districts are presented be revised to a tabular format that includes a detailed purpose and intent statement, a set of dimensional standards (organized by type of use), and a series of images of potential development forms (particularly development types that are not common)
- Suggest the residential districts organize a set of minimum dimensional standards that require increased open space, larger lot area, and reduced maximum impervious surface thresholds for lots with an average slope exceeding 25%. These same lots would also have reduced lot widths and reduced setbacks to encourage a greater ability to build on the “flattest” part of the lot
- Suggest revisions to zoning district names and abbreviations to provide more intuitive clues to the types of allowable uses/district intent:

Current District Name	Proposed District Name
R-43	LDR Low Density Residential
R-21	
R-10	
R-7	MDR Mixed Density Residential
MHC	MHC Manufactured Home Community
TR	INS Institutional
N/A	NHC Neighborhood Commercial
C-S, C-S-1, C-S-2	CMC Community Commercial
MV	MV Mountain Village (legacy district)
L-I	LTI Light Industrial
H-I	HVI Heavy Industrial
CZ	CZR Conditional Residential
	CZN Conditional Non-Residential
	CZM Conditional Mixed-Use

- Suggest consolidating the residential districts in accordance with the FLUM recommendations
- Suggest converting transitional Residential to a new Institutional district for governmental uses, schools, churches, and similar uses
- Suggest adding a new Neighborhood Commercial (corresponds to walkable commercial)
- Suggest the Mountainside Village district be converted to a legacy district that is carried forward, but may not be expanded (and any revisions require a conditional rezoning to the appropriate conditional zoning district)
- Suggest adding three new more specific conditional rezoning districts

54-120. District boundaries

District boundaries are shown on "The Official Zoning Map, Town of Woodfin, North Carolina", filed in the town administrator's office and posted at town hall and online.

- Carry forward this material in the Official Zoning Map section of new Ch. 3, Districts
- Supplement with additional detail about how a copy of the map may be obtained





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Section # / Description	Potential Disposition in the LDO
<p>54-121. Due consideration</p> <p>Districts were created with consideration to each area's suitability for particular uses and regulations, aligning with a comprehensive plan for town physical development.</p>	<p>Remove; unnecessary</p>
<p>54-122. Rules governing interpretation</p> <p>Rules interpret ambiguous boundaries: generally follow street/alley/highway lines or lot lines. The Board of Adjustment interprets features at variance with the map.</p>	<ul style="list-style-type: none"> - Carry forward in Rules of Measurement section of new Ch. 8, Word Usage - Suggest the Planning Director be delegated to interpret the Official Zoning Map boundaries (via the Determination procedure)

Article V. Uses, District Regulations, and Considerations

<p>54-143. Designation of districts and uses allowed</p> <p>Zoning districts categorize land based on public facilities and hazards. Uses are designated as Permitted (P), Limited (L), or Special (S) in the Table of Uses. General regulations for all districts cover building height, parking, lot coverage, and accessory structures.</p>	<ul style="list-style-type: none"> - Carry forward a consolidated table of common principal uses in new Ch. 4, Land Uses - Suggest the basic table structure be carried forward, but supplemented with use categories in addition to use classifications and land use types - Discuss the difference between “P” vs “L” - Add the three conditional districts as columns and include a “CZ” where a use type could be permitted - Remove “EXP” in favor of dots “•” to indicate prohibited uses - The current table is not RLUIPA-compliant - Suggest missing residential use types be added - Relocate secondary (accessory uses) to another table - Abolish “Other” Use Classification - Ensure heading rows appear on each page - Supplement the table with a new column that provides a cross reference to the applicable use standard - Clarify the (S) is a use permitted with a Special Use Permit rather than referring to it as a Special Use - Include Conservation Subdivision as a use type and permit in residential and conditional districts- What is a Public Transportation use type? - Remove language pertaining to unlisted uses being prohibited – instead list prohibited uses and clarify the procedure for determining how to address unlisted uses - Relocate general regulations for all districts to the dimensional standards for each district or to the Secondary Use section of new Ch. 4, Land Uses
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<p>54-144. Limited uses</p> <p>Limited uses are allowed after Planning Director review if specific standards are met, ensuring compatibility. Examples include accessory dwelling units, day care homes, and outdoor storage.</p>	<ul style="list-style-type: none"> - Carry forward as use-specific standards in the Use-Specific Standards portion of new Ch. 4, Land Uses - Clarify that a use-specific standard applies to a particular use in every zoning district where it is proposed (including conditional districts) - Relocate secondary uses to Secondary Use section of new Ch. 4, Land Uses - Update use standards for Wireless Telecommunication Facilities in accordance with State law (small wireless, eligible facilities, etc.) - Consider creating new and expanded use standards for particular uses when they require a Special Use Permit - Consolidate Special Use Permit use standards with other use-specific standards into one basic section
<p>54-145. R-43 Residential District</p> <p>This district intends to be a quiet, low-density neighborhood on steep slopes, primarily for single-family homes. Dimensional requirements are a 43,000 sq. ft. minimum lot size and a 30-foot front setback.</p>	<ul style="list-style-type: none"> - Join with R-21 district in a new consolidated district called Low Density Residential (LDR) - Supplement purpose statement - Include precedent imagery - Enhance with additional dimensional standard provisions (density, lot coverage, open space amount, height, setbacks for secondary structures, spacing between building on the same lot, perimeter setbacks for unified developments, etc.) - Suggest use of street setback rather than front setback - Supplement with differential dimensional standards for lots with average slopes over 25% - Add dimensional standards for attached residential and allowable non-residential uses - Suggest removal or simplification of mean lot depth for rear setbacks
<p>54-146. R-21 Residential District</p> <p>This is a quiet, low-density district for single-family residences, expecting public water and sewer. Dimensional requirements are a 21,000 sq. ft. minimum lot size and a 30-foot front setback.</p>	<ul style="list-style-type: none"> - Join with R-43 district in a new consolidated district called Low Density Residential (LDR) - Similar revisions as proposed for Section 54-145
<p>54-147. R-10 Residential District</p> <p>This is a quiet medium-density residential district with public water/sewer expected. The minimum lot size for the first unit is 10,000 sq. ft. with a 25-foot front setback.</p>	<ul style="list-style-type: none"> - Join with R-7 district in a new consolidated district called Mixed Density Residential (MDR) - Similar revisions as proposed for Section 54-145 - Suggest adding a broader range of housing types, including duplex, triplex, quadplex, cottage courts, pocket neighborhoods, etc. along with corresponding dimensional standards for these use types





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<p>54-148. R-7 Residential District</p> <p>This district allows two-family and multi-family dwellings along with single-family. The minimum lot size for the first unit is 7,000 sq. ft. with a 20-foot front setback.</p>	<ul style="list-style-type: none"> - Join with R-10 district in a new consolidated district called Mixed Density Residential (MDR) - Similar revisions as proposed for Section 54-147 - Suggest adding a broader range of housing types, including duplex, triplex, quadplex, cottage courts, pocket neighborhoods, etc. along with corresponding dimensional standards for these use types - Review and update home occupation standards to recognize slightly more intense “Type 2” home occupations that could include low-intensity, neighborhood-serving commercial activity
<p>54-149. Transitional District</p> <p>The purpose is a transition between residential and commercial uses, encouraging coexistence. Drive-throughs and outside storage are prohibited. Maximum residential density is eight dwelling units per acre.</p>	<ul style="list-style-type: none"> - Revise this district to become a new Institutional (INS) district and translate current TR lots to the new designation (but only those lots under Town ownership)
<p>54-150. Mountain Village District (MV)</p> <p>This district permits a range of mixed, high-density housing, office, and retail uses near urban infrastructure. A minimum of 15 percent of land area should be nonresidential uses.</p>	<ul style="list-style-type: none"> - Suggest this district be carried forward as a legacy conventional district; it is allowed to remain and development established in the district may continue. However, the district boundaries can not be expanded after the LDO effective date and any applicant-driven changes will require rezoning to an appropriate conditional or conventional rezoning district (this approach avoids downzoning since landowner must “opt-in” to rezoning) - Existing and approved development may continue under its prior master plan - Discuss the degree to which the Town would permit vacant land with a MV district designation that is not subject to an approved master plan to be developed in accordance with MV district standards- these areas may require rezoning in order to be developed - If all lands zoned MV are subject to a master plan, it may be possible to reduce the breadth of current standards since existing development may only proceed under its approved master plan and vacant land would have to include a new master plan that is structured more like a conditional zoning district





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Section # / Description	Potential Disposition in the LDO
<p>54-151. C-S Community Shopping Districts</p> <p>This district accommodates the expansion of retail trade and consumer services. No yards are required except a 15-foot side/rear clearance when abutting a residential district.</p>	<ul style="list-style-type: none"> - Suggest this district be consolidated with C-S-2 and C-S-3, or that these two districts be removed from the LDO since they do not appear to be mapped; the consolidated district would be called “Community Commercial” (CMC) - This district is intended for the Town’s traditional retail corridors and existing retail/commercial areas - Current district requirements and dimensional standards will be carried forward, provided that development potential and dimensional standards are maintained so as to avoid any downzoning - This district is supplemented with a new Neighborhood Commercial (NHC) district that is new, and is simply made available for request (so as to avoid any creation of nonconformities) - The NHC district is intended to promote small-scale, pedestrian-oriented commercial and mixed-use development contemplated as “walkable commercial” in Woodfin Together
<p>54-152. Community Shopping Type 2 Zone</p> <p>The purpose is to accommodate small-scale mixed-use development along secondary transit, reducing travel. Yard requirements are similar to C-S, with a 15-foot buffer near residential.</p> <p>54-153. Community Shopping Type 3 Zone</p> <p>This zone is for high-density commercial and related uses adjacent to primary arterial roads, permitting high-value, large-scale commercial investment. Yard requirements are similar to C-S.</p>	<p>See suggestions for Section 54-151</p>
<p>54-154. L-I Light Industrial District</p> <p>This district is for light industrial and warehousing uses on large tracts, with limited off-site impacts. Dimensional requirements include a one-acre lot minimum and 50-foot front setback.</p>	<ul style="list-style-type: none"> - Carry forward this district with no substantive changes - Continue to limit any residential land use types
<p>54-155. H-I Heavy Industrial Districts</p> <p>This district accommodates all but the most noxious industries, with an expectation to minimize emissions. Dimensional requirements include a one-acre lot minimum and a 50-foot setback from residential areas.</p>	<ul style="list-style-type: none"> - Carry forward this district with no substantive changes - Continue to limit any residential land use types





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Potential Disposition in the LDO

54-155.1. Manufactured Home Community District

This section provides standards for the safe and compatible location of manufactured home communities (MHC). Minimum lot size is two acres with a density of up to eight homes per acre.

- Carry forward this district with no substantive changes
- Permit individual manufactured homes on their own lots in this district

54-155.2. Manufactured Home Overlay District

The MHO is an overlay to accommodate manufactured homes in all residential districts to provide affordable housing opportunities consistent with surrounding land uses.

Suggest this district be abolished and that any manufactured homes on their own individual lots be continued as a permitted principal use in the zoning districts where this overlay is currently established

Sec. 54-156. Conditional Districts

This section creates parallel Conditional Zoning (CZ) districts for projects with one or more site-specific conditions. Major developments (20+ units/30,000+ sq. ft.) require CZ rezoning.

- Suggest the mandatory conditional rezoning thresholds be increased to developments of 50 or more units or 50,000 square feet (carry forward the requirement for any development of 20 or more units on steep slopes to be completed as a conditional rezoning)
- Suggest the current voluntary conditional rezoning approach be modified by increasing the number of conditional districts from one to three, one district for primarily residential, one for primarily non-residential, and one for mixed-use development
- Relocate the procedure for establishment to new Ch. 2, Applications
- Discuss the possibility of two different types of conditional rezoning procedure: a “limited “ procedure for applications seeking to meet or exceed all current development requirements, and an “unlimited” procedure for any developments seeking a reduction or deviation from current development standards – unlimited applications must include a concept plan and mitigation / justification to demonstrate how the development is in closer alignment with the adopted policy guidance than would a development that strictly complied with all minimum requirements
- Reduce the applicable TIA thresholds downward to 1,000 trips per day or 100 during a peak hour
- Require a neighborhood meeting prior to application submittal
- Supplement the principal and secondary use tables with columns depicting the three conditional zoning districts

54-157. Site plan

All conditional zoning applications must include a detailed site plan and site analysis, prepared to scale, showing proposed conditions, utilities, and environmental features.

- Suggest this section be renamed to “concept plan” and be broadened to apply to special use permit applications as well
- Relocate submittal requirements and plan content standards to a summary table in new Ch. 9, Appendix
- Clarify that a concept plan is reviewed by the Planning Director (but not decided) prior to consideration of the application by the Planning Board or BOA
- Clarify that development that is the subject of a conditional rezoning or SUP must still undergo Site Plan and Subdivision review, as appropriate





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Section # / Description	Potential Disposition in the LDO
<p>54-158. Development agreements</p> <p>This section allows the town to enter into development agreements for long-term, large-scale projects, providing vested rights for up to five years or as specified in the agreement.</p>	<ul style="list-style-type: none"> - Carry forward this material in a new procedure in new Ch. 2, Applications - Discuss the vested rights term – it may be longer than five years, if appropriate - Discuss the Town’s desire to require a Development Agreement in some cases (some local governments require them with conditional rezonings or annexations – mandatory requirements could be used as a mechanism to ensure provision of affordable housing)
Article VI. Special Uses	
<p>54-159. Special Uses</p> <p>Special uses are unique and require approval from the Board of Adjustment with specific conditions, ensuring no detriment to public welfare or injury to neighboring properties. Additional standards apply to certain uses.</p>	<ul style="list-style-type: none"> - Relocate the Special Use Permit procedure to new Ch. 2, Applications - Revise the design plan requirement to instead include a concept plan requirement to be reviewed by TRC prior to consideration by the BOA - Clarify that developments with an approved SUP must still undergo subsequent review of site plans and subdivisions after SUP approval (could allow concurrent submittal, but the SUP should be decided prior to review of a site plan or plat) - Relocate the Special Use Permit use-specific standards to the primary section on use standards in new Ch. 4, Land Uses (unless the aspect of the development triggering SUP review is a secondary use or structure, in which case the use-specific provisions should be relocated to the section on Secondary Uses and Structures in new Ch.4, Land Uses) - Review and update decision criteria - Suggest concealed wireless telecommunication facilities not require a SUP
Article VII. Parking Requirements	
<p>54-176. Off-street parking, storage and access</p> <p>Off-street parking or storage space is required for new construction, enlargement, increased capacity, or conversion to another use. This space can be a garage or properly graded open space.</p>	<ul style="list-style-type: none"> - Relocate the parking and loading standards to new Ch. 6, Standards - Supplement with new purpose and intent standards, applicability, and exemption provisions - Discuss the current requirement for parking to be provided on every lot – some lots don’t require parking, and parking flexibility provisions often allow off-site parking (subject to standards)
<p>54-177. Certification</p> <p>Applications for a zoning compliance permit must include location, dimension, and ingress/egress information for off-street parking and loading space.</p>	<p>Incorporate this criterion into the application procedures for Zoning Compliance Permits, Site Plans, and Subdivisions</p>
<p>54-178. Combination of required parking space</p> <p>Required parking for separate uses can be combined in one lot, but assigned space cannot be reassigned, except that half of church/theater parking can be shared.</p>	<ul style="list-style-type: none"> - Address shared parking within the parking flexibility section, and add additional criteria regarding recorded shared parking plans - Add additional criteria for the provision of off-site parking, including clarity regarding safe pedestrian access within the specified distance - Suggest abolition of the requirement for common ownership if an off-site parking agreement is recorded





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Section # / Description	Potential Disposition in the LDO
<p>54-179. Remote parking space If required parking cannot be provided on the same lot, it may be provided within 500 feet of the main entrance, provided the land is in the same ownership.</p>	<ul style="list-style-type: none"> - Address parking flexibility through new standards for shared parking, off-site parking, parking lot surfacing - Provision of spaces under the minimum or over the maximum will require a an Administrative Adjustment or a Variance or a Conditional Rezoning
<p>54-180. Requirements in residential districts Parking lots for more than five automobiles in residential districts must be for parking only, with approved entrances, and require a buffer strip adjacent to a residential area.</p>	<ul style="list-style-type: none"> - Apply limitations to use of required parking spaces uniformly to all use types - Add new standards for parking lot landscaping to all parking lots of five spaces or more in a new section on Landscaping and Screening in new Ch. 6, Standards - Address parking lot signage as incidental signage - Add new parking lot configuration standards that address space sizes, vehicular accessways, surfacing, and incentives for configuration in accordance with low impact development concepts - Add standards for bicycle parking and stacking space requirements - Discuss limitations on front yard parking - Discuss requirements for guest parking spaces in new residential subdivisions
<p>54-181. Minimum parking requirements This section specifies the minimum number of off-street parking spaces required for various uses, such as one space per four seats in a church or per 200 sq. ft. of a retail business.</p>	<ul style="list-style-type: none"> - Carry forward minimum parking standards in a new summary table that lists a standard for every principal use (and some secondary uses) - Review and update the table to reduce minimum parking requirements wherever possible, in accordance with national standards - Add new maximum parking space standards that limit the maximum number of spaces for certain uses like retail - Where possible, utilize minimum parking standards based on building square footage rather than variable aspects like the number of seats or employees
<p>54-182. Off-street loading and unloading Buildings used for business, trade, or industry must provide off-street loading space. The minimum size for a loading space is 12 feet by 40 feet with a 14-foot overhead clearance.</p>	<ul style="list-style-type: none"> - Suggest a different approach where an applicant can decide if off-street loading facilities are needed, and if so, require them to comply with provided standards - Clarify that uses without formal loading facilities ensure delivery practices are operated in ways that do not encroach into public rights-of-way, interrupt access, circulation, or block required parking during operating hours
<p>Article VIII. Sidewalks</p>	





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Section # / Description	Potential Disposition in the LDO
<p>54-191. Sidewalks</p> <p>Sidewalks are required for major subdivisions (20+ lots), large construction (30,000+ sq. ft./20+ units), or projects with high traffic volume (100 peak/1,000 daily trips). Design standards are specified.</p>	<ul style="list-style-type: none"> - Relocate this material and consolidate with provisions related to greenways and multi-use paths in a new Pedestrian Facilities section of new Ch. 6, Standards - Continue to require larger developments to provide sidewalks - Require development of vacant land (regardless of lot size) along arterial and collector streets to provide sidewalks - Require new development to provide sidewalks where installation of sidewalk will connect with an existing sidewalk segment - Do not apply mandates for sidewalk provision to redevelopment of an existing building (but consider offering an incentive) - Carry forward sidewalk configuration standards - Maintain requirements for provision of sidewalks along one side of the street and supplement with standards about how that standard is applied in areas where the existing sidewalk system is fragmented - Clarify that multi-use paths may be an authorized alternative to provisions of sidewalks and bike lanes - Clarify that greenways can be proposed as an alternative to sidewalks in cases where a new greenway can connect to and extend an existing greenway
<p>Article IX. Manufactured Homes</p>	
<p>54-203. Manufactured homes</p> <p>Regulates Class A, B, and C Manufactured Homes and indicates the zoning districts in which they are permitted</p>	<ul style="list-style-type: none"> - Relocate definitions to Terms Defined section of new Ch. 8, Word Usage - Discuss the Town’s desire to continue to allow Type C homes in the MHC district - Suggest new standards that encourage conversion of Class C units to Class B or Class A units
<p>54-204. General requirements for all manufactured homes.</p> <p>All manufactured homes must be set up to NC Department of Insurance standards. Running gear must be removed. They must have required utilities and appropriate entrance/exit structures.</p>	<ul style="list-style-type: none"> - Relocate to use-specific standards in new Ch. 4, Land Uses - Discuss potential new limited design standards for manufactured homes on individual lots (since the LDO may propose allowing such uses outside of the current overlay district in some or all of the residential districts)
<p>Article X. Environmental Standards</p>	





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Section # / Description	Potential Disposition in the LDO
<p>54-213. Floodway District regulations</p>	<ul style="list-style-type: none"> - Carry forward newly-adopted flood damage prevention language as an overlay district in new Ch. 3, Districts - Re-organize standards to follow LDO structure regarding definitions, procedures, review authorities, and enforcement - Consider a range of new standards in the Special Flood Hazard Area, like prohibition of outdoor storage of buoyant materials - Requiring anchoring or floodproofing of secondary structures and site features - Limitations on the placement of off-street parking spaces that exceed the minimum requirements for the use type - Utilization of a “meander” setback from the edge of the floodplain
<p>54-214. Steep slopes</p> <p>This section regulates development on steep slopes to protect property and environment. It sets standards for lot size, building height, and limits on land disturbance and impervious surface.</p>	<ul style="list-style-type: none"> - Carry forward the Town’s steep slope development requirements in a new Environmental Protection section of new Ch. 6, Standards - Suggest moving to a simpler approach to determining which slopes are steep through a new average slope determination process (AMSL differential divided by distance between highest and lowest elevation points yields average slope) - Clarify that steep slope rules are applied in pursuit of larger macro outcomes like larger lots, and better runoff management and slope stability - Discuss if the steep slope criteria will remain at 20 percent or climb to 25% - Suggest applying larger lot size and lower impervious surface standards to lots in residential districts with slopes in excess of 25% - Relocate definitions to the Terms Defined section of new Ch. 8, Word Usage - Discuss the potential for relocating the screening of buildings standards to new standards for hilltop/hillside protection - Clarify relocation of tree protection standards to new Landscaping and Screening section of new Ch. 6, Standards
<p>Article XI. Exceptions and Modifications</p>	
<p>54-315. Front yard setback</p> <p>Front yard setbacks for dwellings may be less than the minimum, but not less than the average setback of existing buildings within 100 feet on the same block, or ten feet from the right-of-way.</p>	<p>New LDO is likely to apply a street setback rather than a front setback</p>
<p>54-317. Fences, retaining walls</p> <p>Fences or walls in residential front yards are limited to six feet in height and eight feet in side or rear yards. They must be safe, upright, and on the inside of property lines.</p>	<ul style="list-style-type: none"> - Relocate fence and wall standards to Secondary Uses and Structures section of new Ch. 4, Land Uses - Add new limitations on allowable facing materials on fences or walls associated with non-residential development - Clarify when Building Permits are required - Clarify locations where fences and walls are prohibited (sight distance triangle, drainage easements, public utility easements, etc.)





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Section # / Description	Potential Disposition in the LDO
<p>54-319. Administrative minor modifications The Planning Director can approve minor modifications to approved plans for conditional zoning or special use permits, with limits on density and impact changes.</p>	<ul style="list-style-type: none"> - Expand this material into a new section that sets out provisions for Alterations and Incentives in new Ch. 1, Administration - Continue use of Administrative Adjustment procedure in new Ch. 2, Applications, but expand to allow deviation from any numeric standards (except density or slope) of up to 10% - Recognize the ability of the Unlimited conditional rezoning procedure to authorize deviations from minimum standards, subject to applicant-sponsored mitigation - Clarify that a Development Agreement may authorize deviations from minimum LDO requirements - Include a new set of Sustainability Incentives (likely located in Ch. 6, Standards) that permits applicants to exceed densities, maximum building heights, or obtain relief from some development standards like sidewalks, open space, signage, or parking for the provision of sustainable development features – likely sustainable features include: compliance with single-family design guidelines, provision of affordable housing, uncovering piped streams, increasing floodwater carrying capacity on-site or in a different location, provision of green stormwater infrastructure or low-impact development techniques, LEED/Energy Star compliance, carbon neutrality, and various energy efficiency requirements, provision of outdoor gathering spaces in commercial areas, and similar features
Article XII. Nonconformities	
<p>54-340. Purpose and application This article applies to lawful nonconformities, permitting their continuation but prohibiting expansion or enlargement in a way that increases the degree of nonconformity.</p> <p>54-341. Dimensional nonconformities Nonconforming lots may be developed for permitted uses if new construction meets current standards. Nonconforming structures can be expanded if the nonconformity isn't increased.</p> <p>54-342. Nonconforming sites A site that no longer complies with current standards (e.g., parking, landscaping) is a nonconforming site. Substantial improvements (50% or more of value) require full compliance.</p>	<ul style="list-style-type: none"> - Review and overhaul these standards in light of recent downzoning prohibitions - Suggest new approach to applicability of development standards that requires any “new” development to fully comply with all development standards in place at the time of application submittal – along with treatment of changes in existing principal uses, increases in impervious surface, and expansion to existing buildings as “new” development - New development (that includes changes to existing development that rises to the level of “new”) must fully comply with all provisions or obtain a Variance, a Conditional Rezoning approval, or a Nonconforming Authorization - The relaxation of standards for allowable nonconforming development should be reduced; for example, subsequent subdivision of nonconforming lots of record should only be authorized when the subdivision renders the lot conforming; or, the casualty damage thresholds should be set at 51% of pre-damage assessed value; or, the cessation/abandonment standard should be set at 180 days; or, the ability to expand a nonconforming structure is limited to changes that render full compliance; or, nonconforming uses may not be expanded or changed to another nonconforming use





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<p>54-344. Nonconforming uses A nonconforming use that is discontinued for more than 180 days or changed to a conforming use may not revert to the nonconforming use</p> <p>54-346. Other nonconformities Nonconforming mobile home parks may continue but not expand. Nonconforming mobile homes on individual lots must be replaced within 180 days or comply with current standards.</p>	<ul style="list-style-type: none"> - Standards must continue to allow development of nonconforming lots without requiring full compliance - Revise nonconforming signage standards to permit relocation and replacement in accordance with NCGS§160D-912.1 - Discuss an amnesty program for existing development (including existing nonconformities) so that the Town does not have to track nonconformities established prior to SL2024-57 and to allow the Town to strengthen the current nonconforming provisions without fear of triggering downzoning claims by currently nonconforming development - Establish a new Nonconforming Authorization procedure (decided after a legislative public hearing by Town Council) that permits existing development to become nonconforming based upon basic criteria including provision of landowner consent
<p>54-347. Maintenance, repair and replacement Routine maintenance and repairs are permitted. Nonconforming structures damaged by casualty can be restored to original dimensions if a permit is issued within 12 months.</p>	<ul style="list-style-type: none"> - Carry forward in new Ch. 5, Nonconformities - Clarify that strengthening of an existing nonconformity is allowable and required in cases where there is a danger to public safety
Ordinance 2025-10	
<p>Recent text amendment amending the Town's open space and landscaping standards</p>	<ul style="list-style-type: none"> - Carry forward and enhance the landscaping standards proposed for Section 46-120 to include perimeter buffers, streetscape buffers/street trees, parking lot landscaping, and screening standards - Carry forward tree protection standards and incentives to retain areas of existing trees via credit towards landscaping and open space standards - Relocate definitions to terms Defined section of new Ch. 8, Word Usage - Incorporate new native plant materials requirements and species diversity standards - Relocate recommended plant list to new Ch. 9, Appendix - Supplement standards with limitations on listed invasive species - Establish a new section on Open Space in new Ch. 6, Standards and establish provisions for allowable forms of open space and incorporate minimum open space amounts (as a percentage of development size) for all new development in the zoning district dimensional standards of new Ch. 3, Districts - Credit green stormwater infrastructure towards open space requirements

END OF TABLE

