

WELDON, NC  
HIGHLIGHTS OF MAJOR CHANGES  
TO THE SUBDIVISION AND ZONING ORDINANCES  
February 2024

CodeWright Planners, LLC has completed the reformatting and updating of the Town of Weldon’s Subdivision and Zoning Ordinances. Both ordinances were reformatted into new, more user-friendly page layouts with some reorganization that we hope will provide easier navigation of the ordinances. Of course, there was a significant number of updates that were completed to ensure compliance with NCGS 160D. The summary below highlights the major changes.

**SUBDIVISION ORDINANCE**

- Definitions
  - Added reference to approval of water and wastewater systems by the State; the existing definition referenced approval by Halifax County Health Department. Since some systems are permitted by the State, it needed to be acknowledged.
  - Clarified that there is a difference between dedication and acceptance.
- Expedited Subdivision
  - Per 160D, a new classification of subdivision was added. The expedited subdivision is defined as a division with a total land area of at least five (5) acres resulting in more than three (3) lots including the residual or parent lot, that includes no extension or streets, water, sewer, or other utility with all lots having access and meeting the area and dimensional requirements of the Zoning Ordinance.
- Review of Major Subdivisions
  - The current ordinance required the submission of a preliminary plan for an entire development. The language was revised to require a sketch plan for the entire development but an allowance for projects of 25 lots or more to submit preliminary plans in phases.
  - Specific requirements for the number of plan copies that are needed to be submitted with an application were deleted. These requirements should be a part of an application submittal policy versus being codified.
  - Specific language regarding the State requirement for erosion control plans was replaced by a statement referencing the “Erosion and Sedimentation Control Permit from the State of North Carolina, if applicable.”
  - Added language regarding appeal rights.

- Standards
  - Flag lots were permitted by Planning Board with no clear standard. The new Ordinance will require a variance from the Board of Adjustment.
  - Considering recent changes to the permitting process for septic systems, the language that outlined the process of obtaining approval from the Halifax County Health Department was replaced with a statement that “the subdivider must provide evidence that each lot can be served by wells and/or sewage disposal systems.”
  - Though implied in the current Ordinance, language was added that plan approvals and permits from other agencies are required to be submitted with the final plat application.

## **ZONING ORDINANCE**

- Definitions
  - Several definitions were changed to align with NCGS 160D.
  - Many new definitions were added with a goal of defining all uses identified on the Table of Permitted Uses.
- District Provisions
  - There were no changes to the permitted uses nor dimensional standards in the existing zoning districts.
  - The existing section regarding Special Use Districts was replaced with Conditional Zoning Districts as specified in NCGS 160D.
- Permitted Uses
  - All of the uses permitted as conditional uses were replaced with special uses because conditional uses are no longer recognized in NCGS 160D.
  - A few uses were deleted because of redundancy. For example, “cotton” was listed as a use under Manufacturing & Industrial Uses yet “cotton gin” was listed under Agriculture and “textile and apparel” was already listed under Manufacturing & Industrial Uses.
- Dimensional Requirements
  - The requirement for a special use permit when the height of portions of structures such as church spires, cupolas, chimneys, and smokestacks, as well as water towers and flag poles exceed the height limit established for the zoning district was replaced with an allowance by right.
  - The requirement for corner lot widths to be increased by 10 feet as specified in the Subdivision Ordinance is now also cited in the Zoning Ordinance.
- Accessory Uses, Buildings, and Structures
  - Accessory Dwelling Units was referenced in the existing Ordinance with no standards. Limitations on size, type, and a requirement to meet NC Building Code are outlined in Section 3.7.2, Accessory Dwelling Units.

- Temporary Uses
  - This section was reorganized. A change was made to require that debris generated by the use be removed with 48 hours versus 5 days. The current code allows for 5 days for both debris and structures; the 5 day standard was maintained for temporary structures.
- Nonconformities
  - This section was reorganized by type of nonconformity, such as use, structure, and lot.
- Signs
  - There were minor changes made to ensure compliance with recent case law regarding content.
  - A subsection regarding exempt signs was added.
  - House numbers and vending machine signs were deleted as they are not considered to be signs.
- Landscaping
  - This section was reorganized but no standards were changed. The description of shrub and tree sizes were relocated from definitions to this section.
- Administrative Provisions
  - There were a number of changes made to the section as required by NCGS 160D. For instance, the specific language regarding conflict of interest can be found in 6.2.2.D, Conflict of Interest.
  - This Article also outlines the process for zoning permits, special use permits, conditional and conventional rezonings, text amendments, variances and rights of appeal.
  - The enforcement section was replaced with a new language which provides a clear framework for both staff and citizens.