



NOTE: Prior to placement on this list, all recommended UDOTA need to be vetted by the Assistant Planning Director and will need to be discussed with the Planning Director in-person prior to placement as a UDOTA. All source information and direct recommended language is required to be included in the UDOTA.

UDOTA 2-25

UDOTA ID	Date Added	Source/ Staff	Short Title	UDO §#	P# (+/-) on the .pdf/.doc	Description
(#01)	9/12	Staff	Clarification on Quorum	1.8.4.D.1, 1.8.5.D.1	29, 30	Clarify when a quorum is needed to make decisions. Added language to clarify that quorum is required for each case for the Board of Adjustment and Planning Board
(#02)	9/25	Staff	Sections	2.3.5.B., 2.3.33.B, and 2.3.33.C.	62, 158	Fix ZCP Sections that are referring to BP Exemptions, playground, ornamental pools, etc. Change made to remove requirement of Playground Equipment from needing a ZCP, added Exemptions portion to ZCP.
(#03)	9/19	Staff	Conservation Subdivision Expiration	2.3.8.I.	74	Conservation Subdivision: Nee do change Prelim Plat to Major Sub. Need to make that change throughout the UDO: <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>accordance with the procedures and standards established for its original approval.</p> <p>I. EXPIRATION</p> <ol style="list-style-type: none"> 1. An approved Conservation Subdivision shall be valid for two years from the date of approval. 2. Once a Preliminary Plat application has been filed, the associated Conservation Subdivision approval shall be subject to the expiration provisions associated with the Preliminary Plat. </div> Change made for Major Subdivision application and tied expiration to Preliminary Plat, which is the document that expires as part of the Major Subdivision application.
(#04)	9/9	Staff	Driveway Zoning Compliance Permit Procedure	2.3.33	158	2.3.13.A.2 only says that a ZCP is needed for connecting to a private road. This matches 2.3.33 Zoning Compliance Permit says a ZCP is "required for...Driveway Permits (private street only)." We currently do a ZCP for all of them. We need to add a line in the Applicability section of 2.3.33 that says a ZCP is required for driveways generally. Change made to remove "Private street Only" so that ZCP is required for any Driveway Permit; defer to definition of "street" for clarity.
(#05)	9/30/25	Staff	Fences and Walls and Retaining Walls	6.3.2.A.2, 2.3.33.B.1.d	158, 463	Editorial Change to align Fences and Walls with UDO terminology and made change to align retaining walls requiring a ZCP if less than 5 feet in height including the buried portion.



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(#06)	8/18	Staff	Wrong Section Reference in Flagpole Use Standards	2.3.33.B, Table 4.5.4 4.5.5.N, 6.13.10.B.	158, 361, 367, 620	<p>The secondary use standards for flagpoles says “shall comply with appropriate standards in Section 6.13.9 Permanent Signs” but flags are categorized as Section 6.13.10 Temporary Signs. This is either a typo in the use standards or a mis-categorization of flag signs. I’m not convinced they should be categorized as temporary given that flagpoles are installed as permanent structures.</p> <p>Change made to reflect flagpole as a detached structure needing a ZCP.</p> <p>Editorial change, updated Flag Section reference.</p> <p>Flags were moved into the “Temporary Signs” where before Flagpoles were captured as part of a Sign Permit.</p> <p>Language confirms that while the flagpole structure itself is ‘permanent’ and the flags as ‘temporary’ and classified accordingly to each standard.</p>
(#07)	8/25/25	Staff	Establishment of a Principal Use	2.3.33.B	158	<p>Include the establishment of a Principal Use similar to as a Secondary Use.</p> <p>Added to UDO per 4.2.2.</p>
(#08)	8/25/25	Staff	Public Notice Content	2.4.8.G	169	<p>Remove content from UDO and place into Procedures Manual to allow for more flexibility.</p> <p>Removing content from UDO and placing in the UDO PM to distinguish among mail, property posting, and publication; compliance to NCGS still required.</p>
(#09)	9/9	Staff	CZ-LU, CZ-LS, CZ-UN	Table 3.1.3	183	<p>What is the utility of footnote 2? Recommend Removal (-HD)</p> <p>Change made to delete Footnote #2 to allow staff flexibility with naming conventions accordingly.</p>
(#10)	9/22	Staff	NCM District Standards	3.2.9	206	<p>Increase building maximum in NCM district. The old B-2 district was converted to NCM under new UDO. We’ve had several property owners call that purchased land prior to 2024 with intent to build new commercial development on these lots, and then have found out they’re limited to only 5000 SF with only exemption allowed being when you’re 5+ acres.</p> <p>Increase to something more reasonable (maybe 10,000 SF) as 5000 SF is very small. Understood the intent is to limit impacts since this is “neighborhood commercial” but the uses themselves should also be lessening the impacts as the uses permitted should be less intensive.</p> <p>Change made to be a maximum size of 10,000 SF</p>
(#11)	9/9	Staff	Concept Plan Use Procedure	3.3.E.6.b	233	<p>Says that concept plans shall list all allowable uses, but I thought that we are switching to listing all prohibited uses. Ignore if I am mistaken</p> <p>Change includes listing either permitted or prohibited uses to allow for maximum flexibility of an applicant to submit the list that best corresponds to their project.</p>



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#12	9/9	Staff	Unified Development	3.4.7 & (no change to Table 8.3)	243-244, 750 (Principal Structure), 788 (Unified Development)	<p>Unified Development (3.4.7.A)</p> <ul style="list-style-type: none"> Says it consists of at least two buildings. Uses the general term “buildings,” which could be interpreted broadly. <p>Section 3.4.7 requires two buildings but doesn’t say “principal structures”, even though the concept of unified development in the definition table focuses on principal structures. This could lead to confusion: for example, could a development with one principal structure and one accessory structure be considered a unified development? Strictly speaking, “at least two buildings” would allow it, but the intent seems to be two principal structures.</p> <p>Consideration to amend Section 3.4.7.A : A unified development is a residential, non-residential, or mixed-use development consisting of at least two buildings principal structures located on one or more lots, that is planned, permitted, and developed as a single development for the purposes of the development standards.</p> <p>Further thoughts: do we want to outline “multi-family residential” rather than just residential? Just stating residential gives the appearance that a SF major subdivision could be a unified development, and would that create any additional issues/contradictions in process/review?</p> <p>Change made to updated “buildings” to “principal structures” for clarity and alignment with definition.</p> <p>Use of “residential” broadly allows for all types of residential, e.g. live/work, upper story, SFA, etc. and singling out SFD as prohibited may restrict market-based direction from the applicant.</p> <p>Further discussion can occur for later updates to reflect any issues through implementation of these recent changes to Unified Development from UDOTA 2-25.</p>
#13	9/9	Staff	Principal Uses Table Note (1)	Table 4.2.5	296	<p>I recommend removing the note “[1] Not permitted on lots within the downtown boundary as designated in the 2045 Comprehensive Growth Plan Future Land Use Map unless permitted by and located within the CZD zoning district.” The downtown boundary is not clearly defined, and the note conflicts with the Downtown Master Plan and the overall density requirements for the downtown area.</p> <p>Change made to reflect the Downtown Boundary shown in the Downtown Clayton Plan, GIS ticket submitted to update the GIS Map to show this boundary. If removed, this would permit by right Bungalow Courts, Duplex Dwellings, and Pocket Neighborhoods on properties zoned NCM within the FLUM’s Downtown Core designated areas.</p>
#14	9/29	Citizen	Urban Archery	4.5.HH.3.f	379	<p>Clarification that the dwellings on an aggregate of properties shall be considered as a hunter dwelling unit with respect to the 50 yard provision.</p> <p>Change made to provide 3 provisions where 50-yard provision does not apply.</p>



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(#15)	9/5/25	Staff	Locational Standards - Easements	6.3.3.B.1	464	<p>6. 6.3.3 Locational Standards a. Easements – Modify: When a retaining wall crosses lot lines, a maintenance easement shall be provided that fully encompasses the wall and all associated underground components, such as tiebacks or anchors. The easement must extend at least five (5) feet beyond the outermost structural element to allow for inspection, maintenance, and repair. This easement shall be recorded on the final plat and kept clear of permanent obstructions.</p> <p>Change made to outline provisions of a maintenance easement for retaining walls and clarification with respect to retaining walls that are 5 feet or more in height being subject to a building permit.</p>
(#16)	8/25/25	Staff	Structural Soil	6.6.12.A.6., 8.3.19 S	519, 768	<p>Remove as a requirement or revise accordingly to align with other sections of UDO; per Determination Letter issued.</p> <p>Structural Soil revised to be supportive soils for Street Trees, Landscape Planters/Islands, and Definition.</p>
(#17)	8/27	Staff	Street Trees	6.6.16	537-538	<p>Street Trees are noted to only be required in Downtown Districts. The streetscape buffer does not replace the original intent of street trees. The way street trees is currently written, it's meant for downtown/mixed use style developments vs. To be required at a rate specific in subdivisions.</p> <p>Streetscape Buffer only specifies that it's required along Town ROW per Purpose and Intent. This would mean it's not required for private streets or NCDOT roads. Streetscape Buffers are also not required in any residential districts per its Applicability section. This means no street trees or any sort of landscaping is required along lots within a residential subdivision.</p> <p>Need to revise to ensure Street Trees are required at a specific rate. UDC had requirement as 1 tree per 50 linear feet or 1 per lot, whichever is greater. This ensured each lot had a tree requirement. Alternatively, discuss with Engineering to determine if we want all street trees in ROW for residential developments or on individual lots moving forward and revise to match those intentions.</p> <p>**Applicants have already caught on that technically street trees are no longer written to be required.</p> <p>Street Trees have a ratio noted in 6.6.16.D.4 and are intended for more downtown/urban type development, and planted in the ROW. There may not be enough room on a property to provide required Street Trees if not placed in the ROW. Streetscape Buffers do not have plantings in the ROW. Language modified to align with Streetscape Buffer ratio of planting per linear foot.</p> <p>It is intended to be required in all zoning districts not being captured already in Street Trees. Districts missing from Streetscape Buffer are: RUR, RLL, RLD, RMD, RHD, RMF, and MXD districts, added to the list.</p> <p>Streetscape Buffer is intended to be provided along street frontages in Town, which includes NCDOT, Private, and Town ROWs. Language in Street Trees and Streetscape Buffers revised to be "street", which as defined captures Town/NCDOT ROW and Private Streets.</p>



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(#18)	9/23	Staff	Species	6.6.16, 6.6.16.E & 6.6.17.G	541 & 544	Relocation of Species of Street Trees into the UDO Procedures Manual and reference in both Street Trees and Streetscape Buffer sections. Change made to reference of Species of Trees to the UDO Procedures Manual.
(#19)	10/3	Staff	Stormwater State Compliance Update	6.15.6	Multiple	Revisions done to the Stormwater UDO Section to reflect compliance with State requirements Changes provided by the Engineering Department.
(#20)	7/23/2025	Staff	Edit Bottle Shop Definition	Ch 8	694	bottle shop definition refers to retail high intensity use, no such thing exists Corrected to reflect "Retail, General" use.
(#21)	8/25/25	Staff	Functional Fire	2.3.19.G.2.g, 2.3.19.G.3.b.ii, 2.3.20.C.1.a., 8.3.6 F	110, 112, 719	Need a definition of "Functional Fire"; confirm remaining area references are acceptable; Definition created and inserted
(#22)	6/25/2025	Staff	Itinerant Merchant Sales	8.3.9.1	728	Itinerant Merchant Sale is contradictory (e.g., says permitted in non-residential in use standards but definition says sales in homes) and vague, functionally applies to all retail activities Removed reference in definition for at-home sales.
(#23)	9/4	Staff	No Definition for Museums Use	Table 8.3	733	No definition for Museums. Use specific standards just say "shall comply with the standards in Section 6.2.5, Non-Residential Design Standards," which doesn't help with classification either. Added definition of "Museum" based on Merriam Webster definition.
(#24)	9/9	Staff	Secondary Uses	Table 4.5.4	362	The Secondary Uses table currently conflates secondary uses and secondary structures, which are not the same. This creates confusion when determining allowable uses for projects, as secondary structures often have separate standards addressed elsewhere in the UDO. For example, a flagpole is listed as a secondary use, but its requirements are in Section 6.13.10 (Flags) and it is only permitted as a temporary sign. Grouping it with other secondary structures can lead to misinterpretation. It would be clearer to separate secondary uses from secondary structures and reference the applicable UDO sections for each type. Change made to update the definition of "Secondary Building or Structure" has been aligned to match that of Principal Structure and Principal Use in format. This creates a definition for both "Secondary Structure" and "Secondary Use". Note, a secondary use may not need to have it's own secondary structure, like a HOC occurring in the principal structure. Further discussion based on research can provide additional clarity for UDOTA 1-26.