



## **ORDINANCE NO. 4-2022**

### **AN ORDINANCE AMENDING THE LOWELL DEVELOPMENT ORDINANCE OF THE CITY OF LOWELL, NORTH CAROLINA**

**WHEREAS**, on May 11, 2021 the Lowell City Council adopted the Lowell Development Ordinance, also known as the LDO, to promote the health, safety, and general welfare of the residents of the City of Lowell by regulating the use of buildings and land, land development, planned developments, manufactured housing, development of subdivisions, signs off-street parking and loading, planting yards, watershed protection, flood damage protection, and/or undertaking other consistent action as provided in the Ordinance; and,

**WHEREAS**, Article 5 of the LDO allows the Lowell City Council to amend, supplement, modify, or repeal any provision of the Ordinance or to amend the Zoning Map pursuant to the procedures established by N.C. Gen. Stat. §160D-601 through §160D-605 and upon a finding of compliance with the City of Lowell Comprehensive Land Use Plan; and

**WHEREAS**, on June 7, 2022, the Lowell Planning Board voted in unanimous consent to recommend a text amendment to the Lowell Development Ordinance (Article 7, Section 7.15-1(B)(1.) Authorization and Applicability) to clarify language in the Development Agreement section of the Ordinance and to exempt small developments of one (1) acre or less from the requirement of obtaining a Development Agreement as part of the application for rezoning to certain zoning districts; and being required to go through the development agreement process.;

**WHEREAS**, the Lowell City Council, after conducting a public hearing which was duly advertised as provided by the foregoing statutes, has found this Amendment to be in the public interest, in furtherance of the general purpose and objectives of the LDO, and in compliance with the City of Lowell Comprehensive Land Use Plan;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Lowell, North Carolina that:

Article 7.15 Development Agreements, is hereby amended to read as follows:

#### Section 7.15-1 Authorization and Applicability

- B. In addition to any Development Agreement proposed for an eligible project, a Development Agreement, established pursuant to Sub-section 7.15-3 of this Ordinance, shall be required as part of all applications for the following:

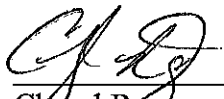
(1.) Traditional Neighborhood Development Overlay (TNDO) District, Main Street (MS) District, and Mixed Use (MU-1 and MU-2) District and apply to all new development projects within the TNDO, MS, MU-1, and MU-2 Districts.

(2) Major Subdivisions in any district where new street infrastructure will be developed.

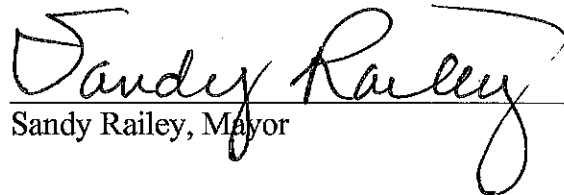
The requirements of this subpart (B) shall not apply to any developments consisting of one (1) acre or less in size.

**PASSED AND APPROVED** this 14<sup>th</sup> day of June, 2022.

**ATTEST:**

  
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Cheryl Ramsey, City Clerk

[SEAL]

  
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Sandy Railey, Mayor