



Agenda

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Invocation

5. Agenda Adjustment

6. Minutes

- a. April 26, 2022

7. Town Council Meeting Representative

8. Public Comment Notes on the Comment Period -Each speaker may speak up to 3 minutes, and the total comment period will be 15 minutes or less. Citizens should sign up with the Town Clerk to speak prior to the start of the meeting. Although the Council is interested in hearing your concerns, speakers should not expect Council action or deliberation on subject matter brought up during the Public Comment segment. Topics requiring further investigation will be referred to the appropriate town officials or staff and may be scheduled for a future agenda. Thank you for your consideration of the Town Council, staff, and other speakers.

9. Comprehensive Plan Amendments/UDO Amendments

- a. UDO Technical Corrections and Development Notifications 22-UDO-02

10. Special Presentations

11. Other Business

- a. Town Council Official Action Overview
- b. Committee Reports
- Land Use Advisory Committee Meeting
 - Tree Advisory Committee
 - Housing Affordability Study Advisory Committee
 - Northeast Gateway Master Plan Advisory Committee
- c. Development Services Report
- d. Other Business

12. Adjournment

In accordance with ADA regulations please contact the Town Clerk's office at least 48 hours before the meeting to request an auxiliary aid or service needed to participate in this meeting:

linda.mckinney@hollyspringsnc.us 919-557-3900

Town of Holly Springs
PLANNING BOARD MEETING MINUTES
Tuesday, April 26, 2022 - 7:00 p.m.

Agenda Item #1, 2 & 3:

The Planning Board of the Town of Holly Springs met virtually for their regularly scheduled meeting on April 26, 2022. At 7:00 after determining a quorum was present, Chair Deshazor called the meeting to order.

Staff Members Present: Elizabeth Goodson, Land Development Division Manager
Sean Ryan, Planning Manager
Cheryl Caines, Senior Planner
Rachel Jones, Development Review Engineer
Steidrick Baker, Development Reviewer
Caitlyn Newton, Board Clerk

The Board completed roll call.

Members Present: Chris Deshazor, Chair
Rick Madoni, Vice-Chair
Ernie Carpico
Van Crandall
Duane Hansen
Joanna Holder
Courtney Patterson
Thomas Urquhart

Members Absent: Josh Prizer

The Board recited the pledge of Allegiance and the meeting opened with an invocation by Ernie Carpico.

Agenda Item #4: Agenda Adjustment

There was no agenda adjustment.

Agenda Item #5: Minutes

a. March 22, 2022 Minutes

Motion: Rick Madoni

Motion to approve the March 22, 2022 Minutes.

Motion by: Rick Madoni

Second by: Ernie Carpico

Action: The Planning Board voted in favor of the Motion. (8-0)

Agenda Item #6: Town Council Representative

- a. Planning Board Representation for Town Council
 - a. Joint Public Hearing: None
 - b. May 3rd – Ernie Carpico
 - c. May 17th – Van Crandall

Agenda Item #7: Public Comment Period

No speakers signed up to approach the Board.

Agenda Item #8: Zone Map Change Petitions

a. 7511 Woods Creek Rd (21-REZ-04/PLRZ202200134)

Ms. Caines reviewed the staff report with the Board.

The Town has received a request to rezone three properties totaling approximately 81.07 acres from RR Rural Residential to BRT Business & Research Technology CU Conditional Use. The three parcels are located south of US Hwy 1 along Woods Creek Road. One of the parcels is developed with a single-family dwelling, but the other two parcels are vacant. No particular development is proposed at this time. The applicant has proposed voluntary conditions to address compatibility with Future Land Use Plan goals.

Mr. Madoni asked how the new UDO would affect a conditional zoning change request.

Ms. Caines stated that the new UDO allows for more creativity with certain standards for a new development while others are not flexible such as tree preservation.

Mrs. Jones provided an update on utilities and transportation.

Mr. Deshazor asked what would happen if the pump station would not be approved.

Mrs. Jones stated that she is not aware of any reason that the pump station would not be approved.

Mr. Crandall asked if there were any plans for Copperhead Rd.

Mrs. Jones stated that it is a private road and interconnectivity would be evaluated.

Mr. Madoni commented on the road being a 4-lane road with all of the developments around the location and asked about tie-ins with current developments.

Mrs. Jones stated that the new roadway projects will be tied in to the existing project. She also mentioned that there will be some challenges for roadway construction due to power lines. Challenges with construction design due to power lines.

Rachel Jones invited the applicant to speak.

Mr. Chase Curly – Crescent Communities
601 S Tryon St, Charlotte, NC 27202

Mr. Curly presented to the board and stated that Crescent Communities would like to request a zoning map change the zoning from RR Rural Residential to BRT CU Business & Research Technology Conditional Use.

Mr. Hansen asked about conditions from neighboring properties including the Andreas'.

Mr. Curly stated that there would be no runoff to their property and that there is a buffer between the property.

Mr. Hansen asked if there was a direct statement from them.

Mr. Curly stated that there was no direct statement.

Mr. Deshazor asked staff if a statement is commonplace and if there are other times for them to be involved in the process.

Ms. Goodson stated that this is not a requirement and that there are multiple ways for the current land owners to share their concerns regarding the project.

Mr. Urquhart asked what the fifty-foot buffer would look like between properties.

Mr. Curly stated that the landscaping would meet the requirements of the ordinance.

Mr. Hansen asked about additional buffers for height in regard to the farmland in close proximity to the project including additional fencing.

Mr. Curly stated that the buffers are based off of visibility and not height. He stated that the tree height will not be raised and that additional fencing is not proposed.

Mr. Urquhart asked a question regarding the Zone Map Change Analysis stating that “the applicant has proposed conditions to limit uses that would not promote the vision for the Innovation Village”.

Ms. Caines stated it was a typo (7:31).

Mr. Deshazor asked that the board be concise and clear with their findings moving forward.

Mr. Hansen asked if there was a way to follow-up with the nearby residents in regard to this project.

The Board and Staff discussed additional measures consistent with the typical notification process.

Mr. Deshazor reviewed the proposed Planning Consistency Statement and the Planning Board agreed with the following as being true:

The requested zone map change from RR Rural Residential to BRT CU Business & Research Technology Conditional Use is consistent with the Vision Holly Springs Comprehensive Plan and Future Land Use Map designation of Innovation Village which allows for the development of employment centers and large-scale and small-scale industrial uses.

Motion:

Motion that the Planning Board recommend the Town Council approve Zone Map Change Petition #21-REZ-04 to change the zoning of approximately 81 acres from RR Rural Residential to BRT CU Business & Research Technology Conditional Use with the conditions offered by the applicant and as further described below, of Wake County PINs 0730131203, 0730145033, 0730124768.

From RR Rural Residential to BRT CU Business & Research Technology Conditional Use:

TRACT 1

7.14 ACRES

PROPERTY OF ALFRED KENT GOODWIN & SANDRA GAIL GOODWIN
(DB 17529 PG 2614)

Beginning on a 3/4" capped iron pipe found with tac, being the northeastern most property corner of Alfred Kent Goodwin & Sandra Gail Goodwin (DB 17529, PG 2614), having North Carolina State Plane Coordinates of N: 703,613.52' E: 2,031,367.84'; thence North 88°58'00" West, 340.65 feet to a 1/2" capped iron pipe found with tac, thence South 1°04'17" West, 329.74 feet to a 1/2" bent iron pipe found; thence North 89°00'27" West, 259.37 feet to a 1/2" iron pipe found on the eastern 60' right-of-way line Copperhead Road; thence continuing along the eastern 60' right-of-way line Copperhead Road South 0°59'13" West, 330.62 feet to a 3/4" iron pipe found; thence leaving the eastern 60' right-of-way line Copperhead Road South 89°01'02" East, 600.33 feet to a 1" capped iron pipe found with tac; thence North 1°00'11" East, 660.01 feet to the Point Of Beginning containing 7.14 acres, more or less.

TRACT 2

6.01 ACRES

PROPERTY OF ALFRED KENT GOODWIN & SANDRA GAIL GOODWIN

(DB 17529 PG 2614)

Beginning on a 1/2" iron pipe found, being the southeastern most property corner of Alfred Kent Goodwin & Sandra Gail Goodwin (Tract 2) (DB 17529, PG 2614), having North Carolina State Plane Coordinates of N: 703,685.83' E: 2,031,846.08'; thence North 87°25'21" West, 443.98 feet to a 1/2" iron pipe found; thence North 26°39'28" West, 441.22 feet to a 1/2" iron pipe found in the southern 60' public right-of-way line of Woods Creek Road (SR 1154); thence continuing along the southern 60' public right-of-way line of Woods Creek Road (SR 1154) North 58°53'09" East, 514.22 feet to a 1/2" iron pipe found; thence leaving the southern 60' public right-of-way line of Woods Creek Road (SR 1154) South 16°29'09" East, 709.16 feet to the Point Of Beginning containing 6.01 acres, more or less.

TRACT 3

70.32 ACRES

PROPERTY OF D.C. GOODWIN FARM

(DB 14057 PG 1499)

*Beginning on a 3/4" capped iron pipe found with tac, a common corner between Alfred Kent Goodwin & Sandra Gail Goodwin (DB 17529, PG 2614) and D.C. Goodwin Farm (DB 14057 PG 1499), having North Carolina State Plane Coordinates of N: 703,613.52' E: 2,031,367.84'; thence North 88°58'00" West, 414.79 feet to a 1/2" capped iron pipe found with tac, passing through a 1/2" capped iron pipe found on line with tac at 340.65 feet; thence North 6°49'34" West, 305.02 feet to a 1/2" iron pipe found in the southern 60' public right-of-way line of Woods Creek Road (SR 1154); thence along and with the southern 60' public right-of-way line of Woods Creek Road (SR 1154) South 58°28'41" West, 241.74 feet to a 1/2" iron pipe found; thence leaving the southern 60' public right-of-way line of Woods Creek Road (SR 1154) North 0°24'19" East, 232.89 feet to a 1/2" capped iron pipe found with tac in the southern variable width public right-of-way line of U.S. Highway 1, passing through a 3/8" iron rod found at 70.72 feet; thence continuing along the southern variable width public right-of-way line of U.S. Highway 1 the following four (4) courses and distances:
North 58°34'11" East, 125.27 feet to a concrete monument found;
North 58°35'21" East, 806.84 feet to a concrete monument found;
North 58°36'41" East, 581.69 feet to a concrete monument found;
North 58°33'34" East, 227.50 feet to a 1/2" iron pipe found;
thence, leaving the southern variable width public right-of-way line of U.S. Highway 1, South 0°36'31" West, 131.83 feet to a 1" capped iron pipe found; thence South 0°31'43" West, crossing Woods Creek Road (SR 1154), 2,161.37 feet to a 1" iron pipe found, passing through a 1/2" iron pipe found on line at 52.68 feet, marking the northern 60' public right-of-way line of Woods Creek Road (SR 1154) and passing through a 1/2" capped iron pipe found on line at 116.30 feet, marking the southern 60' public right-of-way line of Woods Creek Road (SR 1154); thence South 0°27'16" West, 808.40 feet to a concrete monument found; thence North 87°31'27" West, 1,434.50 feet to a 1/2" capped iron pipe found in the eastern 60' right-of-way line Copperhead Road, passing through a 1/2" iron pipe found on line at 747.30 feet; thence, continuing along the*

eastern 60' right-of-way line Copperhead Road North 0°59'13" East, 1,065.75 feet to a 3/4" iron pipe found; thence leaving the eastern 60' right-of-way line Copperhead Road South 89°01'02" East, 600.33 feet to a 1" capped iron pipe found with tac; thence North 1°00'11" East, 660.01 feet to the Point Of Beginning containing 70.32 acres, more or less.

Motion by: Courtney Patterson

Second by: Thomas Urquhart

Action: The Planning Board voted in favor of the Motion. (8-0)

Agenda Item #9: Comprehensive Plan Amendment

*a. Vision Holly Springs Section 2 – Comprehensive Transportation Plan (22-CPA-01/
PLCPA202200103)*

Mr. Ryan reviewed the staff report with the Board.

The Town of Holly Springs adopted Vision Holly Springs: Town of Holly Springs Comprehensive Plan in November 2007. Updates were most recently adopted in 2019 (Section 1: Land Use & Character Plan) and in 2021 (Section 3: Parks, Recreation and Greenways Master Plan).

Section 2: Comprehensive Transportation Plan (CTP), was originally adopted in June 2011 with an amendment in July 2013. A Comprehensive Transportation Plan helps coordinate transportation improvements with future development, establishes transportation policies and programs, and identifies opportunities to secure funding for important transportation projects. The plan covers all modes of transportation, including roadways, bicycle facilities, sidewalks and transit services.

In September 2019, the town contracted with a consultant team led by Kimley-Horn to undertake a complete update to this section of the Comprehensive Plan. Over the course of the past 19-months, the consultant team conducted background data gathering and led community visioning workshops to understand the existing conditions and underlying factors that are impacting the transportation network within Holly Springs' planning area and the region, conducted a multimodal assessment of the Town's transportation network, performed targeted hot spot and safety analyses at key locations, and created an implementation plan that identifies investment priorities.

The project has involved considerable community participation, including the following:

- Stakeholder interviews
- Steering Committee Meetings
- Public Workshops
- Community Surveys
- Pop-up events
- Targeted mailers
- Town Council workshop discussions

Sean Ryan invited the applicant to speak.

Ms. Kristina Whitfield – Kimley-Horn
421 Fayetteville Street, Suite 600, Raleigh, NC 27601

Ms. Whitfield reviewed the report with the board.

Mr. Hansen and Mr. Carpico and Ms. Holder expressed their gratitude for the plan.

Mr. Crandall had prepared a statement. He expressed his concerns related to the New Hill Rd and Old Holly Springs Apex Rd intersection in relation to pdf page 76 of the planning board packet and page 72 of the transportation plan document. The proposed intersection is in close proximity to the Target parking lot in Grand Hill Place. Additional safety issues including Thales academy and a new high school, Oakview innovation, Holly Springs Place Apartments, and additional commercial development. FujiFilm and Crescent Communities as well as neighborhoods are nearby. Mr. Crandall asked why a roundabout is not being considered at this intersection considering the amount of commercial and residential projects that are there and will be there in the future.

Mr. Deshazor asked if a copy could be provided to staff for the packet to be sent to Council.

Ms. Whitfield invited Kevin Dean to speak.

Kevin Dean
421 Fayetteville Street, Suite 600, Raleigh, NC 27601

Mr. Dean expressed that the volume of traffic would not allow for a roundabout.

Mr. Hansen asked how they would make the existing proposed traffic pattern at that location safe for pedestrians and bicyclists.

Ms. Whitfield explained that the concept plan focuses more on traffic plans, however, a pedestrian crossing toolkit has been provided so that staff can pull those resources in.

Mr. Dean explained that the packet is a concept and depicts the lanes and is based off of GIS data not a survey. He states that the concept does not reflect multimodal concepts but that doesn't mean they will not happen.

Mr. Crandall asked if the number of lanes is necessary and why a roundabout could not accommodate that.

Mr. Dean confirmed and expresses that the roundabout was studied but was not a viable option for this location.

Mr. Crandall expressed his concerns once more.

Mr. Dean and Ms. Whitfield repeated the findings in that a roundabout was not deemed suitable for this location due to the amount of traffic within the proposed area.

Mr. Deshazor asked about accommodations for emergency vehicles while the access is restricted due to construction.

Mr. Dean brought up several ideas including mountable curbs and depressed medians if the need arises.

Ms. Holder stated that Pedestrian Safety Toolkit that was referenced is in the Planning Board Packet on page 65 and on page 50 of their handout.

Mr. Madoni and Mr. Deshazor expressed their gratitude towards the project.

Mr. Urquhart brought up the traffic study policy and who the responsibility falls onto.

Ms. Goodson stated that the consultant will be reviewing it.

Mr. Deshazor asked for comments.

Mr. Madoni brought up to Sean that it would be nice to see everything being implemented when the road plans come in.

Mr. Ryan stated that staff is working to include these items on newly staff report templates.

Mr. Hansen asked about the proposed project completion times.

Ms. Whitefield re-iterated the timeframes.

Motion:

Motion that the Planning Board recommend the Town Council approve Comprehensive Plan Amendment 22-CPA-01 to replace the existing Section 2: Comprehensive Transportation Plan (2011/2013) of Vision Holly Springs with Section 2: Comprehensive Transportation Plan (2022) and to recommend approval of the Traffic Study Policy.

Motion by: Ernie Carpico

Second by: Courtney Patterson

Action: The Planning Board voted in favor of the Motion. (8-0)

Agenda Item #10: Special Presentation

a. Northeast Gateway Master Plan (S. Ryan/C. Caines)

Mr. Ryan provided the Board with overview of the Northeast Gateway Master Plan and discussed the draft plan for the workshop.

Mr. Ryan invited the consultant team to present.

Jackie Wells - Houseal Lavigne Associates
188 West Randolph Street, Suite 200 | Chicago, IL 60601

Trisha Parks - Houseal Lavigne Associates
188 West Randolph Street, Suite 200 | Chicago, IL 60601

Ms. Wells asked for feedback to determine if the functional subarea distinctions seemed accurate in the Board's reflection of the Town.

Ms. Patterson stated her concern about maintaining connection within subareas divided with 540 in the middle and asked the reasoning for that.

Ms. Wells stated that this was because of the interchange and that it was also based on density.

Mr. Hansen asked about additional shops on either side of 540 within functional subarea 3.

Ms. Wells stated that the recommendation for commercial projects within this subarea is mixed-use.

Mr. Hansen asked about a pedestrian tunnel for crossing underneath 540.

Ms. Wells stated that was not apart of this plan.

Mr. Carpico asked if the boundaries were set in stone.

Ms. Wells disagreed.

Mr. Madoni stated that these will change with the developments.

Ms. Wells stated that these are subject to change.

Mrs. Holder asked about clarification regarding the impact of commercial developments on residents within functional subarea 4.

Ms. Wells stated that these subareas are not meant to reflect land-use type. There are recommendations for commercial being introduced into the residential areas.

Mr. Hansen asked about sound walls along 540.

Ms. Wells stated that noise walls are recommended to be installed as well as vegetative buffers.

Mr. Deshazor asked about electrical Vehicle (EV) chargers.

Ms. Wells stated that standalone EV-charging stations are not in the plan however it is an item to consider.

Mr. Deshazor suggested supercharging stations in parks and other areas because of the increase in EV cars and making it a partial priority.

Ms. Wells acknowledged the suggestion and noted that they would look into recommendations for EV charging.

Ms. Wells returned to the presentation looking at the functional subareas and recommendations.

Ms. Wells asked if there were any thoughts on Functional Subarea 1: Northern Gateway.

The board shared no comments.

Ms. Wells asked if there were any thoughts on Functional Subarea 2: Live-Work Center.

Mr. Deshazor suggested a recreational swim area for residents.

Ms. Wells asked if there were any thoughts on Functional Subarea 3: Gateway Core.

Mrs. Patterson commented that this plan is still based on the Sunset Lake Rd where the road is not widened.

Ms. Wells recognized that improvements need to be made to the roadways before the plan is able to be implemented and asked about remaining funds possibly being an issue.

Ms. Goodson stated that improvements will be required with the higher traffic demand and that the bonds are being looked at in close detail.

Ms. Wells resumed the presentation.

Ms. Wells asked if there were any thoughts on Functional Subarea 4: Commercial Center.

The board shared no comments.

Ms. Wells asked if there were any thoughts on Functional Subarea 5: Neighborhood Core.

The board shared no comments.

Ms. Wells asked if there were any thoughts on Functional Subarea 6: Neighborhood Edge.

The board shared no comments.

Ms. Wells asked if there were any comments about Functional Subarea 7: Eastern Gateway.

Mr. Hansen asked about the visibility improvements for a dangerous intersection.

Ms. Wells noted that these will be included in the transportation plan.

Ms. Wells invited Ms. Parks up to discuss her discussion recap notes.

Ms. Parks reviewed her notes from the comments collected during this meeting so that they can make improvements and make sure they captured all comments/concerns.

Ms. Wells continued with the next steps per the presentation and concluded.

Agenda Item #11: Other Business

a. Committee Reports

- Land Use Advisory Committee Meeting
 - Next meeting is May 3rd at 3 pm
 - Discussed new proposed community with three families needing to sell prior
- Tree Advisory Committee
 - April 11th: No quorum
 - Next meeting May 9th at 6pm
- Housing Affordability Study Advisory Committee
 - No updates
 - Next meeting May 11th
- Northeast Gateway Master Plan Advisory Committee

b. Town Council Official Action Overview

- a. 1000 S Main
- b. Optimist Commons
- c. Carolina Springs Phase 2
- d. Rhamkatte Plaza Major Amendment
- e. CS Tree Service

Mr. Madoni expressed that developers may be revising their plans before going to Council and that it is helpful for them to see these changes, but not as helpful for Planning Board Members.

Ms. Goodson stated that the Planning Board Members are very helpful in expressing their concerns to Council.

Mr. Crandall asked about the new updates for Optimist Commons.

Mr. Madoni responded that they brought in new plans for developments beside it including new roads but not seeing any other options to make it better.

c. Development Services Report

Ms. Goodson provided an update stating that CivicClerk would be implemented in the future and will work with the Board to train. May is Building Safety month and there will be a focus through Social Media, etc.

Other business

Mr. Deshazor asked that everyone reach out to Chris Hills to set up a time to meet with him.

Mr. Deshazor opened the floor for public comment with one member of the public present and requesting to speak.

Hezekiah K. Brown
227 W Holly Springs Rd, Holly Springs, NC 27540

Mr. Brown is asking about a business project he is proposing. Fundraising event for an arcade zone/comic book shop in Holly Springs.

Mr. Crandall asked where it would be located.

Mr. Brown responded with a few locations that were available for purchase.

Ms. Goodson suggested that the information be brought to town staff for review and next steps.

Mr. Deshazor closed the public comment.

Agenda Item #12: Adjournment

Motion:
Motion to adjourn.

Motion by: Ernie Carpico
Second by: Rick Madoni
Action: The Planning Board voted in favor of the Motion. (8-0)
Time: 9:07 PM

Caitlyn Newton
Planning Board Clerk



Holly Springs Planning Board

Planning Board Meeting Agenda Cover Sheet

Agenda Item#: 9.a.

New Business

Title: UDO Technical Corrections and Development Notifications 22-UDO-02

Strategic Priority Area:

Staff Resource:

Action(s):

- Adopt the statement of compatibility
- Recommend approval of UDO Text Amendment #22-UDO-02 to modify the Unified Development Ordinance as submitted by the Town of Holly Springs

Explanation:

- When a new Unified Development Ordinance (UDO) is adopted, it is customary for staff to identify areas of the document that can be improved or clarified as applied to development reviews.
- The Development Services Team has cataloged the changes that are necessary to ensure that the UDO is a user-friendly document and that the spirit and intent of all ordinance requirements can be applied correctly.
- There are 108 total text changes that will be proposed through this text amendment, with the overwhelming majority of those being minor technical edits.
- While most of the proposed text amendments are technical in nature, there are several minor modifications being proposed that will be discussed, as well as larger changes to the development notification and decision-making sections in Chapter 11 of the UDO.

Background:

- In October 2021, the Town Council adopted the 2022 UDO with an effective date of March 1, 2022.
- Amendment #1 of the UDO occurred in March 2022, unmerging the Planning Board and Board of Adjustment.

Funding Source(s):

N/A

Attachment(s):

1. 22UDO02_TextAmendmentReport_PB06282022
2. 22UDO02_DRAFT_UDOTextAmend_PB06282022



Town of Holly Springs Staff Report to the Planning Board

REQUEST FOR UDO TEXT AMENDMENT 2022 Unified Development Ordinance Technical Corrections & Development Notification Amendments 22-UDO-02

PETITIONER(S):

Town of Holly Springs
P.O. Box 8
Holly Springs, NC 27540

ANTICIPATED REVIEW SCHEDULE:

Planning Board: June 28, 2022
Public Hearing and Town Council Action: July 19, 2022

STAFF CONTACTS: Sean Ryan, Planning Manager

ATTACHMENTS:

Draft UDO Ordinance

STAFF ANALYSIS

AMENDMENT OVERVIEW

The proposed amendments table below provides a summary of the proposed changes to the Town of Holly Springs Unified Development Ordinance (UDO) and an explanation of why the change is needed. Detailed language of the proposed amendment can be found in the attached draft ordinance.

In October 2021, the Town Council adopted the 2022 UDO with an effective date of March 1, 2022. Following adoption, staff has been working with residents, businesses, and the development community to implement the ordinance and has determined a list of amendments needed to make technical corrections and minor modifications. This amendment also proposes some changes to the notification requirements for development applications.

Purpose of Amendment

Purpose of Amendment Key	
Legal Compliance	Change made to comply with North Carolina General Statutes or other legal change.
Clarification or Correction	Change made to provide clarification on UDO intent, prevent misinterpretations, or correct grammatical errors.
Minor Change	Minor changes made to further achieve goals and policies outlined in the Comprehensive Plan or changes made to better implement the established policy based on resident, business, and development community feedback.
Major Change	Major changes to support a specific town policy or substantially change current UDO regulations.

List of Amendments		
Ordinance Part	Purpose of Amendment	Amendment Summary
1 & 57	Legal Compliance	Subdivision authority relocated from Chapter 7.
2	Clarification or Correction	Clarify UDO exemptions.
3, 7, 8, 9, 10, 11, 13, 23, 29, 30, 32, 34, 35, 38, 40, 41, 42, 43, 45, 46, 47, 48, 50, 55, 56, 60, 61, 63, 64, 70, 88, 89, 90, 91, 92, 93, 94, 104, 105	Clarification or Correction	Correct typographical, terminology, or spelling error.
4	Clarification or Correction	Clarify procedures and identify applicable development standards for existing Development Options (DO) and PUDs established before the effective date of the UDO. This is needed to provide guidance on how to regulate uses and development standards established by these previous approvals.
5, 24	Clarification or Correction	Information on previous Conditional Use districts is being relocated to Chapter 1 from Chapter 2 so that all information on pre-existing development approvals is located in Chapter 1.
6	Clarification or Correction	Clarifies role of Administrator in maintaining Zoning Map.
12	Clarification or Correction	Corrects the placement of a note in Residential Use Development Standards.
14	Clarification or Correction	Side setbacks are presented as an aggregate setback of 0'/10', with additional information that one side may have a 0' setback and that end units may have a 5' setback. For a detached structure, this implies the side setback is 5' on each side. The proposed change removes the aggregate setback and replaces it with clear standard.
15	Minor Change	All Residential Use districts were intended to allow 50' building height with a CD (Conditional Zoning District). The SR district was mistakenly not included.
16, 19, 20	Clarification or Correction	Clarifies the Minimum Frontage at the Right-of-Way for a Driveway requirement. The flexible standards were intended to provide options for lots existing prior to the UDO effective date. New lots may provide flexible standards through the CD (Conditional Zoning District) process.
17	Clarification or Correction	Corrects the placement of a note in Commercial & Mixed-Use Development Standards.
18	Clarification or Correction	Corrects the order of Development Standards in the table to be consistent with other Use District tables. Changes the Side-

		Corner Setback to be consistent with the Front Setback which is consistent with other Use District tables.
21	Minor Change	Provides flexibility in parking location standards (Chapter 6) with CD (Conditional Zoning District).
22	Clarification or Correction	Corrects a section reference.
25	Minor Change	Allows apartment dwellings in CB district with Additional Standards (PS), consistent with other Commercial & Mixed-Use districts. Density standards in Chapter 2 indicate residential uses were intended to be permitted in CB.
26	Minor Change	Removes tobacco stores as permitted use in DMX, RMX, CB, and IVMX districts. The use will remain permitted in BRT by CD (Conditional Zoning District) only.
27	Minor Change	Divides “Religious/Assembly” use into 2 distinct uses – “Religious Use” and “Assembly Use.” Assembly uses would include banquet facilities, event centers, and similar uses. Since these uses may have different impacts than religious uses, it is necessary to create a new use category.
28, 67	Minor Change	Adds design standards for Manufactured Dwellings. The UDO includes a reference that Manufactured Dwellings have design standards but no standards were included. Standards from the 2002 UDO were used to draft the standards included in this part.
31	Minor Change	Modifies a requirement that utility uses be surrounded by a wall structure. This requirement is not practical for all utility uses. The modification allows for fencing and opaque landscaping.
33, 52, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 95, 103	Clarification or Correction	Modifies sequencing (1, 2, 3 or a, b, c) of section.
36	Clarification or Correction	Provides missing text in sentence.
37	Minor Change	Modifies Residential Use District Accessory Structure limitations. Based on resident feedback during the Zoning Reassignment public engagement, several residents being reassigned to the RR district indicated concern that the size of residential accessory structures was too limiting for 2 acre properties. This change would allow additional area, not to exceed the size of the dwelling, when the property is zoned RR and is greater than 2 acres.
39	Minor Change	Modifies the Open Space requirements to require nonresidential uses, when located in Residential Use Districts, to follow the open space requirements for Commercial & Mixed-Use Districts. This is consistent with the practice followed in the 2002 UDO. Also removes the requirement that Infrastructure Uses provide Urban Civic Space.
44	Clarification or Correction	Corrects Cape Fear River Basin riparian buffer width consistent with Town’s stormwater ordinance.
49	Clarification or Correction	Removes duplicative text.

51	Minor Change	Modifies the landscape requirements to require nonresidential uses, when located in Residential Use Districts, to follow the landscape requirements for Commercial & Mixed-Use Districts. This provides better buffering between residential and nonresidential uses and is consistent with the practice followed in the 2002 UDO.
53	Clarification or Correction	Clarifies permitted parking locations.
54	Clarification or Correction	Clarifies parking requirements, including when bike parking applies. Also corrects Note 1 which conflicted with parking maximums.
58	Clarification or Correction	Clarifies exceptions may be granted as permitted by the Engineering Design and Construction Standards and modifies section references.
59	Clarification or Correction	Clarifies that decision to collect fee in lieu may be determined by decision making body for the project.
62	Clarification or Correction	Modifies Traffic Impact Analysis section to reflect updates made with the adoption of the Traffic Study Policy.
65	Clarification or Correction	Clarifies text to reduce duplication with information found in Chapter 11.
66	Clarification or Correction	Clarifies that standards apply generally and not to specific review types. This helps prevent future inconsistencies when amendments are made.
68	Clarification or Correction	Clarifies building size ranges for implementing building design requirements.
69	Clarification or Correction	Modifies and clarify standards for balconies.
86	Clarification or Correction	Clarifies street, sidewalk, sidepath, and greenway site design requirements for all development and those specific to nonresidential development. The change also reduces duplicative standards that can lead to inconsistent implementation.
87	Clarification or Correction	Clarifies the intent of loading area location on the side of a building.
96, 97	Clarification or Correction	Relocates the allowed Waiver of Sign regulations from the "prohibited sign" section to the "applicability" section for clarity.
98	Clarification or Correction	Modifies text inconsistent with section title.
99	Minor Change	Expands the membership of the Development review Committee and clarifies DRC role in sketch plan review.
100, 101	Major Change	Clarifies Decision-Making Bodies for Development Plans involving Special Use Permits. Modifies order of table columns to align with steps in development process. Adds Type 7 Reviews and moves project types from Type 6 to Type 7. Type 6 Reviews will remain for Zone Map Changes which have different notice requirements than other reviews being moved into Type 7. Various Technical Corrections.

		Expanded notice of development applications. • Requires a neighborhood meeting for DRC Development Plan applications • Requires a neighborhood meeting for BOA Special Use Permit applications • Increases mailed notice requirement for the neighborhood meeting from 300 feet to 500 feet • Increases mailed notice requirements for the public hearing notice from 300 feet to 500 feet • Clarifies public hearing notice may follow NCGS for expanded published notice
102	Minor Change	Modifies Neighborhood Meeting requirements • Meeting can be no more than 12 weeks before application is made • Mailed notice must be sent to owner on tax record. When tax record owner address does not match parcel address, notice must be sent to parcel address. This helps ensure notice is sent to current resident. • Requires applicant to notify town prior to scheduling the meeting. • Requires in-person meetings be held in close proximity to subject property.
106	Minor Change	Review and Application Procedures for Administrator's Interpretation are missing from the section but were included in initial UDO drafts. This change provides the missing information.
107	Minor Change	Adds definition for Assembly Use, deletes duplicative term for Religious Use, and clarifies Structure.
108	Clarification or Correction	Provides for consistent term use throughout UDO.

SUGGESTED MOTION

PLAN CONSISTENCY STATEMENT:

The requested UDO Text Amendment is consistent with the Vision Holly Springs Comprehensive Plan:

The proposed Unified Development Ordinance (UDO) Text Amendments provide the Town of Holly Springs the necessary tools, policies, and development standards to implement Vision Holly Springs. Specifically, the proposed UDO Text Amendments provide technical corrections or minor modifications that further implement the character-based land use approaches outlined in the Land Use & Character Plan (Section 1), the goals and policies of Section 2: Comprehensive Transportation Plan, and the standards to implements the Town's Parks and Recreation needs identified in Section 3: Parks, Recreation and Greenways Master Plan. In addition, it is in the publics' interest to expand public notice requirements to provide additional opportunities for resident engagement and participation in the planning process.

UDO AMENDMENT RECOMMENDATION:

Motion that the Planning Board recommend approval of UDO Text Amendment #22-UDO-02 to modify the Unified Development Ordinance as submitted by the Town of Holly Springs.

Agenda Item Completeness Checklist				
Staff Member	Approved for Distribution			Comments
	Yes	No	Initials	



Ordinance No. 22-
Date Submitted: 2022
Date Adopted: 2022

**AN ORDINANCE TO AMEND SECTIONS OF THE CODE OF ORDINANCES
TO MODIFY APPENDIX A: UNIFIED DEVELOPMENT ORDINANCE
AND ADOPT THE COMPATIBILITY STATEMENT REQUIRED BY
NORTH CAROLINA GENERAL STATUTES 160D-605**

WHEREAS, the Town of Holly Springs Town Council adopted *Vision Holly Springs: Town of Holly Springs Comprehensive Plan* in November 2007; and

WHEREAS, the Town of Holly Springs Town Council has maintained and updated *Vision Holly Springs: Town of Holly Springs Comprehensive Plan* by adopting *Section 1: Land Use & Character Plan* in 2019; *Section 3 Parks, Recreation and Greenways Master Plan* in 2021; and is currently updating *Section 2: Comprehensive Transportation Plan*; and

WHEREAS, Town of Holly Springs desires to amend the Unified Development Ordinance in accordance with the goals and policies contained within *Vision Holly Springs: Town of Holly Springs Comprehensive Plan*; and

WHEREAS, the Town Holly Springs Planning Board has reviewed this request at a Public Meeting and recommended **approval**; and

WHEREAS, an opportunity for public input into the suggested amendments has been offered in a public hearing before the Town Council; and

WHEREAS, the Holly Springs Town Council finds that the proposed UDO text amendment is consistent with the *Vision Holly Springs: Town of Holly Springs Comprehensive Plan* as follows: The proposed Unified Development Ordinance (UDO) Text Amendments provide the Town of Holly Springs the necessary tools, policies, and development standards to implement Vision Holly Springs. Specifically, the proposed UDO Text Amendments provide technical corrections or minor modifications that further implement the character-based land use approaches outlined in the Land Use & Character Plan (Section 1), the goals and policies of Section 2: Comprehensive Transportation Plan, and the standards to implements the Town's Parks and Recreation needs identified in Section 3: Parks, Recreation and Greenways Master Plan. In addition, it is in the publics' interest to expand public notice requirements to provide additional opportunities for resident engagement and participation in the planning process; and

THEREFORE, BE IT ORDAINED by the Holly Springs Town Council of the Town of Holly Springs, North Carolina, that the Code of Ordinances Appendix A: Unified Development Ordinance of the Town is amended as follows:

Part 1: Chapter 1 Purpose and Applicability; Section 1.2.1 Authority:

Add text as indicated in **bold** to add authority for subdivision regulations, relocated from Chapter 7 (part 57) as follows:

1.2.1 AUTHORITY

A. This UDO is adopted pursuant to the authority contained in the General Statutes of North Carolina, Chapter 160D and Chapter 160A, Article 8.

B. Whenever any provision of this UDO refers to or cites a section of the General Statutes and that section of the General Statutes is later amended or superseded, this UDO shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

C. According to the provisions of GS §160D-801 et. seq., the Town has the authority to regulate the subdivision of land within its corporate limits and Extraterritorial Jurisdiction.

Part 2: Chapter 1 Purpose and Applicability; Section 1.2.6 Exemptions:

Add text as indicated in **bold** to clarify exemptions as follows:

1.2.6 Exemptions

A. Utilities and Infrastructure.

Service or subterranean easements, including but not limited to those providing for: roadways; railroad lines; pipelines; electric power lines, conduits or systems; telephone lines, conduits or systems; cable television lines, conduits or systems; water mains, lines valves or fire hydrants; sanitary sewer mains, lines, laterals, manhole structures or lift stations; drainage or storm sewer inlets, pipes or roof drains; municipal utility facilities such as municipal wastewater and municipal water treatment facilities; and municipal pump stations shall be exempt from the provisions of this UDO.

Bus stations, park and ride facilities, railway terminals, gas storage tanks, power stations, electricity relay stations, non-municipal water treatment plants, non-municipal pumping stations, water towers, non-municipal sewage treatment plants, wireless telecommunication facilities and other facilities which generate, create or process such transportation, communication, or utility services, shall be subject to all use and development standards regulations of this UDO.

B. Bona Fide Farms and Agritourism.

Pursuant to NCGS§ 160D-903, property that is located within the Town's Extraterritorial Jurisdiction and is used for bona fide farm purposes as described in NCGS§ 160D-702 is exempt from the regulations of this UDO. Property that is located in the Town Extraterritorial Jurisdiction and ceases to be used for bona fide farm purposes shall become subject to the regulations of this UDO. Bona fide farm property that is exempt from the regulations of this UDO shall be subject to the Wake County floodplain ordinance or all floodplain regulation provisions of Wake County's unified development

ordinance.

A building or structure that is used for agritourism is a bona fide farm purpose if the building or structure is located on a property that (i) is owned by a person who holds a qualifying farmer sales tax exemption certificate from the Department of Revenue pursuant to G.S. 105 - 164.13E(a) or (ii) is enrolled in the present-use value program pursuant to G.S.105-277.3. Failure to maintain the requirements of this section for a period of 3 years after the date the building or structure was originally classified as a bona fide farm purpose pursuant to this UDO shall subject the building or structure to applicable zoning and development regulation ordinances of this UDO in effect on the date the property no longer meets the requirements of this section.

A. C. Subdivision Statutory Exemptions.

The following are not included within the definition of subdivision and are exempt from the subdivision standards of this UDO.

1. The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of this UDO.
2. The division of land into parcels greater than 10 acres where no street right-of-way dedication is involved.
3. The public acquisition by purchase of strips of land for the widening or opening of streets or for public transportation system corridors.
4. The division of a tract in single ownership whose entire area is no greater than 2 acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards this UDO.
5. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

Part 3: Chapter 1 Purpose and Applicability; Section 1.6.1.B. Transitional Provisions, Zoning Map Amendments:

Remove text as indicated in ~~strike through~~ to correct typographical error as follows:

B. Zoning Map Amendments.

Any application for zoning map amendment which has been filed with the Development Services Department and which application is full and complete prior to the effective date of this UDO shall be allowed to continue to be processed to completion pursuant to the terms and conditions of the this UDO, provided, however, if the proposed use would no longer be permitted in the proposed district as a result of changes to that district resulting from the adoption of this UDO, such application shall be deemed amended to request the least intense district of this UDO in which the proposed use is permitted.

Part 4: Chapter 1 Purpose and Applicability; Section 1.6.1.H. Legacy Development Options

Projects (DO) and Planned Unit Developments (PUD):

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to clarify procedures and identify applicable development standards for existing DO and PUDs as follows:

H. Legacy Development Options Projects (DO) and Planned Unit Developments (PUD).

1. Previous Development Options (DO) Process. Previous versions of the UDO allowed projects to be approved with design flexibility subject to the Development Options (DO) review procedures (a Quasi-Judicial process approved by the Town Council that allowed for modifications of the land use and development standards of the district in exchange for creative development projects). This UDO does not allow for new projects to be established with DO allowances, but the Town recognizes past projects that were approved under those provisions.

a. Permitted Uses. Permitted uses in the Development Options (DO) project shall be any use or range of uses specified in the Development Options (DO) Development Plan. Accessory Uses, Home Occupations, or Temporary Uses, unless otherwise specified in the Development Options (DO) Development Plan, shall follow the regulations applicable to the Residential Use, Commercial & Mixed-Use, or Employment/Campus Use District where the permitted use is first permitted according to the intensity of base districts listed in Section 2.1 Base Districts of this UDO.

Residential accessory structures, unless specified in the Development Options (DO) Development Plan, shall follow the Accessory Building or Structure Development Standards for the SR Suburban Residential District.

b. Development Standards. Development Standards applicable to a Development Options (DO) Development Plan shall be either:

i. The Development Standards specified in the Development Options (DO) Development Plan; or,

ii. If a Development Standard has not been specified in the Development Options (DO) Development Plan, the applicable Development Standard shall follow the regulations applicable to the Residential Use, Commercial & Mixed-Use, or Employment/Campus Use District where the permitted use is first permitted according to the intensity of base districts listed in Section 2.1 Base Districts of this UDO.

2. Previous Planned Unit Development (PUD) Process. ~~The Town~~ **This** UDO does not allow for the establishment of new Planned Unit Development projects. However, the Town recognizes past projects that were approved under this land use process whether through the Town or through Wake County and later annexed into the corporate limits (e.g., Subdivisions approved under the County's PD, Planned Development District process), **subject to the following:**

a. **Permitted Uses.** Permitted uses in the PUD District shall be any use or range of uses specified in the PUD Master Plan. Accessory Uses, Home Occupations, or Temporary Uses, unless otherwise specified in the PUD Master Plan, shall follow the regulations applicable to the Residential Use, Commercial & Mixed-Use, or Employment/Campus Use District where the permitted use is first permitted according to the intensity of base districts listed in Section 2.1 Base Districts of this UDO.

Residential accessory structures, unless specified in the PUD Master Plan, shall follow the Accessory Building or Structure Development Standards for the SR Suburban Residential District.

b. **Development Standards.** Development Standards applicable to a PUD shall be either:

i. The Development Standards specified in the PUD Master Plan; or,

ii. If a Development Standard has not been specified in the PUD Master Plan, the applicable Development Standard shall follow the regulations applicable to the Residential Use, Commercial & Mixed-Use, or Employment/Campus Use District where the permitted use is first permitted according to the intensity of base districts listed in Section 2.1 Base Districts of this UDO.

3. Continuation and Approvals Granted. Project development may continue pursuant to the project's prior approval provisions/conditions and associated permits. Said projects may include unique land use and development standards for those projects and internal development may occur in accordance with said approvals.

4. ~~Amendments and Rezones Related to DO and PUD Approvals.~~ Amendments to DO and PUD (and PDs under Wake County) Approvals. Applicants may request amendments to previously approved DO **projects** as either a Minor **Amendment** or **by application for a new Conditional Zoning District (CD)**. Applicants may request amendments to previously approved PUDs (and PDs under Wake County that were annexed into the municipal limits) as either a Minor **Amendment**, or Major Amendment, **or by application for a new Conditional Zoning District (CD)**. The following allowances/limitations apply:-

a. Minor Amendments. Applicants may request minor amendments/modifications pursuant to the following.

i. Reviewing Body and Process. The Administrator may take action on minor amendment requests **as a Type 1 review**. Applications ~~will be reviewed pursuant to the Town's UDO permit and platting process.~~

ii. Eligible Minor Amendments. Minor amendments include internal changes that do NOT involve any of the following situations:-

(ia) An increase in the maximum allowed density or building square footage in addition to the project's original approval or modifications thereto.

(**ib**) Reductions in the minimum lot sizes and setbacks for lots and parcels within the project limits that are less than what was originally approved.

(**ic**) Increases in the maximum height for buildings within the project limits that are more than what was originally approved or major modifications thereof.

(**id**) A net reduction in the size of common open space and preservation areas.

(**ie**) A change in the location and/or alignment of an internal thoroughfare, collector, or equivalent street classification.

(**if**) A platted portion of the development where said lots have been sold to third-party buyers AND said owners are not a part of the application.

(**ig**) A change in land use that is inconsistent with the Comprehensive Plan or Future Land Use Map.

(**ih**) A change that is in conflict with any condition of approval or development limitation provision from the original approval or major modifications thereof.

iii. Current UDO Standards. The portions of the property subject to the minor amendment, shall comply with the current UDO standards in terms of tree preservation, landscaping, buffering, environmental protection, roadway design, and parking.

b. Major Amendments. Applicants may request major amendments/modifications pursuant to the following:

i. Reviewing Body and Process. The Town's Council shall review and take action on major amendment requests **as a Type 6 review**. The application shall be subject to the Town's notice requirements. Subsequent land development and subdivision activities will be reviewed pursuant to the Town's UDO permit and platting process.

ii. Eligible Major Modifications. Major modification requests may include the following activities:-

(**ia**) A change in density and/or building area up to the limits established in the Holly Springs Comprehensive Plan and the Future Land Use Map.

(**ib**) A change to the development standards including minimum lot sizes, minimum setbacks, minimum parking ratios, and maximum building height.

(iii**c**) A change to the internal roadway network in terms of size, location and alignment with the exception of portions of the overall project has been platted and sold to third parties.

(iv**d**) A change to the location and net acreage of common open space and/or preservation areas.

(v**e**) A change to any condition of approval or development limitation provision from the original approval or major modifications thereof.

c. New Conditional ~~Zone~~ **Zoning District** (CD). Applicants may request to convert a **DO** project **or PUD** that was previously approved ~~with DO~~ into a new CD pursuant to the following: ~~and the procedures outlined in Chapter 11.~~

i. Reviewing Body and Process. The Town's Council shall review and take action on applications to ~~amend a previous DO approval~~ **convert a DO project or PUD that was previously approved** to a new CD ~~pursuant to Section 2.8~~ **as a Type 6 review**. The application shall be subject to **the Town's** notice requirements. Subsequent land development and subdivision activities will be reviewed pursuant to the Town's UDO permit and platting process.

ii. CD Conversion Activities. Applications to convert a ~~project with previous DO approvals~~ **DO project or PUD that was previously approved** to a **new** CD zone may include the following activities:-

(ia) A change in density and/or building area up to the limits established in the Comprehensive Plan and Future Land Use Map.

(ib) A change to the development standards including minimum lot sizes, minimum setbacks, minimum parking ratios, and maximum building height.

(iic) A change to the internal roadway network in terms of size, location and alignment with the exception of portions of the overall project has been platted and sold to third parties.

(ivd) A change to the location and net acreage of common open space and/or preservation areas.

(ve) A change to any condition of approval or development limitation provision from the original approval or major modifications thereof.

d. **5. Town Initiated** Rezoning Option. The Town may rezone portions or all of projects that were originally approved under the DO or PUD procedures to a base district that closely matches the land uses and development scale that have been developed/platted in the subject area. The Town shall apply a base district that would result in the least amount of potential nonconforming situations.

Part 5: Chapter 1 Purpose and Applicability; Section 1.6.1. Transitional Provisions:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to move text from Section 2.4.4. (see part 24) pertaining to Conditional Zoning Districts adopted prior to the effective date of the UDO, as follows:

I. Existing Conditional Zoning Districts (CD)

A. Prior CD Approvals Recognition. In any case where a Conditional Zoning District (CD), or Conditional Use District (CU) or equivalent thereof, prior to the effective date of this UDO has been approved by the Town Council pursuant to a prior existing zoning ordinance, internal land use and development activities may occur in accordance with said approvals and associated permits. Any modifications thereto shall be by application for a new Conditional Zoning District (CD).

† J. Waivers.

In any case where a Waiver has been granted pursuant to a prior existing ordinance, the Waiver shall run with the project, not the land. If a new Development Plan is proposed, all previously granted waivers shall be deemed null and void.

Part 6: Chapter 1 Purpose and Applicability; Section 1.7.1.D. Official Zoning Map, Zoning Map:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct department name:

D. Retention and Preservation of Record. Unless the prior Official Zoning Map has been lost or completely destroyed, the prior Official Zoning Map, along with all available records pertaining to its adoption or amendment, shall be retained and preserved **by the Administrator** ~~in the office of development services (or modern equivalent thereof).~~

Part 7: Chapter 1 Purpose and Applicability; Section 1.9.2 Saving Provision for Pending Enforcement Actions:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct typographical errors as follows:

Except as shall be expressly provided for in this UDO, the adoption of this UDO shall not: (i) nullify ~~for~~ **and** make void any action pending under, or by virtue of, any prior UDO, zoning, or subdivision control ordinance; (ii) discontinue, nullify, void, abate, modify or alter any penalty accruing or about to accrue under, or by virtue of, any prior zUDO, zoning, or subdivision control ordinance; (iii) affect the liability of any person, firm, or corporation under, or by virtue of, any prior UDO, zoning, or subdivision control ordinance; (iv) waive any right of the Town under any section or provision of any prior zoning or subdivision control ordinance; or, (v) vacate or annul any rights obtained by any person, firm, or corporation by lawful action of the Town under, or by virtue of, any prior UDO, zoning, or subdivision control ordinance.

Part 8: Chapter 2 Districts; Section 2.1.B. Base Districts, Base Districts by Use Category:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct a typographical error as follows:

B. The Town's base zoning districts are established and characterized by individual use categories including Residential Use, Commercial/ **& Mixed-Use**, and Employment/Campus Use. Each use category includes multiple base districts that allow for land use and property development at various scales and intensities – these are controlled through the allowable land uses, development standards, and density limitations.

Part 9: Chapter 2 Districts; Table 2.1 Zoning – Future Land Use Designations:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct a typographical error as follows:

TABLE 2.1 ZONING - FUTURE LAND USE DESIGNATIONS (N1)												
	CHARACTER CHARACTER AREA & FUTURE LAND USE MAP DESIGNATIONS											
	Natural Area (N2)	Conservation Neighborhood (N3)	Residential Neighborhood	Mixed Residential Neighborhood	Neighborhood Center	N. Main Street District	Downtown Village District	Mixed-Use Center	Regional Center	Innovation Village	Business & Industrial	Special Use

Part 10: Chapter 2 Districts; Section 2.1.2 Commercial / Mixed-Use Districts:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct a typographical error as follows:

2.1.2 COMMERCIAL ~~/~~ & MIXED-USE DISTRICTS

Part 11: Chapter 2 Districts; Section 2.1.3 Employment/Campus Use Districts; IVMX Innovation Village Mixed-Use:

Remove text as indicated in ~~strikethrough~~ to Section 2.1.3 Employment/Campus Use Districts; IVMX Innovation Village Mixed-Use to correct a typographical error as follows:

The Innovation Village Mixed-Use District is the next generation business park for business owners, entrepreneurs, artists and manufacturers. The design, scale, character, and intensity of development in the IVMX emphasizes technology, creativity, and innovation. It combines elements of the innovation economy including light manufacturing and creative offices with housing and a mixed-use core on a network of walkable streets and connected open spaces that transitional seamlessly into surrounding neighborhoods. The design, scale, character, and intensity of development in the district emphasizes technology, creativity, and innovation, and may support a corporate headquarters, research and development campus, manufacturing center, or other similar facilities along with nearby retail businesses and housing options.

Part 12: Chapter 2 Districts; Table 2.2.1-A Development Standards for Residential Use Districts:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct the placement of (N2) as follows:

TABLE 2.2.1-A DEVELOPMENT STANDARDS FOR RESIDENTIAL USE DISTRICTS					
	RR	SR	NR	NCR	MXR
Development Density (N1)					
Maximum Gross Density by-right (units/acre) (N2)	0.5	3	5	8	15
Maximum Gross Density (Conservation Subdivision) (units/acre) (N2)	0.5	3	5	--	--
Maximum Gross Density w/CD (units/acres)	1	4	8	12	20

For reference only, the text of N2 is as follows: Reference chapter 8 Building, Site & Subdivision lot design Standards.

Part 13: Chapter 2 Districts; Table 2.2.1-A Development Standards for Residential Use Districts:

Add text as indicated in **bold** to correct a typographical error as follows:

TABLE 2.2.1-A DEVELOPMENT STANDARDS FOR RESIDENTIAL USE DISTRICTS					
	RR	SR	NR	NCR	MXR

Attached Dwelling and Apartment Allocation (in New Subdivision Only with CD) (N4)					
Minimum units	--	--	10%	10%	10%
Maximum units	--	--	50%	100%	100%

For reference only, -- indicates the use is not permitted in the district.

Part 14: Chapter 2 Districts; Table 2.2.1-A Development Standards for Residential Use Districts and Table 2.2.1-A Notes:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to clarify Side Setback – Interior (aggregate setback) in the NR, NCR, and MXR Districts and modify associated (N10) notation, as follows:

TABLE 2.2.1-A DEVELOPMENT STANDARDS FOR RESIDENTIAL USE DISTRICTS					
	RR	SR	NR	NCR	MXR
Primary Building Setbacks (ft) (N8)					
Front Setback (minimum)	20	20	5	5	5
Front Setback (maximum) (N9)	--	--	20	15	15
Side Setback - Corner (minimum)	20	20	5	5	5
Side Setback - Interior (minimum) (N10)	10	10	0/10 5	0/10 5	0/10/15 5
Rear Setback (minimum)	25	25	20	20	30
Rear Setback from Alley Centerline (minimum)	--	15	15	15	15

Table 2.2.1-A Notes	
N10	Attached dwelling units are allowed a 0-ft side setback where the unit shares a common wall with another dwelling unit. -- end units shall provide a 5-ft side setback for the side that does not share a common wall.

Part 15: Chapter 2 Districts; Table 2.2.1-A Development Standards for Residential Use

Districts:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to add a permitted height in SR in CD districts to be consistent with all other Residential Use Districts, as follows:

TABLE 2.2.1-A DEVELOPMENT STANDARDS FOR RESIDENTIAL USE DISTRICTS					
	RR	SR	NR	NCR	MXR
Building Height (ft)					
Primary Structure(s) (maximum)	35	35	35	35	35
Primary Structure(s) (maximum subject to CD)	50	-- 50	50	50	60
Accessory Structure(s) (maximum) (N12)	25	25	25	25	30
Residential Finished Floor Elevation Above Sidewalk Grade (ft)	--	--	1.5	1.5	1.5

Part 16: Chapter 2 Districts; Residential Use Districts Table 2.2.1-A Notes:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to clarify Minimum Frontage at the Right-of-Way for a Driveway requirement in Residential Use Districts for existing lots, as follows:

Table 2.2.1-A Notes	
N7	For lots existing prior to the effective date of this UDO, the UDO Permit review process may consider alternate methods of providing lot access if the provision of an alley or rear lane is not feasible in the following priority order: shared driveway between two or more lots; one single driveway a maximum of 12 feet in width. For new lots or for lots existing prior to the effective date of this UDO, Additional flexibility is available through the Conditional Zoning District (CD) process.

Part 17: Chapter 2 Districts; Table 2.2.2-A Development Standards for Commercial & Mixed-Use Use Districts and Table 2.2.2-A Notes Table:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to modify Placement of (N2) and move density text from (N1) to (N2) in Table 2.2.2-A Notes, as follows:

TABLE 2.2.2-A COMMERCIAL & MIXED-USE DISTRICTS DEVELOPMENT STANDARDS
--

	NMX	DMX	RMX	CB
Minimum Development Area (acres) (N1)	0	0	20	0
Development Density (N2)				
Maximum Gross Density in Mixed-Use Building (units/acre) (N2)	8	15	20	20

Table 2.2.2-A Notes Table	
N1	Applicable to sites that are greater than 5 acres. For individual lots or projects containing multiple districts, calculated based on the district in which a majority (50% of buildable area or greater) of the buildable area of a lot is located. The Total Allowable Units shall be equal to the Gross Site Area X Maximum Units Per Acre.
N2	For individual lots or projects containing multiple districts, calculated based on the district in which a majority (50% of buildable area or greater) of the buildable area of a lot is located. The Total Allowable Units shall be equal to the Gross Site Area X Maximum Units Per Acre. Density limitations apply to the portions of a project that contains standalone residential dwelling units - density limitations do not apply mixed-use buildings that contain both residential and non-residential uses.

Part 18: Chapter 2 Districts; Table 2.2.2-A Development Standards for Commercial & Mixed-Use Use Districts:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to modify Side Setback – Corner in the NMX, DMX, RMX, and CB Districts to relocate the row consistent with other Use District tables and match the front setback standard, as follows:

TABLE 2.2.2-A COMMERCIAL & MIXED-USE DISTRICTS DEVELOPMENT STANDARDS				
	NMX	DMX	RMX	CB
Building Setbacks - All Structures (ft)				
Front Setback (minimum)	5	0	5	30
Front Setback (maximum)	20	20	20	n/a
Side - Corner Setback	5	0	5	30
All other setbacks (Side and Rear) (N5)	5	0	0	5
Side – Corner Setback	20	20	20	n/a

Setback to Adjacent RR/SR/NR Districts (minimum)	20	10	50	50
--	----	----	----	----

Part 19: Chapter 2 Districts; Table 2.2.2-A Development Standards for Commercial & Mixed-Use Use Districts and Table 2.2.2-A Notes Table:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to clarify that Minimum Frontage at the Right-of-Way for a Driveway requirement applies to the NMX and RMX Districts when detached/attached residential lots are proposed and modify the associated (N6) notation, as follows:

TABLE 2.2.2-A COMMERCIAL & MIXED-USE DISTRICTS DEVELOPMENT STANDARDS				
	NMX	DMX	RMX	CB
Minimum Frontage at the Right-of-Way for a Driveway (ft)				
Detached/Attached permitted by Right (ft) w/CD (N6)	n/a 60	60	n/a 60	n/a

Table 2.2.2-A Notes Table	
N6	For lots existing prior to the effective date of this UDO, the UDO Permit review process may consider alternate methods of providing lot access if the provision of an alley or rear lane is not feasible in the following priority order: shared driveway between two or more lots; one single driveway a maximum of 12 feet in width. For new lots or for lots existing prior to the effective date of this UDO, Additional flexibility is available through the Conditional Zoning District (CD) process.

Part 20: Chapter 2 Districts; Employment/Campus Use Districts Table 2.2.3-A Employment/Campus Use Districts Development Standards and Table 2.2.3-A Notes Table:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to modify Minimum Frontage at the Right-of-Way for a Driveway and (N4) notation regarding Minimum Frontage at the Right-of-Way for a Driveway to be consistent with other sections of the UDO, as follows:

TABLE 2.2.3-A EMPLOYMENT/CAMPUS USE DISTRICTS DEVELOPMENT STANDARDS				
	SP	IVMX	BRT	HI
Minimum Frontage at the Right-of-Way for a Driveway (ft)				

Detached/Attached permitted by Right (ft) Attached/Apartment Dwellings Permitted with Standards or with CD (N4)	n/a	60	n/a	n/a
--	-----	----	-----	-----

Table 2.2.3-A Notes Table

N4	For lots existing prior to the effective date of this UDO , the UDO Permit review process may consider alternate methods of providing lot access if the provision of an alley or rear lane is not feasible in the following priority order: shared driveway between two or more lots; one single driveway a maximum of 12 feet in width. For new lots or for lots existing prior to the effective date of this UDO , Additional flexibility is available through the Conditional Zoning District (CD) process.
----	--

Part 21: Chapter 2 Districts; Section 2.4.3.B.4. Conditional Zoning Districts:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to provide flexibility for permitted vehicle parking locations (found in Chapter 6) with Conditional Zoning Districts, as follows:

4. Parking (Chapter 6) – The applicant may propose unique vehicle parking ratios standards **or permitted vehicle parking locations** which may be different from the other provisions of the UDO.

Part 22: Chapter 2 Districts; Section 2.4.3.B.6. Conditional Zoning Districts:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct a Section Reference as follows:

6. Building, Site & Subdivision Lot Design Standards (Chapter 8) – A CD may provide alternative ~~site and building~~ **building, site, and/or subdivision lot** design options that ~~is- are~~ otherwise required in this UDO where the resulting designs align with the Town's land use and character intent for the vicinity.

Part 23: Chapter 2 Districts; Section 2.4.3.C. Conditional Zoning Districts:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct a spelling error as follows:

C. ~~Indelible~~ **Ineligible** Activities. The following activities are indelible for CDs.

Part 24: Chapter 2 Districts; Section 2.4.4 Standards for Conditional Zoning Districts Adopted Prior to the Adoption of this Ordinance:

Remove text as indicated in ~~strikethrough~~ to move the section to Chapter 1.6.1 Transitional Rules (see Part 5) as follows:

~~2.2.4 Standards for Conditional Zoning Districts Adopted Prior to the Adoption of this Ordinance~~

~~A. Prior CD Approvals Recognition. The Town shall recognize projects that were approved as CDs (or equivalent thereof) prior to the adoption of this UDO. Internal land use and development activities may occur in accordance with said approvals and associated permits. Any modifications there to shall be in accordance with Chapter 11.~~

Part 25: Chapter 3 Use Provisions; Table 3.2.A Permitted Uses:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to modify permitted Residential Uses in the CB district to be consistent with development standards in found in Chapter 2 as follows:

Table 3.2.A - Table of Permitted Uses														
	Residential Use Districts					Commercial & Mixed-Use Districts				Employment / Campus Use Districts				Additional Standards
Proposed Districts	RR	SR	NR	NCR	MXR	NMX	DMX	RMX	CB	SP (CD ONLY)	IVMX	BRT	HI (CD ONLY)	
Residential Uses														3.3.2
Apartment Dwelling	--	--	--	CD	P	PS	PS	PS	-- PS	--	PS	--	--	

**For reference only, the PS standards for Apartment Dwellings are as follows: Apartments are permitted as upper story dwellings only by right. Alternate locations and configurations are permitted by Conditional Zoning District (CD). Chapter 2 permits a maximum residential density of 20 units per acre or unlimited with CD.*

Part 26: Chapter 3 Use Provisions; Table 3.2.A. Permitted Uses:

Remove text as indicated in ~~strikethrough~~ to modify permitted Retail, Dining, and Entertainment Uses in Commercial & Mixed-Use Districts and Employment/Campus Use Districts to modify the allowed zoning districts for Tobacco Stores as follows:

Table 3.2.A - Table of Permitted Uses														
	Residential Use Districts					Commercial & Mixed-Use Districts				Employment / Campus Use Districts				Additional Standards
Proposed Districts	RR	SR	NR	NCR	MXR	NMX	DMX	RMX	CB	SP (CD ONLY)	IVMX	BRT	HI (CD ONLY)	
Retail, Dining, and Entertainment Uses														3.3.5
Tobacco Stores	--	--	--	--	--	--	P	P	P	--	P	-- CD	--	

Part 27: Chapter 3 Use Provisions; Table 3.2.A Permitted Uses:

Add text as indicated in **bold** and remove text as indicated in ~~strike through~~ to modify permitted Public and Institutional Uses in all Districts to differentiate assembly and religious uses as follows:

Table 3.2.A - Table of Permitted Uses														
	Residential Use Districts					Commercial & Mixed-Use Districts				Employment / Campus Use Districts				Additional Standards
Proposed Districts	RR	SR	NR	NCR	MXR	NMX	DMX	RMX	CB	SP (CD ONLY)	IVMX	BRT	HI (CD ONLY)	
Public and Institutional Uses														3.3.6
Assembly Use	--	--	--	--	--	--	P	P	P	--	P	--	--	
Cemetery	PS	--	--	--	--	--	PS	--	--	PS	--	--	--	
Civic Building	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	
Community Support Facility	SUP	SUP	SUP	SUP	SUP	P	P	P	P	P	P	P		New
Penal or Correctional Institution	--	--	--	--	--	--	--	--	--	--	--	--	SUP	
Religious/ Assembly Use	PS	PS	PS	PS	PS	P	P	P	P	--	P	--	--	

Part 28: Chapter 3 Use Provisions; Section 3.3.2.D. Residential Uses – Additional Use Provisions, Manufactured Dwellings:

Add text as indicated in **bold** and remove text as indicated in ~~strike through~~ to add Additional Use Provisions for Manufactured Dwellings to provide architectural standards as follows:

D. Manufactured Dwelling

1. Location. A ~~Manufactured~~ **Manufactured** Dwelling is permitted only on lot greater than 1 acre or in previously existing mobile home parks.

2. Design. ~~See Section 8.2.1 Appearance and Dimensional Criteria for Manufactured Homes~~
All Manufactured Dwellings located or relocated in any Residential Use District after the

effective date of this UDO shall comply with the following design criteria:

a. Roof:

i. Minimum Roof Pitch. The minimum roof pitch shall not be less than a 3 foot vertical rise for each 12 foot horizontal run.

ii. Roofing Material and Design. The roof shall be covered with shingles, standing seam metal, shakes, or tile; and eaves from the roof shall extend at least 1 foot from the intersection of the roof and the exterior walls.

b. Siding Material. All manufactured dwellings shall utilize 1 of the following exterior siding materials over at least 60% of each façade, exclusive of windows or doors: brick; vinyl horizontal lap siding; aluminum horizontal lap siding; wood siding; or, hardboard siding.

c. Foundation. All Manufactured Dwellings shall be set on a permanent foundation. A continuous, permanent perimeter enclosure specifically fabricated for foundation use, shall be installed to enclose the area under the Manufactured Dwelling. The permanent perimeter enclosure shall be unpierced except for air vents and 1 entry. The area around the permanent perimeter enclosure shall be back-filled so that the Manufactured Dwelling sits no more than 12 inches above grade. Foundation plantings shall be required along the front façade of each Manufactured Dwelling.

d. Entry. The entry to each Manufactured Dwelling shall be accompanied by a deck or stoop located adjacent to the entry and placed at substantially the same elevation as the entry threshold. The deck or stoop shall be made of treated wood or masonry materials. The deck or stoop, along with any stairs, shall include handrails. An improved walkway surface (i.e., concrete, asphalt, treated wood, bark or gravel) shall be provided from the driveway or interior access drive to the deck or stoop located adjacent to the entry. If bark or gravel is used, the walkway shall include a border capable of containing the bark or gravel.

e. Hauling Mechanisms. The transportation mechanisms including the wheels, tongue, axles, hitch or other towing apparatus, and transportation lights shall be removed prior to the issuance of a Certificate of Occupancy.

Part 29: Chapter 3 Use Provisions; Section 3.3.6 Public and Institutional Uses – Additional Use Provisions:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct spelling errors and remove “assembly” from Religious Uses standards as follows:

B. Cemetery

1. Locational Limitations. Tombstones, crypts, monuments, and mausoleums shall be located a minimum of 20 feet from any side or rear lot line and at least 30 feet from a street right-of-way.

2. Perimeter Fencing. A brick wall or an ornamental fence made of wood or vinyl picket or wrought iron a maximum of 4 feet in height shall be installed along the ~~perimeter~~ **perimeter** of the Cemetery.

C. Civic Building

All civic buildings and their associated site improvements shall be subject to Development Plan review as ~~desctibed~~ **described** in Chapter 11.

D. Penal or Correctional Institution

Locational Restrictions. Penal and correctional institutions may not be established within ½ mile of a Residential Use District or School (K-12).

E. Religious/Assembly Use

1. Applicability. The provisions of this subsection shall apply to new or modifications to religious institutions, places of worship, and their accessory uses. This subsection does not apply to individual religious practices.

2. Permitted Accessory Uses. Permitted accessory uses include but are not limited to cemeteries, child care center, residential care facilities, retail uses, and similar facilities

3. Private Schools and Colleges. K-12 schools and/or college-equivalent operations which require state/federal certification/permits may be allowed pursuant to the district provisions. These educational accessory uses may require a separate review and approval process.

Part 30: Chapter 3 Use Provisions; Section 3.3.8.E.2. Agriculture, Manufacturing, and Distribution Uses – Additional Use Provisions, Resource Extraction:

Remove text as indicated in ~~strikethrough~~ to correct a typographical error, as follows:

2. Submittal Requirements. In addition to the other requirements of ~~the~~ this UDO, the applicant shall provide the following information with their application.

Part 31: Chapter 3 Use Provisions; Section 3.3.9.A.1.a. Infrastructure Uses – Additional Use Provisions, Infrastructure/Utilities Major:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to modify screening requirements for Infrastructure/Utilities Major, as follows:

a. **Walls Fencing** and Buffering. All treatment operations, power generation, and electrical substations shall occur behind a minimum 6 feet high ~~opaque wall~~ **fence**. **The type of fence selected shall be compatible with development in the surrounding area, as determined by the Administrator. A security wire (barbed, razor, etc.) may be located on the inside of the fence but shall not extend above the top of the fence. Type C landscaping shall be installed around the perimeter of the fenced area, except for entry gates or doors.**

Part 32: Chapter 3 Use Provisions; Section 3.3.9.E.12. Infrastructure Uses – Additional Use Provisions, Wireless Telecommunications Equipment and Wireless

Telecommunications Towers:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct a spelling error and punctuation error, as follows:

12. Special Requirements for Small Wireless Telecommunications Facilities Located within the Public Right-of-Way...

...Where a lower ranked alternative is proposed, the applicant must demonstrate by substantial evidence that higher ranked options are not technically feasible or available~~l~~.

Part 33: Chapter 3 Use Provisions; Section 3.3.9.E.12.a. Infrastructure Uses – Additional Use Provisions, Wireless Telecommunications Equipment and Wireless Telecommunications Towers, Siting Hierarchy of Small Wireless Telecommunication Facilities Located within the Public Right-of-way:

Amendment to correct a sequencing error, as follows:

- i. Co-location subsections (i); (ii); (iii); and (iv) shall be relettered (a); (b); (c); and (d) respectively.
- ii. New Small Wireless Telecommunication Facilities subsections (i); (ii); (iii); (iv); (v); and (vi) shall be relettered (a); (b); (c); (d); (e) and (f) respectively.

Part 34: Chapter 3 Use Provisions; Section 3.3.9.E.12.a. i. (c) Infrastructure Uses – Additional Use Provisions, Wireless Telecommunications Equipment and Wireless Telecommunications Towers, Siting Hierarchy of Small Wireless Telecommunication Facilities Located within the Public Right-of-way:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct a typographical error, as follows:

(c) Objective Design Standards. Small wireless telecommunication facilities to be co-located on an existing utility pole, light pole fixture, or wireless support structure shall be designed to match the style and color of the existing utility pole, light pole fixture, or support structure and designed such that all cabling is inside the existing utility pole, light pole fixture, or wireless support structure, provided, however if cabling cannot be located inside the existing utility pole, light pole fixture, or support structure that cabling is located within a solid enclosure that is designed to match the style and color of the existing utility pole, light pole fixture, or support structure.

All small wireless telecommunication facilities shall be stealth antenna facilities. Stealth antenna and accessory equipment must be shrouded or otherwise concealed.

To mitigate the visual impacts of unsightly or ~~outef~~ **out-of**-character small wireless telecommunication facilities, ground equipment shall be screened, to the extent possible as approved by the government body with jurisdiction of the right-of-way in which the small wireless telecommunication facility is to be located.

Part 35: Chapter 3 Use Provisions; Section 3.3.9.E.12.a. ii. (a) Infrastructure Uses – Additional Use Provisions, Wireless Telecommunications Equipment and Wireless Telecommunications Towers, Siting Hierarchy of Small Wireless Telecommunication Facilities Located within the Public Right-of-way:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct a defined term and correct a typographical error, as follows:

(a) Height. The maximum height of new utility poles or wireless support structures shall be 50 feet above grade. Each new small wireless telecommunication facility shall not extend more than 10 feet above the utility pole or wireless support structure on which it is located. Notwithstanding the above, in no instance in an area zoned ~~single-family residential~~ **for detached residential dwellings** where the existing utilities are installed underground shall a utility pole or wireless support structure exceed 40 feet above grade. No new small wireless telecommunication facility shall be located on a ~~ny~~ **any** utility pole or wireless support structure that is less than 15 feet above grade.

Part 36: Chapter 3 Use Provisions; Section 3.3.9.E.12.a. ii. (f) Infrastructure Uses – Additional Use Provisions, Wireless Telecommunications Equipment and Wireless Telecommunications Towers, Siting Hierarchy of Small Wireless Telecommunication Facilities Located within the Public Right-of-way:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct missing information for concealment and correct a typographical error, as follows:

(f). Objective Design Standards. Small wireless telecommunication facilities and utility poles and wireless support structures shall be compatible with the surrounding area. Where existing street light fixtures are present, the utility pole or wireless support structure color shall match that of the street light fixture pole and shall be located in such a manner as to visually appear to be part of a common scheme of street light fixture pole placement. Within the adopted Village District Area Plan boundary as indicated in the Comprehensive Plan, utility poles and wireless support structures shall be black powder coated.

Utility poles and wireless support structures shall be made of galvanized steel or comparable material except when otherwise required by applicable federal or state regulations. Wood utility poles and wireless support structures are prohibited.

Small wireless telecommunication facilities shall be located, designed, and/or screened to blend in with the existing natural or built surroundings to reduce the visual impacts as much as possible, and to be compatible with neighboring land uses and the character of the community.

All small wireless telecommunication facilities shall be stealth antenna facilities. Stealth antenna and accessory equipment must be shrouded or **otherwise concealed**.

To mitigate the visual impacts of unsightly or ~~outef~~ **out-of** -character small wireless telecommunication facilities, ground equipment shall be screened, to the extent possible as approved by the government body with jurisdiction of the right-of-way in which the small wireless telecommunication facility is to be located.

Part 37: Chapter 3 Use Provisions; Section 3.4.2.B. Accessory Structures and Uses;

Residential Use Districts and Residential Uses in all other Districts, Accessory Structure Limitations:

Add text as indicated in **bold** and remove text as indicated in to modify a defined term and provide additional allowances for lots in the RR District, as follows:

B. Accessory Structure **Building** Limitations.

1. **Area.** The total square foot area of all detached accessory ~~structures~~ **buildings** on a lot shall not exceed 50% of the finished floor area of the primary dwelling. **For lots greater than 2 acres in the RR District, the total square foot area of all detached accessory buildings on a lot shall not exceed 100% of the finished floor area of the primary dwelling.**~~;~~~~and~~

2. **Maximum Number.** The maximum number of detached accessory buildings on a lot shall not exceed the following:

a. ~~Maximum number of accessory buildings in~~ **the** RR District: Not applicable

b. ~~Maximum number of accessory buildings in all other Residential Use Districts:~~
2

2-3. **Location.** Detached accessory ~~structures~~ **buildings** shall not be located in the front yard.

Part 38: Chapter 3 Use Provisions; Section 4.4.3. Commercial & Mixed-Use & Employment/Campus Use Districts and Non-Residential Use:

Add text as indicated in **bold** to correct section naming, as follows:

3.4.3 COMMERCIAL & MIXED-USE & EMPLOYMENT/ CAMPUS USE DISTRICTS AND NON-RESIDENTIAL USES **IN RESIDENTIAL USE DISTRICTS**

Part 39: Chapter 4 Open Space and Conservation; Table 4.2-A – Minimum Open Space Requirements by Zoning District:

Add text as indicated in **bold** and remove text as indicated in ~~strike through~~ to modify requirements for non-residential development when located in a Residential Use District to follow standards for NMX, to reorganize notes, and to remove Urban Civic Space requirement from Infrastructure Uses, as follows:

TABLE 4.2-A – MINIMUM OPEN SPACE REQUIREMENTS BY ZONING DISTRICT			
	RESIDENTIAL USE DISTRICTS	COMMERCIAL & MIXED-USE DISTRICTS	EMPLOYMENT/CAMPUS USE DISTRICTS

	RR	SR	NR	NCR	MXR	NMX	DMX	RMX	CB	SP	IVMX	BRT	HI
ON-SITE PRIVATE OPEN SPACE													
Method 1: Standard Projects (N1 , N2 & N3)													
Total Minimum Required (% of total project site)	30%	30%	30%	15%	15%	12%	1%	15%	15%	10%	1%	3%	3%

PUBLIC PARK SPACE REQUIREMENT (RESIDENTIAL DWELLING UNITS) (N4 N6)													
Public Park Space (required in addition to On-Site Private Open Space minimum)	1/20 acre X total number of dwelling units												

Notes:

N1. Non-residential uses located in a Residential Use District shall follow the requirements listed for the NMX District.
~~Applicant may pay the Town a payment in lieu of providing Public Park Space pursuant to the limits of outlined in this table and the standards outlined in Section 4.7.2.~~
N2. On-site Private Open Space is required for all Major Subdivisions - Residential where the resulting plat/subdivision action results in 5 or more lots and Development Plans that include attached or apartment dwellings
N3. The total minimum required On-site Private Open Space is inclusive of other requirements including tree preservation/conservation areas, floodplains, perimeter buffers, landscaping etc.
N4. Where two standards are listed in the table for a specific zone and open space type, the greater standard shall apply.
Infrastructure Uses shall not be required to provide Urban Civic Space.
N5. For projects that could be considered in multiple open space categories, the most stringent requirements shall apply.
N6. Applicant may pay the Town a payment in lieu of providing Public Park Space pursuant to the limits of outlined in this table and the standards outlined in Section 4.7.2.

Part 40: Chapter 4 Open Space and Conservation; 4.4.1.C Tree Preservation Priorities, Significant Natural resource Areas:

Remove text as indicated in ~~strikethrough~~ to correct typographical errors, as follows:

2. Endangered Species Habitat. Endangered species habitat, as delineated by state and federal agencies for environmental permitting, may a constitute “Natural Resources” for the purposes of tree preservation.

3. Sufficient/Critical Habitat. Sufficient habitat of State listed wildlife species or federally listed plants may a constitute “Natural Resources” for the purposes of tree preservation and includes species designed as Endangered, Threatened, or Special Concern. Said areas shall be as determined by the qualified biologist.

Part 41: Chapter 4 Open Space and Conservation; Section 4.4.5.C.3.b. Penalties for

Unauthorized Tree Removal, Fines:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to remove repetitive text and correct typographical error, as follows:

b. Tree Fine. In addition to the flat fine, the Administrator shall issue a fine of \$100 per caliper inch ~~shall be imposed if the caliper inch~~ for removed vegetation is **if** not replaced on site.

Part 42: Chapter 4 Open Space and Conservation; Section 4.8.1.C.3.b.i. Required Conservation Buffer Areas, Regulation, Locational Standards/Allowances:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct typographical error, as follows:

i. Be part of a common area tract (or equivalent thereof) separate from a lot, ~~or;~~ **or**,

Part 43: Chapter 4 Open Space and Conservation; Section 4.8.2.C.2 Maintenance of Conservation Buffer Areas, Employment/Campus Use Districts:

Remove text as indicated in ~~strikethrough~~ to correct a typographical error, as follows:

2. No accessory building or accessory structure of any kind, ~~{other than a freestanding sign authorized by Section 9 of this UDO}~~, shall be permitted in the required Conservation Buffer Area.

Part 44: Chapter 4 Open Space and Conservation; Table 4.8-B Minimum Riparian Conservation Buffer by Watershed:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct an error in the Cape Fear River Basin Buffer Standards, as follows:

TABLE 4.8-B – MINIMUM RIPARIAN CONSERVATION BUFFER BY WATERSHED						
WATERSHED/AREA	RIPARIAN BUFFER FOR PERENNIAL STREAMS (EXCLUDING WETLANDS)	RIPARIAN BUFFER FOR ALL OTHER WATER FEATURES (EXCLUDING WETLANDS)	ZONE 1	ZONE 2	ZONE 3	SUBSECTION REFERENCE
Bass Lake Watershed (BLW)	100 feet	100 feet	100 feet	n/a	n/a	4.8.5
Neuse River Basin (NRB)	100 feet	50 feet (Zones 1 – 2 only)	30 feet	20 feet	50 feet	4.8.6

Cape Fear River Basin (CFB)	30 feet	None 30 feet	20 feet	10 feet	n/a	4.8.7
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Part 45: Chapter 4 Open Space and Conservation; Table 4.8-C Table of Approved Uses:

Add text as indicated in **bold** and remove text as indicated in ~~striketrough~~ to correct a spelling error, as follows:

TABLE 4.8-C – TABLE OF APPROVED USES				
	NEUSE RIVER BASIN SUBJECT TO 15A NCAC 02B	CAPE FEAR RIVER BASIN		
	Zone NRB1 & NRB2*	Zone NRB3	Zone CFB1	Zone CFB2
Excavation of the streamed streambed to bring it to the same elevation as the invert of a ditch	Prohibited	Prohibited	Prohibited	Prohibited

Part 46: Chapter 4 Open Space and Conservation; Table 4.8-C Table of Approved Uses:

Add text as indicated in **bold** and remove text as indicated in ~~striketrough~~ to correct a spelling and numerical error, as follows:

TABLE 4.8-C – TABLE OF APPROVED USES				
	NEUSE RIVER BASIN SUBJECT TO 15A NCAC 02B	CAPE FEAR RIVER BASIN		
	Zone NRB1 & NRB2*	Zone NRB3	Zone CFB1	Zone CFB2
Temporary Roads:				
Temporary roads that disturb less than or equal to 2,500 square feet provided that vegetation is restored with in within six 6 months of initial disturbance	Exempt	Exempt	Exempt	Exempt

Part 47: Chapter 4 Open Space and Conservation; Section 4.8.4.G.3. Modification and

Waivers of Riparian Conservation Buffer Areas:

Remove text as indicated in ~~strikethrough~~ to correct a spelling error, as follows:

3. In all other instances where a waiver is requested for the Town-mandated Riparian Conservation Buffer applicants may appeal to the Environmental Appeal Committee. The applicant must provide documentation to the Administrator to support the appeal, in the Construction Drawing review process, or as early as the pDevelopment Plan or Subdivision Plan review process, if sufficient information exists for review as described in Chapter 11 of this UDO.

Part 48: Chapter 5 Landscaping; Section 5.2.3.F and G Alternate Landscape Plan Approval:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct typographical errors, as follows:

F. Such alternative landscape plan approval shall not modify the landscape requirements of this chapter pertaining to required perimeter buffer between Residential Use Districts and Commercial & ~~m~~Mixed-Use or Employment/Campus Use Districts.

G. If the ~~Administor~~ **Administrator** disapproves of a proposed alternative landscape plan, the applicant may, within 5 business days, appeal the ~~Administor's~~ **Administrator's** decision by filing an Administrative Appeal with the Board of Adjustment, stating the reasons and justification for the appeal. Such petition shall be filed consistent with the provisions of Chapter 11 of this UDO.

Part 49: Chapter 5 Landscaping; Section 5.2.4.E. Minor Revisions to Landscape Plan:

Remove text as indicated in ~~strikethrough~~ to remove duplicative text, as follows:

An approved landscape plan in need of minor revisions to the specified plant materials due to seasonal planting problems, lack of plant availability, or other reasons to be demonstrated by the applicant may be revised if the requested revisions meet the following criteria:

A. No reduction in the quantities of overall plant materials.

B. No significant change in size or location of plant materials.

C. New plant materials fall within the same general functional category of plants (shade trees, ornamental trees, evergreens, etc.) and have the same general design characteristics (mature height, spread, etc.) as the plant materials being replaced.

D. The proposed new plant materials are considered appropriate with respect to elements necessary for good survival and continued growth.

~~E. The proposed new plant materials are considered appropriate with respect to elements necessary for good survival and continued growth.~~

A letter shall be submitted to the Administrator requesting a minor revision for plant substitution. The letter shall include a list of the quantities, types, and sizes of the original plants and the proposed substitution(s), the location of the substitute plants on the plan.

Part 50: Chapter 5 Landscaping; Section 5.3.1.A. Perimeter Buffer:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct table naming and sequencing, as follows:

A. Perimeter Buffer Types. Perimeter buffers are divided into three types of opacity to provide a progression of screening options suitable to a variety of landscaping and buffering needs between districts. The types are described below and summarized in Tables ~~5.3-1~~ **5.3.1-A and 5.3.1-B.**

Part 51: Chapter 5 Landscaping; Section 5.3.1.B. Required Perimeter Buffer and Table 5.3-2 Required Perimeter Buffer:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to clarify landscaping for non-residential uses in Residential Use Districts, correct terminology, and correct sequencing, as follows:

B. Required Perimeter Buffer

All required Perimeter Buffers shall be landscaped in compliance with the requirements in Table 5.3-2. **5.3.1-C.**

Table 5.3-2. 5.3.1-C - Required Perimeter Buffer														
		Subject Property Use District (N1)												
		RR	SR	NR	MC R	MXR	NM X	DM X	RM X	CB	SP	INMX	BRT	HI
Abutting Property Use District	RR	A	A	A	B	B	B	N1 N2	C	C	C	C	C	C
	SR	A	A	A	B	B	B	N1 N2	C	C	C	C	C	C
	NR	A	A	A	B	B	B	N1 N2	C	C	C	C	C	C
	NCR	A	A	A	A	A	B	N1 N2	B	B	C	C	C	C
	MXR	A	A	A	A	A	B	N1 N2	B	B	C	C	C	C

NMX	A	A	A	A	A	A	N1 N2	B	B	C	C	C	C
DMX	A	A	A	A	A	A	N1 N2	B	B	C	C	C	C
RMX	A	A	A	B	B	A	N1 N2	A	A	B	B	B	B
CB	A	A	A	B	B	A	N1 N2	A	A	B	B	B	B
SP	A	A	A	B	B	A	N1 N2	A	A	A	A	A	A
IVMX	A	A	A	B	B	A	N1 N2	A	A	A	A	A	A
BRT	A	A	A	B	B	A	N1 N2	A	A	A	A	A	A
HI	A	A	A	B	B	A	N1 N2	A	A	A	A	A	A
NC 540	See Chapter 4 - Conservation Buffer Area (N2 N3)						N1 N2	See Chapter 4 - Conservation Buffer Area (N2 N3)					
NC 55							N1 N2						
Th-fare	A	A	A	A	A	A	N1 N2	B	B	B	B	B	B
PUD	Determined by Administrator						N1 N2	Determined by Administrator					

N1: Unless otherwise specified in Chapter 3, non-residential uses located in a Residential Use District shall follow the requirements listed for the NMX District.

~~Large Deciduous Trees planted 40 feet on-center.~~

N2: Large Deciduous Trees planted 40 feet on-center.

~~Perimeter Buffer needs to meet opacity requirements of Type B and supplemented if sufficient vegetation does not exist in Conservation Buffer Area.~~

N3. Conservation Buffer Area needs to meet the opacity requirements for a Type B Perimeter Buffer and supplemented if sufficient vegetation does not exist in the Conservation Buffer Area.

Part 52: Chapter 5 Landscaping; Table 5.3-1 Perimeter Buffer Types and Standards, Table 5.3-B Perimeter Buffer Types, Table 5.6-A Parking Area Screening, Table 5.5-A Continuous Street Tree Planting Strips, Table 5.5-1: Approved Street Tree Species, Table 5.4-1: Prohibited Species, and Table 5.6-1: Required Plat Size:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct sequencing, as follows:

Table 5.3-1 Perimeter Buffer Types and Standards shall be renumbered as **5.3.1-A** - Perimeter Buffer Types and Standards

Table 5.3-B Perimeter Buffer Types shall be renumbered as **5.3.1-B** - Perimeter Buffer Types

Table 5.6-A Parking Area Screening shall be renumbered as **5.3.2-A** - Parking Area Screening

Table 5.5-A Continuous Street Tree Planting Strips shall be renumbered as **5.3.5-A** - Continuous Street Tree Planting Strips

Table 5.5-1: Approved Street Tree Species shall be renumbered as **5.3.5-B** - Approved Street Tree Species

Table 5.4-1: Prohibited Species shall be renumbered as **5.4.1-A** - Prohibited Species

Table 5.6-1: Required Plat Size shall be renumbered as **5.6.1-A** - Required Plat Size

Part 53: Chapter 6 Parking; Table 6.3.A Table of Permitted Vehicle Parking Locations:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to clarify locations for non-residential uses in Residential Use Districts, remove "Development Plan Review" option (undefined), and make terminology correction, as follows:

TABLE 6.3.-A - TABLE OF PERMITTED VEHICLE PARKING LOCATIONS (N1)					
CONTEXT-USE CATEGORIES	REAR YARD ONLY	SIDE AND REAR YARD ONLY	FRONT YARD RESTRICTED	UNRESTRICTED	ALL YARDS WITH RESTRICTIONS
Residential Uses					
Detached and Attached Dwellings on lots less than 60 ft wide	Permitted	Permitted	Not Permitted	Not Permitted	Not Permitted

Detached and Attached Dwellings on lots 60 ft or greater in width	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
All other Residential Uses	Permitted	Permitted	Not Permitted	Not Permitted	Not Permitted
All other non-residential uses	Permitted	Permitted	Not Permitted	Not Permitted	Not Permitted
All Other Uses (by Use District)					
NMX / DMX	Permitted	Permitted	Not Permitted	Not Permitted	Not Permitted
RMX / IVMX	Permitted	Permitted	Development Plan Review Permitted	Not Permitted	Not Permitted
CB	Permitted	Permitted	Permitted	Development Plan Review Permitted	Not Applicable Not Permitted
SD	Established During Rezoning with a Conditional Zoning District (CD)				
BRT / HI	Permitted	Permitted	Permitted	Permitted	Not Applicable
N1: Alternate permitted vehicle parking locations may be considered with a Conditional Zoning District (CD)					

Part 54: Chapter 6 Parking; Table 6.4.A - Vehicle Parking Requirements:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to clarify bicycle parking exemption, add outdoor seating to parking requirements for commercial uses, modify hospital parking, and modify table notes for maximum parking, as follows:

TABLE 6.4.-A - VEHICLE PARKING REQUIREMENTS (N1)

LAND USE	MINIMUM VEHICLE PARKING RATIO	MAXIMUM VEHICLE PARKING RATIO (N1 N2)	EXEMPT FROM BICYCLE PARKING	ADDITIONAL REQUIREMENTS
RESIDENTIAL USES				
Apartment Dwelling	1 / unit	3 / unit	-- No	--
Detached & Attached Dwellings	2 / unit	None	Yes	Attached dwellings must provide required parking + 10% for guest parking
Group Home	0.5 / bedroom	None	Yes	--
Residential Care Facilities	None	None	Yes	--
All other Residential Uses	1 / unit	None	-- No	--
LODGING USES				
Bed and Breakfast	1 / guest room	None	-- No	--
All other Lodging Uses	1 / guest room	1.5 / guest room	-- No	--
OFFICE AND SERVICE USES				
Family Child Care Home	2 / unit	None	Yes	--
Hospital	Study Required	None	-- No	See 6.4.1.C
Medical Office	4 / 1,000 sf	6 / 1,000 sf	-- No	--
Mortuary/Funeral Home/Crematory	4 / 1,000 sf	6 / 1,000 sf	Yes	Ratio based on the primary assembly area.
All other Office and Service Uses	2 / 1,000 sf	4 / 1,000 sf	-- No	--

RETAIL, DINING, AND ENTERTAINMENT USES				
Amusement (Outdoor)	None	None	No	--
Bar/Nightclub/Tasting Room	5 / 1,000 sf	10 / 1,000 sf	No	Outdoor seating is included in the parking ratio calculation
Food/Restaurant Uses	3 / 1,000 sf	5 / 1,000 sf	No	Outdoor seating is included in the parking ratio calculation
Nightclub	5 / 1,000 sf	None	No	Outdoor seating is included in the parking ratio calculation
Theater	1 / 3 seats	None	No	--
Integrated Center or all other Retail, Dining, and Entertainment Uses	2 / 1,000 sf	4 / 1,000 sf	No	Outdoor seating is included in the parking ratio calculation
PUBLIC AND INSTITUTIONAL USES				
Religious Use	1 / 4 fixed seats in main assembly area, or if no fixed seats, 1 / 50 sf in main assembly area	None	No	--
All other Public and Institutional Uses	Study Required		No	See 6.4.1.C
RECREATION USES				
Campground	None	None	No	--
Entertainment Facility (Outdoor)	Study Required		No	--
Golf Course	4 / hole	None	No	--
Recreation Facility	Study Required		No	--

All other Recreation Uses	2 / 1,000 sf	4 / 1,000 sf	No	--
AGRICULTURAL, MANUFACTURING, AND DISTRIBUTION USES				
All Agricultural, Manufacturing, and Distribution Uses	1 / 3,000 sf	None	Yes	Office areas are subject to requirements for Office and Service Uses. Non-occupied areas such as mechanical rooms or storage areas shall not be included in total area for minimum parking ratio calculation.
INFRASTRUCTURE USES				
All Infrastructure Uses	None	None	Yes	--
N1: Unique vehicle parking ratio standards may be considered with a Conditional Zoning District (CD). N4N2: For uses without with a maximum vehicle parking ratio listed, an additional 50% of vehicle parking the- maximum parking spaces shall be no more than 150% of the minimum may be provided in accordance with Section 6.7.H.2. Maximum Vehicle Parking Exceptions – Pervious Pavement Required.				

Part 55: Chapter 6 Parking; Section 6.4.4 Exceptions to Parking Requirements and Section 6.4.5 Accessible Parking Spaces:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct typographical errors and terminology, as follows:

6.4.4 Exceptions to **Vehicle** Parking Requirements

A. DMX Exemption. There shall be no minimum vehicle parking requirement in the DMX district.

6.4.5 Accessible **Vehicle** Parking Spaces

A. ADA Accessibility. Every off-street **vehicle** parking area and **vehicle** parking garage available to the public shall have **vehicle** parking spaces reserves for the use of physically handicapped persons (as required by ADA Accessibility ~~Guidelines~~ **Guidelines** for Buildings and Facilities, Chapter 4.1.2(5)(a), 1991 edition and later supplements, as amended through September 2002). Guidelines for ADA **vehicle** parking spaces are as follows:

1. For parking lots ~~areas~~ with 1 - 25 total **vehicle** parking spaces, 1 ADA **vehicle** parking space required.
2. For parking lots ~~areas~~ with 26 - 500 total **vehicle** parking spaces, 4% of the total number of **vehicle** parking spaces must be ADA accessible.

3. For parking ~~spaces~~ **areas** with 500+ total **vehicle** parking spaces, 2% of the total number of **vehicle** parking spaces must be ADA accessible.

Part 56: Chapter 6 Parking; Section 6.7 Construction and Maintenance Standards:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct typographical errors and terminology, as follows:

6.7.1 Construction Standards

A. Layout. The layout of all off-street **vehicle** parking areas shall be in compliance with the requirements set forth in the ~~Town's~~ Engineering Design and Construction Standards.

B. Landscaping. Except individual detached dwellings and attached dwellings, the landscaping of all off-street **vehicle** parking areas shall comply with Section 5.3.2. **and 5.3.3.**

C. Separation from Buildings. Except individual detached dwellings or attached dwellings, all off-street **vehicle** parking spaces, off-street **vehicle** parking areas and interior access drives shall maintain a minimum 5 foot separation from the wall of a building.

D. Definition of **Vehicle** Parking Spaces. Except individual detached dwellings and attached dwellings, all off-street **vehicle** parking spaces shall be provided with a raised curb, wheel stops or other devices to insure that motor vehicles do not encroach beyond the vehicle parking area or into a required perimeter ~~landscape screen~~ **buffer**.

E. **Vehicle** Parking Space Size. **Vehicle** parking spaces shall be in compliance with the requirements set forth in the Engineering Design and Construction Standards.

F. Golf Carts. Up to 5% of the total number of **vehicle** parking spaces provided may be designated for golf cart parking. Additional **golf cart** parking spaces for recreational uses may be permitted by the Administrator.

G. Length of Driveway Stem. Except individual detached dwellings and attached dwellings, the driveway stem into an off-street **vehicle** parking area shall be kept clear from the maneuvering movements necessary to support individual vehicle parking spaces as specified in the ~~Town's~~ Engineering Design and Construction Standards.

H. Surface of **Vehicle** Parking Areas.

1. Principal Use **Vehicle** Parking Areas. All required vehicle parking areas and any driveway, interior access driveway or interior access drive to and from such vehicle parking areas shall be hard surfaced with asphalt, concrete or other material to provide a durable, dust free surface.

- a. Residential buildings converted to a nonresidential use less than 5,000 square feet in building area are exempt from the hard surface requirement as long as a durable and dust free surface is provided.

b. Detached dwellings on lots 2 acres or greater in the Rural Residential District are allowed to provide a gravel driveway instead of a hard surface driveway when located outside of the right-of-way.

2. Maximum **Vehicle** Parking Exceptions - Pervious Pavement Required. Additional **vehicle** parking spaces over the maximum required **vehicle parking ratio** must be constructed with pervious materials approved by the Administrator.

3. Temporary Use **Vehicle** Parking Areas. A permitted temporary use may use an unimproved or gravel surface for the duration of the temporary use. If a temporary gravel surface is provided, such gravel shall be removed and the off-street **vehicle** parking area shall be returned to its prior condition immediately upon cessation of the temporary use.

4. Curb and Gutter Required. Curb and gutter shall be required ~~provided on all permanent vehicle parking areas~~ as specified in the Town's Engineering Design & Construction Standards **on all permanent vehicle parking areas**.

Part 57: Chapter 7 Streets, Utilities and Other Infrastructure; Section 7.1.B. Purpose and Applicability:

Remove text as indicated in ~~strikethrough~~ to remove guilty of misdemeanor and move authority to Chapter 1 (part 1), as follows:

B. The regulations of this Chapter apply to any new development subject to Development Plan or Subdivision review.

~~Any person who subdivides, sells or transfers property without recording a plat shall be guilty of a Class 1 misdemeanor.~~

~~1. Authority. According to the provisions of GS §160D-801 et. seq., the Town has the authority to regulate the subdivision of land within its corporate limits and Extraterritorial Jurisdiction.~~

Part 58: Chapter 7 Streets, Utilities and Other Infrastructure; Table 7.3.1 – Required Improvements:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to modify section references and clarify exceptions may be granted as permitted by the Engineering Design and Construction Standards, as follows:

TABLE 7.3.1 7.2-A - REQUIRED IMPROVEMENTS			
REQUIRE D	RESIDENTIAL USE DISTRICTS STANDARDS	COMMERCIAL & MIXED-USE DISTRICT STANDARDS	EMPLOYEE/CAMPUS USE DISTRICT STANDARDS

IMPROVE MENTS (SECTION REFEREN CE)	R R	SR	NR	NCR	MXR	NMX	DMX	RM X	CB	SP	IVMX	BRT	HI
Undergrou nd Wiring (7.32.3.B)	R	R	R	R	R	R	R	R	R	R	R	R	R
Undergrou nd Drainage (7.32.3.C)	R	R	R	R	R	R	R	R	R	R	R	R	R
Public Water and Hydrants (7.32.3.D)	R	R	R	R	R	R	R	R	R	R	R	R	R
Public Sanitary Sewer (7.- 32.3.E)	R	R	R	R	R	R	R	R	R	R	R	R	R
Curb and Gutter (Engineeri ng Design & Constructi on- Standards- Section- 3.02G7.7.4 .K.)	R*	R*	R*	R*	R*	R*	R*	R*	R*	R*	R*	R*	R*
Paved Streets (7.6.54.4.K)	R	R	R	R	R	R	R	R	R	R	R	R	R
Street Signs (public streets) (7.6.5.4.4 .G.)	R	R	R	R	R	R	R	R	R	R	R	R	R

Street Lights (7.6-5.M4. 4.L.)	R	R	R	R	R	R	R	R	R	R	R	R	R
Sidewalks, Sidepaths, and Greenways (7.86)	R	R	R	R	R	R	R	R	R	R	R	R	R
Street Trees (Section 5.3.5)	R	R	R	R	R	R	R	R	R	R	R	R	R
KEY: R – Required *Exceptions requested to the Engineering Design and Construction Standards may be granted subject to approval by the Executive Director of Utilities and Infrastructure, or designee)													

Part 59: Chapter 7 Streets, Utilities and Other Infrastructure; Section 7.2.3.B.2. Underground Installation of Utility Lines Required, Relocation:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to remove duplicate terminology and to clarify that decision to collect fee in lieu may be determined by decision making body for the project, as follows:

2. Relocation. Where any Major Subdivision, ~~attached dwelling project~~, or Development Plan is proposed, existing overhead utility lines along or through the proposed development shall be relocated underground. Where the existing utility service is of a nature where relocation underground does not meet the criteria for underground relocation established by the utility provider, the ~~Town Council~~ **decision-making body** may waive this requirement upon recommendation of the Administrator and payment of a fee-in-lieu of such relocation.

Part 60: Chapter 7 Streets, Utilities and Other Infrastructure; Section 7.2.3.D. Water Utilities:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct spelling, as follows:

Water Utilities. Each lot in a Major Subdivision or Development Plan within the Town and its ~~Extraterritorial~~ **Extraterritorial** Jurisdiction shall be provided, at the developer's or subdivider's expense, with municipal water services. Any water lines connections, services, and equipment so extended shall be installed in accordance with the Engineering Design & Construction Standards.

Part 61: Chapter 7 Streets, Utilities and Other Infrastructure; Section 7.2.3.E. Sanitary Sewer

Utilities:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct spelling, as follows:

Sanitary Sewer Utilities. Each lot in a Major Subdivision or Development Plan within the Town and its ~~Extraterritorial~~ **Extraterritorial** Jurisdiction shall be provided, at the developer's or subdivider's expense, with municipal sanitary sewer services. Any sanitary sewer lines, connections, services, and equipment so extended shall be installed in accordance with the Engineering Design & Construction Standards. Connection to municipal water service is required with sanitary sewer service connection.

Part 62: Chapter 7 Streets, Utilities and Other Infrastructure; Section 7.5 Traffic Impact Analysis:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to update for consistency with the Traffic Study policy adopted with the Comprehensive Transportation Plan, as follows:

7.5 TRAFFIC IMPACT ANALYSIS **STUDIES**

7.5.1 Introduction

The Town has developed thresholds for Traffic Impact Analyses (TIAs) **Studies** and ~~other traffic assessments~~ associated with land development applications. The study area and parameters for those studies are referenced in the Traffic ~~Impact Analysis~~ **Study** Policy **in the Development Procedures Manual**. Development application approval is contingent upon the satisfactory completion of a ~~TIA~~ **Traffic Study** where required. **The Traffic Study** ~~TIA~~ must be completed at the developer's expense.

7.5.2 Tiers of Traffic Analysis **Study**

Three tiers of traffic analysis **study** (based on the study thresholds identified herein) are outlined below, and the Administrator reserves the right to require alternative levels of analysis on a case-by-case basis:

A. **Tier 1:** ~~A-Trip Generation and Distribution Analysis (TGDA). is designated f~~**For** developments that are not expected to generate significant site traffic or have significant impacts at off-site intersections. This tier of ~~analysis~~ **study** would require a summary of the anticipated trip generation and site traffic distribution but would not require any capacity analyses.

B. **Tier 2:** ~~A Limited~~ **Site Specific** Traffic Assessment (**LSSTA**). ~~is designated f~~**For** developments when site traffic is significant enough to potentially necessitate limited improvements to the transportation network. This tier of ~~analysis~~ **study** would typically require analysis of site driveways and critical ~~adjacent~~ **nearby** intersections in a ~~narrow-limited~~ study area and would require coordination through the Town's ~~analysis~~ **Traffic Study** scoping process.

C. **Tier 3:** ~~A-Traffic Impact Analysis (TIA). is designated f~~**For** developments when site traffic is significant enough to potentially necessitate improvements to the transportation network beyond

site access points or adjacent intersections. This tier of ~~analysis~~ **study** would typically require analysis of critical intersections within **at least** a 1-mile radius of the site and would require coordination through the Town's and NCDOT's ~~analysis~~ **Traffic Study** scoping process.

7.5.3 Traffic ~~Analyses~~ Study Thresholds

Thresholds for required traffic ~~analyses~~ **studies** will be determined based upon the amount of site-generated vehicular traffic as defined below. The calculations of net new external vehicular trips as used in this section shall be based on the current Institute of Transportation Engineers (ITE) Trip Generation Manual. If an applicable ITE land use is not available or contains limited data, or if additional use-specific trip generation is provided, an alternative trip generation methodology may be approved by the Administrator.

Table 7.7.3 - Study Thresholds		
Level of Study Daily Traffic	Volume Threshold (vehicles per day)	Peak Hour Traffic Volume Threshold (Vehicles per day)
Tier 1: Trip Generation and Distribution Assessment (TGDA)	300-499	30-49
Tier 2: Site Specific Limited Traffic Assessment (LSSTA)	500-999	50-99
Tier 3: Traffic Impact Analysis (TIA)	1,000+	100+

7.5.4 Qualifications Required to Conduct Traffic ~~Impact Analysis~~ **Studies**

The ~~analysis~~ **Traffic Studies** must be signed and sealed by a Professional Engineer (PE) in the State of North Carolina with relevant traffic engineering experience. The Administrator reserves the right to make a determination as to whether a particular engineer meets this criterion.

7.5.5 Analysis Scope and Methodology

Prior to conducting a ~~TIA~~ **Traffic Study**, the required scope and methodology ~~should~~ **shall** be developed in coordination with the Town and the NCDOT to ensure that technical requirements are met. Typical scope items expected to be included in ~~LTAs and TIAs~~ **Traffic Studies** are noted below; however, additional detail may be requested by the ~~Town~~ **Administrator** or the NCDOT for certain tasks due to local knowledge of the area to address concerns or meet other prior planning or engineering requirements.

- A. Site location and existing conditions.
- B. Study intersections.
- C. Anticipated development elements including land uses and intensities, site access, and build-out year.
- D. Volume development methodology, including traffic counts, background traffic,

annual growth rate, and trip generation.

E. Anticipated site traffic distribution.

7.5.6 Transportation Mitigation Agreement

A Transportation Mitigation Agreement (TMA) shall summarize the on- and off-site improvements required to adequately mitigate the project's impacts to the Town's transportation system, including vehicular, pedestrian, and bicycle improvements, the thresholds and deadlines for construction of any improvements if improvements are planned to be phased, and the payment of fees in lieu of required improvements (if applicable). The required mitigation shall be designed and constructed by the Applicant at the Applicant's expense.

Part 63: Chapter 7 Streets, Utilities and Other Infrastructure; Section 7.6.6 Greenways:

Add text as indicated in **bold** and remove text as indicated in ~~striketrough~~ to correct typographical errors, as follows:

7.6.6 Greenways

When land proposed for development is adjacent to a Greenway indicated in the Comprehensive Plan or other adopted plan of the Town, such greenway shall be dedicated to the **Town** and improved consistent with the following standards:

A. Greenways shall be constructed in compliance with ~~TOHS~~ **the** Engineering Design and Construction Standards ~~Standards~~.

B. Greenway Easement width shall be a minimum of 30 feet unless otherwise approved by Town Council.

C. Pursuant to GS § 160D-702 (b), land shall be dedicated and reserved within ~~in~~ each project for greenway right-of-way purposes.

Part 64: Chapter 7 Streets, Utilities and Other Infrastructure; Section 7.6.6.G. Greenways:

Add text as indicated in **bold** and remove text as indicated in ~~striketrough~~ to Section 7.6.6.G. Greenways to correct typographical errors, as follows:

G. Alternate Compliance. Alternatives to the greenway requirements may be proposed according to the following:

1. The proposed connection is consistent with the purpose of Section ~~7.5~~ **7.3** Connectivity.
2. An alternate greenway connection may be provided to meet this requirement with sufficient easement width, subject to the approval of the Administrator.
3. A fee-in-lieu of construction costs may be provided so that the Town may construct the greenway.

Part 65: Chapter 7 Streets, Utilities and Other Infrastructure; Section 7.7 Improvement Guarantees:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to remove text that is additionally found in Chapter 11, as follows:

7.7 Improvement Guarantees

The developer shall be required to post a **performance bond, or other surety acceptable to the Town, for all unfinished improvements at the time of final plat approval, as certified by the Administrator, in compliance with the provisions of Section 11.14 – Construction Drawings of this UDO.** ~~performance guarantee equal in amount to 150% of the cost of the unfinished improvements at the time of final plat approval (as certified by the Administrator. The unfinished improvements should typically be the asphalt surface course and sidewalks/sidepaths. A performance guarantee shall be in the form of a surety bond, letter of credit, or escrow account. In the event the required improvements are not completed within the time specified by the Administrator, the Town may let or relet a contract for the purpose of completing the unfinished improvements of the project using the posted security.~~

Part 66: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.1 Purpose & Intent:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to clarify standards apply generally and not to specific review types, as follows:

8.1 PURPOSE & INTENT

These regulations recognize the unique character of land and development throughout the Town and the need for flexibility in the design of buildings and sites. ~~The requirements of this chapter shall apply to all Type 2a-Type 7 reviews described in Section 11.4 of this UDO.~~

Building, Site & Subdivision Lot Design standards are established to promote development that:

- A. is compatible with nearby properties, community character, and natural features;
- B. minimizes pedestrian and vehicular conflict;
- C. reinforces public spaces; and,
- D. visually enhances development and sites.

Part 67: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.C.1 Building Design Standards, Building Types, Residential Buildings:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to add missing Manufactured Dwelling design standards section reference, as follows:

C. Building Types.

The following building types are allowed in various zoning districts as provided in Chapter 3, Table 3.2.A.

1. Residential Buildings. All new buildings in Residential Use Categories shall follow Residential Building Standards. **For Building Design Standards for Manufactured Dwellings** ~~See Additional Requirements~~ **Use Provisions** for Manufactured Dwellings in Chapter 3 .

Part 68: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.D. Building Design Standards, Building Scales:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to clarify building sizes ranges, as follows:

D. Building Scales

1. Small Building – Any building less than or equal to 25,000 square feet floor area.
2. Medium Building – Any building greater than 25,000 but less than 75,000 square feet floor area.
3. Large Building – Any building greater than **or equal to** 75,000 but less than 200,000 square feet floor area.
4. Extra Large Building – Any building greater than **or equal to** 200,000 square feet.

Part 69: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.F.3 Building Design Standards, Encroachments, Balconies and Table 8.2.E. Building with Balconies Encroaching into the Right-of-way:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to modify and clarify standards for balconies, as follows:

3. Balconies. ~~Where provided,~~ **Upper level** balconies may encroach into the required setback **or right-of-way, with an encroachment agreement**, by up to 3 feet ~~at ground level.~~ ~~Upper-level balconies may extend into the right-of-way with an encroachment agreement.~~ A minimum of 10 feet of vertical clearance must be maintained from the sidewalk grade. Balconies may have roofs but cannot be screened or glassed.

8.2-E Building with Balconies Encroaching Encroaching into the Right-of-Way (image to remain unchanged)
--

Part 70: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.F.5 Building Design Standards, Encroachments, Awnings, canopies, and marquees:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct terminology and typographical errors, as follows:

5. Awnings, canopies, and marquees. Where provided, **awnings (without signage), canopies, and marquees** ~~marquees, canopies and awnings (without signage)~~ may extend into the right-of-way up to the back of the curb, subject to an encroachment agreement with the Town of NCDOT, up to a maximum of 8 feet from the building. A minimum of 8 feet of vertical clearance must be maintained from a walkway. A minimum of 15 feet of vertical clearance must be provided over a driveway, interior access drive, ~~of~~ **or** alley. Awnings ~~shall~~ **may** be made of fabric, but high-gloss and plasticized fabrics are prohibited.

Part 71: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.a.vi
Façade Standards, Residential Building Standards:

G. 4. a. vi. Residential Building Standards, subsections (i), (ii), (viii), (iv), and (v) shall be lettered as (a), (b), (c), (d), and (e) respectively, and their subsections shall be relettered accordingly.

Part 72: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.a.vii
Façade Standards, Commercial/Mixed-Use Building Standards:

G. 4. a. vii. Commercial/Mixed-Use Building Standards, subsection (i) shall be lettered as (a) and subsections shall be relettered accordingly.

Part 73: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.a.viii
Façade Standards, Industrial and Warehouse Building Standards:

G. 4. a. viii. Industrial and Warehouse Building Standards, subsection (i) shall be lettered as (a) and subsections shall be relettered accordingly.

Part 74: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.a.ix
Façade Standards, All Other Façades:

G. 4. a. ix. All Other Façades subsection (i) and (ii) shall be lettered as (a) and (b).

Part 75: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.b.i.
Façade Standards, Bulk and Massing, All Building Standards:

G. 4. b. i. All Building Standards subsections (i), (ii), (viii), and (iv) shall be lettered as (a), (b), (c), and (d) respectively, and their subsections shall be relettered accordingly.

Part 76: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.b.ii.
Façade Standards, Bulk and Massing, Residential Building Standards:

G. 4. b. ii. Residential Building Standards subsections (i) and (ii) shall be lettered as (a) and (b) respectively, and their subsections shall be relettered accordingly.

Part 77: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.b.iii.
Façade Standards, Bulk and Massing, Commercial/Mixed-Use Building and Industrial Warehouse Building Standards:

G. 4. b. iii. Commercial/Mixed-Use Building and Industrial Warehouse Building Standards subsections (i) and (ii) shall be lettered as (a) and (b) respectively, and their subsections shall

be relettered accordingly.

Part 78: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.c.i. Façade Standards, Roof Expression, Residential Building Standards:

G. 4. c. i. Residential Building Standards subsections (i), (ii), and (iii) shall be lettered as (a) (b), and (c) respectively.

Part 79: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.c.ii. Façade Standards, Roof Expression, Commercial/Mixed-Use Building and Industrial Warehouse Building Standards:

G. 4. c. ii. Commercial/Mixed-Use Building and Industrial Warehouse Building Standards subsections (i), (ii), (iii), and (iv) shall be lettered as (a) (b), (c), and (d) respectively.

Part 80: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.d.i. Façade Standards, Façade Activation, All Building Standards:

G. 4. d. i. All Building Standards subsections (i) and (ii) shall be lettered as (a) and (b) respectively, and their subsections shall be relettered accordingly.

Part 81: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.d.ii. Façade Standards, Façade Activation, Residential Building Standards:

G. 4. d. ii. Residential Building Standards subsection (i) shall be lettered as (a), and the subsections shall be relettered accordingly.

Part 82: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.d.iii. Façade Standards, Façade Activation, Commercial/Mixed-Use Building Standards:

G. 4. d. iii. Commercial/Mixed-Use Building Standards subsections (i), (ii), and (iii) shall be lettered as (a) (b), and (c) respectively, and their subsections shall be relettered accordingly.

Part 83: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.d.iv. Façade Standards, Façade Activation, Industrial Warehouse Building Standards:

G. 4. d. iv. Industrial Warehouse Building Standards subsections (i), (ii), and (iii) shall be lettered as (a) (b), and (c) respectively, and their subsections shall be relettered accordingly.

Part 84: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.G.4.e.i. Façade Standards, Human Scale Elements:

G. 4. e. i. Human Scale Design Elements subsections (i) – (xvii) shall be lettered as (a) – (q) respectively.

Part 85: Chapter 8 Building, Site & Subdivision Lot Design Standards, Section 8.2.H. Screening:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct numerical

sequencing error, as follows:

H. Screening.

1. Rooftop mechanical equipment shall not be visible from any street or adjacent Residential Use District. Equipment that is no longer in use must be removed. When the roof line is below such grade, rooftop mechanical equipment shall be painted to match the color of the roof material to reduce the visual impact.

2. The following project elements shall be concealed and contained or screened from public view with materials similar to the structure, or they shall be located so as not to be visible from any public view or from potential buildings nearby:

- a. Utility meters (must also be painted to match building material color);
- b. Storage areas;
- c. Solid waste containers;
- d. Transformers, to the extent practical;
- e. Generators; and
- f. Similar features or other utility hardware on the building, roof, or ground.

g. **3.** Building mounted equipment or pipes shall be painted to match the building regardless of visibility.

Part 86: Chapter 8 Building, Site & Subdivision Lot Design Standards; Section 8.4.B.3 Site Design, Pedestrian Access:

Add text as indicated in **bold** and remove text as indicated in ~~striketrough~~ to clarify provisions for residential and non-residential uses as follows:

3. Pedestrian access. In addition to the design criteria set forth in ~~Section 7.6.4 — Street Design by Classification~~ **Chapter 7**, the street, sidewalk, sidepath, and greenway systems of any detached dwelling unit development shall be designed to **as follows:**

a. ~~Pedestrian access shall be designed to~~ **All Use Categories:**

- i. maximize the internal connection of local streets within the site;
- ii. minimize the use of cul-de-sac streets;
- iii. maximize the connectivity of streets within the site with surrounding streets or development;
- iv. include a sidewalk, sidepath or greenway system which functionally connects the various required open space elements of the site and all buildings;
- v. provide a direct linkage to any Town **sidepath or** greenway which abuts or is

adjacent to the site; and,

vi. provide a vista termination for all internal streets so that no uninterrupted street segment extends for more than 1,350 feet.

b. Non-residential Uses **Categories** Authorized by Special Use Permit in a Residential-Use District, Commercial/Mixed Use Districts, and Employment/ Campus Districts. Any ~~mixed-use, commercial, employment or campus project~~ shall **be designed** include a ~~walkway or pedestrian / bikeway system~~ complying with the following **additional** requirements:

i. functionally connect front doors, storefronts, or primary building entries with planned or existing public sidewalks, **sidepath, or greenway** on each public street frontage of the project;

ii. ~~provide a direct linkage to any planned or existing Town greenway which abuts or is adjacent to the project;~~

iii. provide a direct and functional connection from the front doors, storefronts, or primary building entries to any on-site, off-street **vehicle** parking area; and,

iv. provide for decorative identifiable pedestrian crossing treatments along functional pedestrian routes wherever a ~~private walkway or pedestrian/bikeway~~ **sidewalk, sidepath, or greenway** system crosses an interior access drive or interior access driveway.

Part 87: Chapter 8 Building, Site & Subdivision Lot Design Standards; Section 8.4.C.2. Site Design, Loading:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to clarify location of off-street loading areas, as follows:

2. Loading. Off-street loading spaces shall be designed and constructed so that all maneuvering to park vehicles for loading and unloading can take place entirely within the property lines of the premises.

a. Off-street loading shall be located on the rear or **interior** side (~~in the case of corner lots~~) side of the building.

Part 88: Chapter 8 Building, Site & Subdivision Lot Design Standards; Section 8.4.D.1.i. General Design Standards, Layout Criteria:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct typographical errors, as follows:

i. provides a widened area as a visitor drop-off zone near the building entrance or a walkway, sidepath, or greenway which provides a direct connection to the building entrances; and,

Part 89: Chapter 8 Building, Site & Subdivision Lot Design Standards; Section 8.4.D.2.a.

General Design Standards, Minimum Dimensions:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct typographical errors, as follows:

- a. Minimum Dimensions. The pedestrian island shall be at least 5 feet in width.

Part 90: Chapter 8 Building, Site & Subdivision Lot Design Standards; Section 8.4.E. Lighting:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct typographical errors, as follows:

E. Lighting. This section does not address street lighting on public or private streets – refer to the Town Engineering Design and Construction Standards.

1. Intent. The lighting standards contained in this Section are ~~intended~~ **intended** to provide for the ~~design~~ **design** and placement of outdoor light fixtures which:

Part 91: Chapter 8 Building, Site & Subdivision Lot Design Standards; Table 8.4.A: Lighting Standards:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ Table 8.4.A: Lighting Standards to correct typographical errors, as follows:

TABLE 8.4.-A: - LIGHTING STANDARDS		
District	Type of Fixture	Maximum Heights of Pole and Base
RR, SR, NR	Full Cutoff Cutoff	32'
	Non-Cutoff (1)	20'
NCR, MXR, NMX, DMX, PUD	Full Cutoff Cutoff	32'
	Non-Cutoff (1)	20'
SP, CB	Full Cutoff	32'

	Non-Cutoff (1)	16'
BRT, HI	Full Cutoff	32'
(21) NON-CUTOFF OUTDOOR LIGHT FIXTURES SHALL BE LIMITED TO WALKWAYS, OUTDOOR SEATING AREAS OR OTHER AREAS APPROVED FOR SUCH FIXTURES AS PART OF DEVELOPMENT PLAN APPROVAL.		

Part 92: Chapter 8 Building, Site & Subdivision Lot Design Standards; Section 8.4.E.10 Lighting, Maintenance of Outdoor Fixtures:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct a spelling error, as follows:

10. Maintenance of Outdoor Fixtures. All light fixtures and light poles shall be maintained and ~~repared~~ **repaired** if inoperable.

Part 93: Chapter 8 Building, Site & Subdivision Lot Design Standards; Section 8.4.E.17.b. Lighting, Lighting Plans:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct a spelling error, as follows:

b. A ~~photo-metric~~ **photometric** plan superimposed on the site plan, indicating the location, and aiming of outdoor light fixtures and illumination levels in compliance with the regulations of this Section.

Part 94: Chapter 8 Building, Site & Subdivision Lot Design Standards; Section 8.5.4.F.2. Subdivision Lot Design, General Design Standards for Subdivisions:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct a typographical error, as follows:

2. Whenever a dwelling unit is served by ~~and~~ **an** individual mailbox, the mailbox shall be located on the street frontage which corresponds to the main entrance to the dwelling unit and the street address used for the lot.

Part 95: Chapter 8 Building, Site & Subdivision Lot Design Standards; Section 8.6.C.2. Historic Preservation, Incentive Application:

Remove text as indicated in ~~strikethrough~~ to correct a sequencing error, as follows:

2. Historic Preservation Goals: A project seeking to use incentives shall demonstrate how preservation, rehabilitation, or adaptive reuse of historic structures will achieve the following Town preservation goals:

- a. The requested incentives will significantly preserve the historic materials, features, and/or spatial relationships that characterize the historic structure; and,
 - b. The requested incentives are the appropriate methods to ensure the long-term preservation of the historic structure; and,
 - c. The preservation, rehabilitation, or adaptive reuse of the historic structure is consistent with the intent of the Comprehensive Plan; and,
 - d. The preservation, rehabilitation, or adaptive reuse of the historic structure is consistent with the intent and purpose of this UDO.
- e. All findings of the Preservation Goals (specified above) shall be documented in writing and signed by the Administrator and retained as a part of the permanent record of the determination.

Part 96: Chapter 9 Signs; Section 9.2 Signs, Applicability:

Add text as indicated in **bold** to relocate Section 9.5.2 Waiver of Sign Regulations (part 97) to new Section 9.2.A. and B., and clarify applicable application types, as follows:

9.2 Applicability

The regulations contained in this Chapter shall apply to the location, erection and maintenance of signs in any district regulated by this UDO.

A. Waiver of Sign Regulations

A waiver of the regulations contained in this Chapter may be heard and determined in connection with either a petition for a Conditional Zoning District (CD), Special Use Permit, Development Plan, or Major Subdivision Plan.

A waiver of the regulations contained in this Chapter may only be granted upon making the following findings:

- 1. The proposed signs are harmonious to the buildings and sites which they occupy;**
- 2. The proposed signs will not create a hazard to motorists or pedestrians resulting from the sign location, size or configuration;**
- 3. The proposed signs will not increase the total combined sign surface area allowed for the front sign zone, interior sign zone and building signs on the lot, outlot, integrated center, business park, industrial park, subdivision or building served by the proposed signs;**
- 4. The proposed signs will result in an overall pattern of signs for the lot, outlot, integrated center, business park, industrial park, subdivision or**

building which is equivalent to or superior to that achievable under the applicable regulations;

5. The proposed signs will be compatible with and will enhance the use or value of area properties;

6. The proposed signs are consistent with the intent of the Comprehensive Plan; and,

7. The proposed signs are consistent with the intent and purpose of this UDO.

B. The Town Council may suspend temporary sign regulations during a declared emergency, natural disaster or pandemic.

Part 97: Chapter 9 Signs; Section 9.5.2 Signs, Prohibited Signs, Waiver of Sign Regulations:

Add text as indicated in **bold** to relocate Section 9.5.2 Waiver of Sign Regulations to new Section 9.2.A. and B. (part 96), as follows:

9.5.2 Waiver of Sign Regulations

~~In order to avoid undue hardship and to expedite the zoning approval process for developments within the Town and its Extraterritorial Jurisdiction, a waiver of the regulations contained in this Chapter may be heard and determined in connection with either a petition for zoning map change, development plan, or subdivision plan.~~

~~A waiver of the regulations contained in this Section may only be granted upon making the following findings:~~

~~A. The proposed signs are harmonious to the buildings and sites which they occupy;~~

~~B. The proposed signs will not create a hazard to motorists or pedestrians resulting from the sign location, size or configuration;~~

~~C. The proposed signs will not increase the total combined sign surface area allowed for the front sign zone, interior sign zone and building signs on the lot, outlot, integrated center, business park, industrial park, subdivision or building served by the proposed signs;~~

~~D. The proposed signs will result in an overall pattern of signs for the lot, outlot, integrated center, business park, industrial park, subdivision or building which is equivalent to or superior to that achievable under the applicable regulations;~~

~~E. The proposed signs will be compatible with and will enhance the use or value of area properties;~~

~~F. The proposed signs are consistent with the intent of the Comprehensive Plan; and,~~

~~G. The proposed signs are consistent with the intent and purpose of this UDO.~~

~~The Town Council may suspend temporary sign regulations during a declared emergency, natural disaster or pandemic.~~

Part 98: Chapter 10 Nonconforming Situations, Section 10.5.D.1. Nonconforming Signs, Nonconforming Temporary Signs:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct inconsistent text, as follows:

1. Nonconforming Temporary Signs. All nonconforming ~~permanent~~ **Temporary** Signs on a property shall be amortized within ~~one~~ **1** year of the effective date of this Chapter.

Part 99: Chapter 11 Administration & Decision-Making Bodies, Section 11.3.2.B. Decision-Making Bodies, Development Review Committee:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to expand membership of the DRC, as follows:

B. Composition/Membership. The DRC membership shall include representation from ~~various~~ **the following** Town departments ~~including, but not limited to:~~ Development Services, Utilities and Infrastructure, Parks and Recreation, **Public Works, Police, Fire, Administration,** and Economic Development. ~~The Administrator~~ **Each department** may designate specific Town staff to serve on the committee.

1. The Administrator shall maintain a DRC membership roster, assign alternate members, and fill vacancies. The Administrator shall serve as the DRC Chairperson to lead meetings (as necessary) and to oversee committee operations.

2. The DRC shall include ~~5~~ **8** voting members **representing the various Town departments** as designated by the Town Manager. Other DRC members shall include Town Staff that work in an advisory role to provide technical assistance relating to **UDO** application/permit review.

3. The Chairperson my designate members of Town Staff to represent the Committee for Type – 0 Sketch Plan Reviews.

Part 100: Chapter 11 Administration & Decision-Making Bodies; Table 11.4-A Review Matrix:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to modify the order of columns to correct sequence, move Construction Drawing from DRC to Administrator Review, Require Neighborhood Meeting for Development Plan under 40,000 Sq. Ft. and Special Use Permits, and add new Type 7 Review for miscellaneous review types and move reviews from Type 6 to Type 7, as follows:

TABLE 11.4-A: REVIEW MATRIX

(*H) = Public Hearing Format Required								
Review Type	Application/Petition Types	Sketch Plan Review	Review and Recommendation Body	Applicant Neighborhood Meeting	Review and Recommendation Body	Sketch Plan Review	Final Decision-Making Body	Appeal Authority
Type 0 - Sketch Plan	Sketch Plan / Pre-Submittal Meeting	N/A	Town Staff / Various Departments	Not Required	Town Staff / Various Departments	N/A	Development Review Committee (DRC) (For Non-Binding Review Only)	N/A
Type 1 - Administrative Action (Administrator review)	- Administrative Adjustments - Administrator's Interpretation Construction Drawings - Environmental Permits (involving the requirements of Chapter 8 of the Holly Springs Code of Ordinances) - Exempt Subdivision - Final Plat	Not Required	N/A	Not Required	N/A	Not Required	Administrator	1st Appeal: Board of Adjustment (BOA) (*H) 2nd Appeal: Superior Court

	- Minor Modifications (involving previously approved applications/petitions) - Minor Residential Subdivision (involving 4 or less resulting lots AND no new street right-of-way) - Permitted Uses (pursuant to Table 3.2 AND not involving a Development Plan) - UDO Permit/Temporary Use Permit							
Type 2a – Administrative Action (Development Review Committee / DRC review)	Construction Drawings - Development Plans (not involving properties in the DMX, buildings over 40,000-sf, and/or Special Use Permits)	Required	Town Staff / Various Departments	Not Required (see Section 11.5 and Table 11.5-A)	Town Staff / Various Departments	Required except Construction Drawings	Development Review Committee (DRC)	1st Appeal: Board of Adjustment (BOA) (*H)

								Except, appeals relating to Environmental Permits require a Type 2b Review) 2nd Appeal: Superior Court
Type 2b – Quasi-judicial Action (Environmental Appeal Committee Review)	Environmental and/or Riparian Modifications, Variance, and/or Waiver (involving the requirements of Chapter 8 of the Holly Springs Code of Ordinances)	Not Required	Town Staff / Various Departments	Not Required	Town Staff / Various Departments	Not Required	Environmental Appeal Committee (*H)	Superior Court Board of Adjustment (*H)
Type 3 – Quasi-judicial Action (Board of Adjustment Review)	- Special Use Permit Development Plan (involving concurrent Type 3 applications/petitions)	Required	Town Staff / Various Departments	Not Required (see Section 11.5 and Table 11.5-A)	Town Staff / Various Departments	Required	Board of Adjustment (*H)	Superior Court

	- Major Modifications (involving previously approved Type 3 applications /petitions) - Variance (involving concurrent Type 3 applications /petitions)							
Type 4 – Quasi-judicial Action (Board of Adjustment Review)	- Appeals of Administrative Decisions - Variance	Not Required	Town Staff / Various Departments	Not Required	Town Staff / Various Departments	Not Required	Board of Adjustment (*H)	Superior Court
Type 5 – Quasi-judicial Action (Town Council Review)	- Development Plans (involving properties in the DMX, and/or buildings over 40,000-sf, not involving Special Use Permits) - Major Subdivisions (Preliminary Plats)	Required	Town Staff / Various Departments AND Planning Board	Required (see Section 11.5 and Table 11.5-A)	Town Staff / Various Departments AND Planning Board	Required	Town Council (*H)	Superior Court

	- Major Modifications (involving previously approved Type 5 applications /petitions) - Variance (involving concurrent Type 5 applications /petitions)							
Type 6 - Legislative Action (Town Council Review)	Comprehensive Plan Amendments Other Town Planning Policy/Regulatory Actions Long-range Plans / Special Studies (or equivalent) UDO Text Amendments - Zoning Map Amendments - Major Modifications (involving previously approved Type 6 applications /petitions)	Required	Town Staff / Various Departments AND Planning Board	Required (see Section 11.5 and Table 11.5-A)	Town Staff / Various Departments AND Planning Board	Not Required	Town Council (*H)	Superior Court

Type 7 – Other Action s (Town Council Review)	• Comprehensive Plan Amendments • Long-range Plans / Special Studies (or equivalent) • Other Town Planning Policy/Regulatory Actions • UDO Text Amendments • Zoning Vested Right(s) • RESERVED	Not Required	Town Staff / Various Departments	Not Required	Town Staff / Various Departments	Not-Required	Town Council (*H)	Superi or Court (when applica ble)
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Part 101: Chapter 11 Administration & Decision-Making Bodies; Table 11.5-A Notice Schedule:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to Require Neighborhood Meeting for Development Plan under 40,000 Sq. Ft. and Special Use Permits, to expand noticing requirement from 300 feet to 500 feet, to provide consistent terminology in Type 6 decisions, and clarify with notes expanded notice option for large scale rezoning, as follows

Table 11.5-A: Notice Schedule				
Proposed Application/Petition Review Type	Mailing Notice Standards	Site Posting (N1)	Advertising (new publication)	Application Neighborhood Meeting
Type 2a – Administrative Action (Development Review Committee / DRC review)	Not Required	Not Required	Not Required	Required: Mailing notice 500-ft radius around subject site

Type 2b – Quasi-judicial Action (Environmental Appeal Committee)	Required: Adjacent Property Owners Not Required	Required Not Required	Not Required	Not Required
Type 3 – Quasi-judicial Action (Planning Board of Adjustment Review)	Required: 300 500 -ft radius around subject site	Required	Not Required	Not-Required: Mailing notice 500-ft radius around subject site
Type 4 – Quasi-judicial Action (Board of Adjustment review)	Required: 300 500 -ft radius around subject site	Required	Not Required	Not Required
Type 5 - Quasi-judicial Action (Town Council Review)	Required: 300 500 -ft radius around subject site	Required	Not Required	Required: Mailing notice 300 500 -ft radius around subject site and site posting
Type 6 - Legislative Action (Town Council Review) AND Type 7 – Other Actions (Town Council Review)	Required: Applications/ Petitions for Specific Sites/ Properties (e.g., zoning map amendments): Required: Mailing notice 300 500 -ft radius around subject site (N2) . Not Required: Other Legislative Actions involving Town-wide rule/policy changes.	Required:- Applications/ Petitions for Specific Sites/ Properties (e.g., zoning map amendments). Not Required: Other Legislative Actions involving Town-wide rule/policy changes.	 Required : Local newspaper publication	 Required: for Applicant initiated UDO applications/ petitions. Required: Mailing notice 300 500 -ft radius around subject site. Not Required: for Town initiated UDO applications/permits Applications/ Petitions or Other Legislative Actions involving Town-wide rule/policy changes.
Type 7 – Legislative Action (Town Council Review)	Not Required	Not Required	Required: Local newspaper publication	Not Required
N1: When multiple parcels are included, a posting on each individual parcel is not required.				

N2: If a zoning map amendment proposes to change the zoning designation of more than 50 properties, owned by at least 50 different property owners, the expanded published notice provided for in NCGS 160D-602 may be used in lieu of mailing notice.

Part 102: Chapter 11 Administration & Decision-Making Bodies; Section 11.5.F. Public Notification, Neighborhood Meeting Standards:

Add text as indicated in **bold** and remove text as indicated in ~~strike through~~ to clarify timing of required meeting and require notification to the Town, as follows

F. Neighborhood Meeting Standards.

1. Neighborhood Meeting Timeline/Sequencing. When required pursuant to Tables 11.4-A and 11.5-A, the applicant shall host a neighborhood meeting prior to submitting the associated UDO application/permit. **The Neighborhood Meeting shall take place no more than 12 weeks prior to the application date.**

2. Required Meeting Notification Type. ~~For applications involving a specific site/property (including zoning map and comprehensive plan amendments),~~ The applicant shall notify interested parties of the neighborhood meeting through written mailing notices pursuant to Table 11.5-A. Mailing notices shall include surrounding property owners and property owners' associations (or equivalent). **Where the tax records reflect a mailing address for an owner of property to be different than the address of the property owned, notification shall also be mailed to the address of the property itself.**

Prior to mailing the written notices, the applicant shall notify the Town of the scheduled meeting date and time.

The neighborhood meeting notifications shall include the following minimum information pertaining to the application/permit:

- a. Project and applicant names;
- b. Location of proposed action (i.e., address or major cross streets);
- c. Description of the UDO application/permit;
- d. Time, date, and location of the neighborhood meeting. For virtual meetings, the notice shall include a weblink and access numbers (as applicable);
- e. The telephone number and email address to contact the applicant hosting the neighborhood meeting.

3. Meeting Location/Access. The neighborhood meeting shall occur at a physical location and/or in a web-based (virtual) format.

- a. For physical meetings, the venue, whether in a building or outside, shall be rated to accommodate at least 50 participants (pursuant to fire capacity restrictions). **The venue shall be generally accessible to neighbors that reside in close**

proximity to location of proposed action. The applicant shall be responsible for reserving the venue/building, obtaining all leases/approvals, and paying all applicable fees.

b. For web-based meetings, the applicant shall utilize readily available software that is free to access for the public.

4. Meeting Format (Information Presented). The applicant shall schedule a neighborhood meeting for at least a one-hour duration. The meeting shall occur on a Monday, Tuesday, Wednesday, or Thursday and not on nationally recognized holidays. The meeting shall occur between the hours of 4:00pm and 8:00pm. At a minimum, the applicant shall orally explain the proposed UDO application/permit in terms of location, size, and proposed land uses and density, and the requested action from the Town. The applicant shall solicit written and/or oral comment from the participants.

5. Neighborhood Meeting Summary Report. The applicant shall prepare a summary report that explains the meeting format, time/location it occurred, the number of attendees/participants, and a summation of the oral/written participant comments. The applicant shall submit a copy of the neighborhood meeting summary report and proof the required notification occurred to the Administrator as part of the initial application.

Part 103: Chapter 11 Administration & Decision-Making Bodies; Section 11.6.1.B.1 Zoning and Comprehensive Plan Amendments, Conditional Zoning District:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct section reference, as follows:

1. Narrative Addition / CD Design Goals. The applicant shall add a section to the project narrative that lists the CD Design Goals as provided in Section ~~2.5~~ **2.4** of this UDO. The narrative shall provide an analysis of how the proposed CD is consistent with those goals.

Part 104: Chapter 11 Administration & Decision-Making Bodies; Section 11.7.A. Annexation:

Remove text as indicated in ~~strikethrough~~ to remove decision type not found in Decision Matrix, as follows:

General. The Town Council may annex property into the corporate limits ~~subject to a Type 7-Review pursuant to Table 11.4-A and~~ in accordance with NCGS §160A-31, §160A-55, §160A-58.1, and §160A-58.7.

Part 105: Chapter 11 Administration & Decision-Making Bodies; Section 11.17.A.1. Zoning Vested Rights:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to correct spelling error, as follows:

1. These may include situations where the original approval occurred in unincorporated Wake County or under Town standards that were in ~~affect~~ **effect** before this UDO.

Part 106: Chapter 11 Administration & Decision-Making Bodies; Section 11.18 Administrator's

Interpretation:

Add text as indicated in **bold** and remove text as indicated in ~~striketrough~~ to provide additional information on Submittal requirements and review process, as found in other sections, as follows:

11.18 Administrator's Interpretation

A. Purpose and Intent. The provisions of this section are intended to create a process for applicants to request a formal interpretation of any provision listed in this UDO as it relates to development, the review process(es), and/or allowable land use activity. This may include inquiries relating to UDO requirements, Comprehensive Plan policies, and zoning map (district boundaries). An Administrator's Interpretation is intended for cases and situations where the standards and requirements are unclear, ambiguous, and/or are in conflict with other provisions. It is also intended for those cases that require a thorough UDO review and involve multiple Chapters/Sections to reach a decision on the applicable process, allowances, limitations, and/or requirements.

B. Review and Application Procedures.

1. Review. Administrator's Interpretation requests shall be issued by the Administrator as part of a Type 1 Review pursuant to Table 11.4.-A: Review Matrix in this Chapter.

2. Submittal Requirements. Applicants shall file an official application to the Administrator including all supplemental materials listed therein.

3. Review Process. The Administrator shall review the relevant UDO sections, the Comprehensive Plan, and/or other Town policy documents/ordinances in reaching a determination. The Administrator shall also review previous interpretations relating to the same subject matter. The Administrator's Interpretation shall not be used to circumvent adopted policy or UDO requirements. The Administrator shall provide a written finding of the Administrator's Interpretation as it applies to the case and situation.

Part 107: Chapter 13 Definitions; Section 13.3 Definitions:

Add text as indicated in **bold** and remove text as indicated in ~~striketrough~~ to add Assembly Use definition, modify Infrastructure/Utilities (Major) to remove "landfill" from description (landfill is elsewhere defined in the UDO), Modify Religious Use, and Modify Structure, as follows:

Defined Term: Assembly Use: A facility that provides space for events, meetings, receptions, or social activities. Assembly Uses may provide hosting and rental services for private events including, but not limited to, wedding receptions, holiday parties, and fundraisers with or without food and beverages that are prepared and served on-site or by a caterer to invited guests for events.

Defined Term: Infrastructure/Utilities (Major). Utility facilities that provide jurisdiction-wide or regional services. Examples include above-ground public utility distribution lines; ~~landfills~~; public utility substations; waste treatment plants; and solar energy system – large installation.

~~*Defined Term: Religious Use.* A land use and all buildings and structures associated therewith devoted primarily to the purpose of divine worship together with reasonably related accessory uses, which are subordinate to and commonly associated with the primary use, which may include but are not limited to educational, instructional, social, residential or childcare ministry uses.~~

Defined Term: Religious/Assembly Use. Any facility such as a church, temple, monastery, synagogues, or mosque used for worship by a non-profit organization and their customary related uses for education (pre-schools, religious education, etc.), Recreation (gymnasiums, activity rooms, ball fields, etc.), housing (rectory, parsonage, elderly, or disabled housing, etc.) and accessory uses such as but not limited to cemeteries, mausoleums, offices, soup kitchens, and bookstores.

Defined Term: Structure. Anything constructed or erected, ~~the use of which~~ **that** requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, ~~fences~~, stairs, walls, parking areas, loading areas, towers, antenna, and signs **and excluding swimming pools, fences, and walls used as fences.**

~~A. Anything constructed or erected that requires location on the ground (excluding swimming pools, fences, and walls used as fences).~~

Part 108: Entire UDO:

All references to Conditional District or Conditional Zoning shall be changed to Conditional Zoning District (CD).

Part 109: **REPEAL OF CONFLICTING ORDINANCES**

All ordinances or parts of the UDO of the Town of Holly Springs conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Part 110: **SEVERABILITY**

If any section, part of a section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Part 111: **INCLUSION IN CODE**

It is the intention of the Town Council entered as hereby ordained, that the provisions of this Ordinance shall become and be made part of the Unified Development Ordinance of the Town of Holly Springs, North Carolina; that the Section(s) of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "Ordinance" may be changed to "Section, or "Article" or other word.

Part 112: **EFFECTIVE DATE**

The provisions of this ordinance shall become effective July 19, 2022 in accordance with the laws of the State of North Carolina.

Adopted this, the 19th Day of July 2022.

Town of Holly Springs by

ATTEST:

Sean Mayefskie, Mayor

Linda McKinney, Town Clerk





Holly Springs Planning Board

Planning Board Meeting Agenda Cover Sheet

Agenda Item#: 11.b.

New Business

Title: Committee Reports

Strategic Priority Area:

Staff Resource:

Action(s):

Explanation:

Background:

Funding Source(s):

Attachment(s):

None



Holly Springs Planning Board

Planning Board Meeting Agenda Cover Sheet

Agenda Item#:

New Business

Title: Land Use Advisory Committee Meeting

Strategic Priority Area:

Staff Resource:

Action(s):

Explanation:

Background:

Funding Source(s):

Attachment(s):

None



Holly Springs Planning Board

Planning Board Meeting Agenda Cover Sheet

Agenda Item#:

New Business

Title: Tree Advisory Committee

Strategic Priority Area:

Staff Resource:

Action(s):

Explanation:

Background:

Funding Source(s):

Attachment(s):

None



Holly Springs Planning Board

Planning Board Meeting Agenda Cover Sheet

Agenda Item#:

New Business

Title: Housing Affordability Study Advisory Committee

Strategic Priority Area:

Staff Resource:

Action(s):

Explanation:

Background:

Funding Source(s):

Attachment(s):

None



Holly Springs Planning Board

Planning Board Meeting Agenda Cover Sheet

Agenda Item#:

New Business

Title: Northeast Gateway Master Plan Advisory Committee

Strategic Priority Area:

Staff Resource:

Action(s):

Explanation:

Background:

Funding Source(s):

Attachment(s):

None



Holly Springs Planning Board

Planning Board Meeting Agenda Cover Sheet

Agenda Item#: 11.c.

New Business

Title: Development Services Report

Strategic Priority Area:

Staff Resource:

Action(s):

Explanation:

Background:

Funding Source(s):

Attachment(s):

None



Holly Springs Planning Board

Planning Board Meeting Agenda Cover Sheet

Agenda Item#: 11.d.

New Business

Title: Other Business

Strategic Priority Area:

Staff Resource:

Action(s):

Explanation:

Background:

Funding Source(s):

Attachment(s):

None