



Town of Holly Springs
Planning Board
7:00 PM **Tuesday, September 26, 2023**

Regular Meeting
Holly Springs Town Hall Council Chambers
128 S. Main Street, 2nd Floor

Agenda

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Invocation

5. Agenda Adjustment

6. Minutes

a. August 22, 2023 Minutes

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. UDO Amendment

a. Semi-Annual UDO Amendments 23-UDO-03

10. Special Presentations

a. Training

11. Other Business

a. Town Council Official Action Overview

b. Committee Reports

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, August 22, 2023 - 7:00 p.m.

Agenda Item #1, 2, 3 & 4:

The Planning Board of the Town of Holly Springs met for their regularly scheduled meeting on August 22, 2023. 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
Chery Caines, Senior Planner
Catherine Jacobs, Engineering Manager
Tom Covington, Development Review Engineer
Mackenzie Fretz, Board Clerk

The Board completed roll call.

Members Present: Chris Deshazor, Chair
Rick Madoni, Vice-Chair
Ernie Carpico
Josh Prizer
Thomas Urquhart
Roger Bess
Joanna Holder

Members Absent: Van Crandall
Courtney Patterson

The Board recited the pledge of Allegiance and the meeting opened with an invocation by Rick Madoni.

Agenda Item #5: Agenda Adjustments

None

Agenda Item #6: Minutes

a. July 25, 2023 Minutes

Motion:
Motion to approve the July 25, 2023 Minutes.

Motion by: Ernie Carpico

Second by: Joanna Holder

Action: The Planning Board voted in favor of the Motion. (7-0)

Agenda Item #7: Town Council Representative

a. Planning Board Representation for Town Council

Chris Deshazor will be filling in for Ernie Carpico for as the September 19th, 2023 Planning Board representation.

Agenda Item #8: Public Comment Period

No speakers signed up for comment.

Agenda Item #9: Zone Map Change Petitions

a. Friendship Innovation Park Rezoning 22-REZ-17

Ms. Caines reviewed the requests by the applicants with the Board by presenting a PowerPoint presentation. Ms. Caines presented to the Board that both agenda items, Friendship Innovation Park Rezoning 22-REZ-17 and Friendship Innovation Master Plan Major Amendment - 21-MAS-04-A02, have been combined and be presented together as one staff presentation.

Mr. Bess then brought up concerns of the term “walkability” with staff Ms. Caines described the definition as ease of getting to one point to the other; a pedestrian system connected without the use of a car.

Ms. Holder asked staff about the number of units within the proposed project and how they can be distributed throughout the project.

Mr. Bess then asked what the total allowable units would be within the project.

Ms. Caines answered that there would be 1200 units total within the project that are eligible to transfer within the project.

Ms. Holder then discussed concerns on parking within the areas of the project.

Ms. Jacobs then presented her portion of the staff presentation to the Board.

Mr. Prizer discussed concerns about the proposed roundabout within the project.

Ms. Jacobs stated that the roundabout is currently potential and not final.

The Board asked if the traffic report took in to account the significant raise in traffic from the additional units within the project?

Ms. Jacobs addressed their concerns and assured the Board that the traffic study did take additional units in to account.

Mr. Bess proceeded to ask staff if there are plans for widening on Holly Springs New Hill Road as well as surrounding areas within the proposed project.

The staff addressed Mr. Bess's question in stating there are not road widening plans with this development.

Mr. Bess then addressed with staff concerns of significant traffic to the area of the proposed rezoning.

Mr. Madoni raised a concern to the visualization of how far out this project will take before completion.

Mr. Deshazor then asked who would be responsible for the locations pump station, to which staff answered that the developer is the responsible party.

Ms. Holder asked staff if any neighborhood meetings for this project have been held.

Staff addressed Ms. Holder stating that there was a neighborhood meeting held on March 7th, 2023.

Mr. Bess raised a concern for water and if there will be enough water to handle this request.

Staff addressed stating they have considered water usage within this plan and yes there would be enough water.

Mr. Urquhart raised the question of a fee in lieu for the project.

Staff stated that a fee in lieu is something that can be considered.

Mr. Keener then presented his presentation to the board sharing the benefits, uses, and goals of the project.

Mr. Bess brought up concerns of area 3 and requested clarification on the request in regards to the traffic study.

Mr. Keener followed up stating this would be a mixed-use area with the goal of minimum traffic due to walkability. The property will be 13.3 units per acre and currently there are no final plans for the property.

Mr. Bess then commented his concerns for no final plans concerning area 3 within the rezoning request and stressed that he was only seeing apartment uses on display and not a mixed variety of housing.

Mr. Keener stated that the current rezoning proposal is based off of the desires of future land use that would be more commercial heavy.

Mr. Deshazor then addressed concerns for traffic within the area as well as the need for a variety of housing and apartments for corporate uses as well as affordability.

Mr. Keener stated that there are no final details yet for the development plan but the hope is to limit the use of major roads or use of cars within community and place a focus on walking and bike paths within the location.

Mr. Deshazor stated how he would love to see the area be more competitive with the surrounding areas.

Mr. Keener confirmed this is an exact spot where this could happen in creating a more competitiveness with surrounding areas.

Mr. Prizer asked if they knew how much growth in terms of employment would this project add.

Mr. Keener stated that Amgen alone roughly 700+ employees with the addition of around 6,000 within the life science portion only.

Mr. Bess addressed the board with concerns of not seeing the actual development plan within the rezoning request and pointed out that once the rezoning is approved they may not be able to reject a proposed development.

Ms. Holder confirmed and stated once the project is zoned the board can only provide feedback for future plans within the rezoned property but not reject the development.

The board then discussed the project amongst themselves and moved to make a motion.

Motion:

BRT Business & Research Technology for PIN 0629597133 is consistent with Vision Holly Springs Comprehensive Plan because the Future Land Use Plan Map designates this property as Business & Industrial and the request BRT zoning would support both large-scale, single tenant office and industrial buildings and smaller, multi-tenant office and industrial buildings.

The requested zone map change from RR Rural Residential, CB Community Business, and BRT Business & Research Technology to IVMX-CD Innovation Village Mixed Use Conditional Zoning District is consistent with Vision Holly Springs Comprehensive Plan because the Future Land Use Plan Map designates these properties as Innovation Village. The proposed Conditional Zoning District (CD) would create a mixed-use village with centrally concentrated employment uses surrounded by support services/businesses, housing and gathering spaces. Destinations within and adjacent to the site will be connected by streets, greenways, and bike/ped facilities. Although the requested IVMX-CD for Area 2 is inconsistent with the Future Land Use Map designation of Business & Industrial, the proposed zoning district will allow smaller scale manufacturing, office, distribution uses, retail, and housing in areas best suited for such uses within the Friendship Innovation Park and is reasonable and in the public interest.

Motion by: Chris Deshazor

Second by: Joanna Holder

Action: The Planning Board voted in favor of the Motion. (6-1)

Motion that the Planning Board recommend the Town Council approve Zone Map Change Petition 22-REZ-17 to change the zoning as follows:

21.28 acres of Wake County PINs 0629597133 from RR: Rural Residential to BRT: Business & Research Technology, and 327.77 acres of Wake County PINs 0720719912, 0639076303, 0720904944 from RR: Rural Residential, CB: Community Business, and BRT: Business & Research Technology to IVMX-CD Innovation

Village Mixed Use Conditional Zoning District and BRT Business & Research Technology as submitted by Timmons Group.

Motion: Approve

Motion by: Rick Madoni

Second by: Thomas Urquhart

Action: The Planning Board voted in favor of the Motion. (6-1)

Agenda Item #10: Major Subdivision Plans

a. Friendship Innovation Master Plan Major Amendment - 21-MAS-04-A02

Motion:

Motion that the Planning Board recommend the Town Council approve Master Plan Major Amendment 21-MAS-04-A02 for Friendship Innovation Park as submitted by Timmons Group, dated 08/24/23, Project Number 54941 with the conditions in the staff report.

Motion by: Josh Prizer

Second by: Thomas Urquhart

Action: The Planning Board voted in favor of the Motion. (7-0)

Agenda Item #11: Other Business

- a. Town Council Official Action Overview
- b. Committee Reports
- c. Development Services Report
- d. Other Business

Agenda Item #12: Adjournment

Motion:

Motion to adjourn.

Motion by: Josh Prizer

Second by: Ernie Carpico

Action: The Planning Board voted in favor of the Motion. (7-0)

Time: 8:35

Mackenzie Fretz
Planning Board Clerk



Town of Holly Springs Staff Report to the Planning Board

REQUEST FOR UDO TEXT AMENDMENT Semi-annual Unified Development Ordinance Text Amendments 23-UDO-03

PETITIONER(S):

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

ANTICIPATED REVIEW SCHEDULE:

Planning Board: September 26, 2023
Public Hearing and Town Council Action: October 17, 2023

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.

Since adoption of the UDO, 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.

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	Legal Compliance	Align UDO text with General Statute provisions for Bona Fide Farms.
2,3,4	Clarification or Correction	Provide uniform introductory text to each use district description.
5, 7	Major Change	Modify maximum density by Conditional Zoning District (CD) in the MXR district from 20 u/a and in the IVMX from “unlimited” to a flexible standard that allows for consideration of higher density over 15 u/a only when certain parameters are met.
6	Major Change	Modify maximum density by Conditional Zoning District (CD) in the DMX, RMX, and CB districts from “unlimited” to a flexible standard that allows for consideration of higher density over 15 u/a only when certain parameters are met. Modify Maximum Building Height in DMX from 4 stories to 3 stories, remove additional recess story, and provide option for 4 th story by Conditional Zoning District (CD).
	Clarification or Correction	Clarify Maximum Gross Main Floor Area.
	Minor Change	Change the allowed increase in Maximum Gross Main Floor Area from a Special Use Permit to a Conditional Zoning District (CD). This changes the review type from a Board of Adjustment (Quasi-Judicial) Review to a Town Council (Legislative) Review.
8	Clarification or Correction	Provide clarity on location of outdoor play areas for child care uses and required landscaping.
9	Clarification or Correction	Correct district naming.
10, 11, 12	Clarification or Correction	Condense building materials standards into easy-to-read tables and modify terminology for clarity.
13	Minor Change	Provide review criteria (findings of fact) for quasi-judicial review of Development Plans and provide more detailed review process.
14, 15	Minor Change	Provide review criteria (findings of fact) for quasi-judicial review of Major Subdivision Plans.
16, 17	Clarification or Correction	Clarify defined terms and remove duplication.

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) amendments provide the Town of Holly Springs the necessary policies and development standards to implement *Vision Holly Springs*. Specifically, the proposed UDO implements the character-based land use approaches outlined in *Section 1: Land Use & Character Plan* and provides opportunities for more mixed-use activity centers thought Holly Springs, provides context sensitive infill opportunities, and provides increased opportunities to diversify home & neighborhood choices in the community. The proposed UDO amendments also implement the goals and

policies of Section 2: Comprehensive Transportation Plan, by providing the standards needed to implement the Town's transportation infrastructure needs and Section 3: Parks, Recreation and Greenways Master Plan by providing the standards to implements the Town's Parks and Recreation needs. Finally, the proposed UDO text amendments provide the tools necessary for staff and the development community to implement the goals and objectives stated in the Plan

UDO AMENDMENT RECOMMENDATION:

Motion that the Planning Board recommend approval of UDO Text Amendment #23-UDO-03 to modify the Unified Development Ordinance as submitted by the Town of Holly Springs.



Ordinance No. 23-XX

Date Submitted:

Date Adopted:

**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**

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; *Section 2: Comprehensive Transportation Plan* in 2022; and *Section 1: Land Use & Character Plan Appendix F: Northeast Gateway Master Plan* in 2022, 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 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 amendment has been offered in a public hearing before the Town Council; and

WHEREAS, the Holly Springs Town Council finds that the proposed UDO amendments are consistent with the *Vision Holly Springs: Town of Holly Springs Comprehensive Plan* as follows: The proposed Unified Development Ordinance (UDO) amendments provide the Town of Holly Springs the necessary policies and development standards to implement *Vision Holly Springs*. Specifically, the proposed UDO implements the character-based land use approaches outlined in *Section 1: Land Use & Character Plan* and provides opportunities for more mixed-use activity centers thought Holly Springs, provides context sensitive infill opportunities, and provides increased opportunities to diversify home & neighborhood choices in the community. The proposed UDO amendments also implement the goals and policies of *Section 2: Comprehensive Transportation Plan*, by providing the standards needed to implement the Town's transportation infrastructure needs and *Section 3: Parks, Recreation and Greenways Master Plan* by providing the standards to implements the Town's Parks and Recreation needs. Finally, the proposed UDO text amendments provide the tools necessary for staff and the development community to implement the goals and objectives stated in the Plan; 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: Amending Section 1.2.6 Purpose and Applicability; Authority; Compliance Required for Use and Development of Real Property; Exemptions; Bona Fide Farms and Agritourism:

Add text as indicated in **bold** and remove text as indicated in ~~strike through~~ to clarify exemptions from zoning and align with NCGS160D-903:

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**903** is exempt from the **zoning** 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 **zoning** regulations of this UDO. Bona fide farm property that is exempt from the **zoning** regulations of this UDO shall be subject to **all applicable floodplain regulations** ~~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.

Part 2: Amending Section 2.1.1 Districts; Base Districts; Residential Use Districts; Residential Use Districts Intent:

Add text as indicated in **bold** and remove text as indicated in ~~strike through~~ to Residential Use Districts Intent to remove "intent" and clarify purpose text as follows:

2.1.1 Residential Use Districts. ~~Intent~~

Each of the **Residential Use** Districts described below are created to implement the **character areas in the** Comprehensive Plan.

Part 3: Amending Section 2.1.2 Districts; Base Districts; Commercial & Mixed-Use Districts:

Add text as indicated in **bold** to Commercial & Mixed-Use Districts to clarify purpose as follows:

2.1.2 Commercial & Mixed-Use Districts.

Each of the Commercial & Mixed-Use Districts described below are created to implement the character areas in the Comprehensive Plan.

Part 4: Amending Section 2.1.3 Districts: Base Districts: Employment/Campus Use Districts:

Add text as indicated in **bold** to Employment/Campus Use Districts clarify purpose as follows:

2.1.3 Employment/Campus Use Districts.

Each of the Employment/Campus Use Districts described below are created to implement the character areas in the Comprehensive Plan.

Part 5: Chapter 2 Development Standards: 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 ~~strike through~~ to modify maximum density in the MXR district as follows:

Table 2.2.1-A - Development Standards for Residential Use Districts					
	RR	SR	NR	NCR	MXR
Development Intensity					
Development Density (N1)					
Maximum Gross Density by-Right (units/acre)	0.5	3	5	8	15
Maximum Gross Density (Conservation Subdivision) (units/acre) (N2)	0.5	3	5	--	--
Maximum Gross Density with Conditional Zoning District (CD) (units/acres)	1	4	8	12	20 N3

Table 2.2.1-A Notes	
N3	Maximum Gross Density shall be established with a Conditional Zoning District (CD). Maximum Gross Density that exceeds 15 units/acre may be considered if the project is: 1. Designated on the Future Land Use Map as N. Main Street District, Downtown Village District, Mixed-Use Center, or Regional Center, or, within the boundary of the Northeast Gateway Master Plan; and, 2. The project includes either a Parking Garage, or, a minimum of 40% of dwelling units located within a vertically integrated mixed-use Building with Office and Service Uses or Retail, Dining, and Entertainment Uses located on the ground floor story.

(Ordinance Note: All table notes shall be reordered accordingly)

Part 6: Chapter 2 Districts, Development Standards for Employment/Campus Use Districts; Table 2.2.3-A Employment/Campus Use Districts Development Standards and Table 2.3.3-A Notes.

Add text as indicated in **bold** and remove text as indicated in ~~strike through~~ to modify maximum densities and heights and clarify building floor area in Commercial & Mixed-Use Districts, as follows:

Table 2.2.2-A - Commercial & Mixed-Use Districts Development Standards				
	NMX	DMX	RMX	CB
Development Intensity				
Minimum Development Area (acres) (N1)	0	0	20	0
Development Density (N2)				
Maximum Gross Residential Density (units/acre)	8	15	20 15	20 15
Maximum Gross Residential Density with Conditional Zoning District (CD) (units/acre)	15	Unlimited N3	Unlimited N3	Unlimited N3
Maximum Gross Main Floor Area (sf) by building type per Building				
Single Use Site Ground Floor Story Single Use Site	16,000	50,000	none	none
Integrated Center (maximum with Special Use Permit) (N3N4)	24,000	none	none	none
Integrated Center (Maximum with Conditional Zoning District (CD))	(125,000)	none	none	none

Building Height (ft)				
Primary Structure(s) (minimum) (N8)	20	25 and 2 stories	25 and 2 stories	25
Primary Structure(s) (minimum - ground floor story non-residential)	n/a	14	14	14
All Structure(s) (maximum)	45 and 3 stories	60 and 4 stories 45 and 3 stories	55 and 5 stories	60
All Structure(s) Maximum Height after additional story maximum with Upper Story recess (12-20 ft) (N9)	4 stories	6 stories not permitted	6 stories	not permitted
All Structure(s) (Maximum with Conditional Zoning District (CD))	not permitted	not permitted 60 and 4 stories (N10)	110 and 10 stories	not permitted
Residential Primary Structure(s) Finished Floor Elevation Above Sidewalk Grade	1.5	1.5	1.5	1.5

Table 2.2.2-A - Notes

N3	Maximum Gross Density shall be established with a Conditional Zoning District (CD). Maximum Gross Density that exceeds 15 units/acre may be considered if the project is: 1. Designated on the Future Land Use Map as N. Main Street District, Downtown Village District, Mixed-Use Center, or Regional Center, or, within the boundary of the Northeast Gateway Master Plan; and, 2. The project includes either a Parking Garage, or, a minimum of 40% of dwelling units located within a vertically integrated mixed-use Building with Office and Service Uses or Retail, Dining, and Entertainment Uses located on the ground floor story.
N10	For Lots with multiple Street Frontages, maximum Stories greater than 4 may be considered provided that the Building does not exceed 4 stories as measured from the proposed finished Grade at the Front of the Building along Main Street.

(Ordinance Note: All table notes shall be reordered accordingly)

Part 7: Chapter 2 Districts, Development Standards for Employment/Campus Use Districts: Table 2.2.3-A Employment/Campus Use Districts Development Standards and Table 2.3.3-A Notes.

Add text as indicated in **bold** and remove text as indicated in ~~strike through~~ to modify maximum densities and heights in Employment/Campus Use Districts, as follows:

Table 2.2.3-A - Employment/Campus Use Districts Development Standards				
	SP	IVMX	BRT	HI
Development Intensity				
Development Density (N1)				
Maximum Gross Residential Density (units/acre)	--	15	--	--
Maximum Gross Residential Density with Conditional Zoning District (CD) (units/acre)	--	Unlimited N3	--	--

Table 2.2.3-A - Notes	
N3	Maximum Gross Density shall be established with a Conditional Zoning District (CD). Maximum Gross Density that exceeds 15 units/acre may be considered if the project is: 1. Designated on the Future Land Use Map as N. Main Street District, Downtown Village District, Mixed-Use Center, or Regional Center, or, within the boundary of the Northeast Gateway Master Plan; and, 2. The project includes either a Parking Garage, or, a minimum of 40% of dwelling units located within a vertically integrated mixed-use Building with Office and Service Uses or Retail, Dining, and Entertainment Uses located on the ground floor story.

(Ordinance Note: All table notes shall be reordered accordingly)

Part 8: Amending Section 3.3.4.B. Use Provisions: Additional Use Provisions and Special Use Permit Standards: Office and Services Uses – Additional Use Provisions: Child Care Center:

Add text as indicated in **bold** and remove text as indicated in ~~strike through~~ to clarify intent of location of outdoor uses for Child Care Centers as follows:

B. Child Care Center.

1. Location. No outdoor uses associated with a Child Care Center (play areas, storage, etc.) shall be located in ~~any front yard~~ **between the building and the public street.**

2. Playground Areas. All playground areas shall be ~~located in a fenced area away from any parking, loading, or service areas~~ **fenced and shall be an appropriate distance away from any vehicle parking areas, loading, and service areas to avoid vehicular conflict. Bollards or other devices to ensure there is no vehicular conflict may be required. When calculating required Foundation Landscaping, the area of a playground shall be included.**

3. Buffering. A Type C Buffer shall be provided along any rear or side property line adjoining Residential Use Districts.

4. Parking and Traffic Plan. In Residential Use Districts, the applicant shall provide and implement a parking and traffic plan that adequately mitigates the potential adverse impacts of increased traffic in the neighborhood.

Part 9: Amending Section 3.4.3.I.1. Use Provisions: Accessory Structures and Uses; Commercial & Mixed-Use & Employment/Campus Use Districts and Non-Residential Uses in Residential Use Districts; Parking of Commercial and Recreational Vehicles:

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

1. Commercial & **Mixed-Use** Districts. The total number of business passenger vehicles shall not exceed 3 passenger vehicles per business with a GVWR ≤ 6,000 LBS and shall meet the following requirements:

- a. The vehicle(s) are used in the normal day-to-day operation of the business use;
- b. The vehicle(s) must be parked on the same property as the business location;
- c. To the greatest extent possible, the vehicle(s) shall be parked beside or behind the building in which the use is located, parking in the front of the building shall only be permitted if side and rear parking is not available.
- d. Vehicle(s) shall be placed so as to minimize visibility from right-of-way to the greatest extent possible.

Part 10: Amending Sections 8.2.G.4.a.vi, vii, viii, & ix : Building, Site & Subdivision Design Standards; Building Design Standards; Façade Standards:

Add text as indicated in in **bold** and remove text as indicted in ~~strike through~~ to remove glass a primary façade material, to modify terminology, reduce conflicting text, clarify use of colors, and reorganize façade materials as follows:

G. Façade Standards.

1. **General Façade Standards for All Buildings.**

- a. Buildings shall be designed in compliance with 360-degree design standards, with visually interesting and compatible design on front, side and rear façades.

~~2. b.~~ All Major Subdivisions - Non-residential or Development Plans for integrated centers or sites with multiple Buildings shall utilize and repeat selected architectural design requirements which are in harmony with area developments. Design Standards are required to promote consistency among buildings within a development and enhance compatibility of design and appearance requirements. The Design Standards shall coincide with or exceed the Town's design standards pursuant to ~~Chapter 8 of this UDO~~ **this chapter**. As appropriate, the Design Standards shall include color and material samples, ~~and utilize and repeat architectural styles within the projects for design compatibility and consistency.~~

~~3. c.~~ Single Use Sites. All Buildings located on a single use site shall utilize selected design and appearance elements which are in harmony with area developments.

~~4. 2.~~ **Primary Façade Compliance Standards.** Any Building façade in which any portion of a Lot or Integrated Center is determined to be visible from a Public/Private Street Frontage, Interior Access Drive, or a Side or Rear Lot Line abutting a Residential Use District **and all Building façades in the DMX District, shall be designed** pursuant to the following ~~regulations~~ **standards**:

a. ~~Façade~~ **Building Materials.**

i. **Building Material Types and Colors.**

(a) Building Material Types. All Building Materials should be durable. Building Material types are defined as follows:

~~(i)~~ **(i)** Type 1 Materials: brick; stone (e.g., natural/cultured, limestone, marble, or granite); split-face block (integral color); architectural or precast concrete, if the surface is designed to simulate brick or stone; ~~glass~~; a combination thereof; or similar material determined by the Administrator.

~~ii.~~ **(ii)** Type 2 Materials: wood siding; fiber cement siding; stucco; tile; EIFS; or similar material determined by the Administrator.

~~iii.~~ **(iii)** Type 3 Materials: high quality, smooth finish metal panel or similar material determined by the Administrator.

~~iv.~~ **(iv)** Type 4 Materials: vinyl siding; smooth-faced gray concrete block; painted or stained brick, stone or concrete (including concrete block); metal siding

except as specified as Type 3 material; plastic; or similar material determined by the Administrator.

(b) Multiple Building Materials shall be used to provide variation in texture, with heavier and courser materials placed lower on the Building and lighter and smoother materials placed near the top.

(c) The number of colors used to create interest in the Building shall be limited to 3 discernable colors or ranges of complementary hues.

~~v. Durability. All façade materials should be durable. Façade materials shall, to the greatest extent practical, be applicable to accessory structures to maintain a consistent and compatible appearance.~~

~~vi.ii. Building Material Standards. Building Materials (excluding: windows, display windows, doors, roofing, fascia or soffit materials) shall be provided as follows:~~

TABLE 8.2-A – PRIMARY FAÇADE BUILDING MATERIALS TABLE

Building Type	Type 1 Materials	Type 2 Materials	Type 3 Materials	Type 4 Materials
Residential	Required (N1)	Permitted	Prohibited	Prohibited
Commercial/ Mixed-Use	Required (N2) (N3)	Permitted (N4)	Permitted (N5)	Prohibited
Industrial and Warehouse	Required (N6)	Permitted	Permitted	Prohibited
N1	Shall constitute a minimum of 35% of the Building façade.			
N2	Shall constitute a minimum of 60% of the Building façade.			
N3	In the DMX District, shall constitute 100% of the Building façade except as noted in N4.			
N4	In the DMX District, limited to 10% of the Building façade of the 3rd story and higher.			
N5	Limited to 10% of the Building facade. Prohibited in the DMX district.			
N6	Shall constitute a minimum of 50% of the Building façade.			

(Ordinance Note: All tables shall be relettered accordingly)

FIGURE 8.2-F - FAÇADE BUILDING MATERIALS



Residential Building Standards-

~~(a) Primary Façade Materials. The primary façade material (excluding: windows, display windows, doors, roofing, fascia or soffit materials) must constitute a minimum of 35% of the façade. Multiple building materials and colors shall be provided to provide variation in texture, with heavier and courser materials placed lower on the building lighter and smoother materials placed near the top. The maximum number of colors shall not be limited, provided however, that there shall be no more than 3 discernible color families.~~

~~(i) Allowable Primary Façade Materials: Type 1 Materials.~~

~~(ii) Allowable Secondary Façade Materials: Type 2 Materials~~

~~(iii) Prohibited Façade Materials: Type 3 and Type 4 Materials~~

vii. Commercial/Mixed Use Building Standards-

~~(a) Primary Façade Materials. The primary façade material (excluding: windows, display windows, doors, roofing, fascia or soffit materials) must constitute a minimum of 60% of the façade. Multiple building materials and colors shall be provided to provide variation in texture, with heavier and courser materials placed lower on the building lighter and smoother materials placed near the top. The maximum number of colors shall not be limited, provided however, that there shall be no more than 3 discernible colors.~~

~~(i) Allowable Primary Façade Materials: Types 1 Materials.~~

~~(ii) In the DMX District, Type 1 façade material is required for 100% of façades.~~

~~(iii) For upper story (3rd story and higher) types 1 and 2 materials are permitted.~~

~~(iv) Allowable Secondary Façade Materials: Type 2 Materials.~~

~~(v) Allowable Accent Materials: Limited to 10% of Type 3 materials.~~

~~(vi) Prohibited Façade Materials: Type 4 materials.~~

~~viii. Industrial and Warehouse Building Standards.~~

~~(a) Primary Façade Materials. The primary façade material (excluding: windows, display windows, doors, roofing, fascia or soffit materials) must constitute a minimum of 50% of the façade. Multiple building materials and colors shall be provided to provide variation in texture, with heavier and courser materials placed lower on the building lighter and smoother materials placed near the top. The maximum number of colors shall not be limited, provided however, that there shall be no more than 3 discernible colors.~~

~~(i) Allowable Primary Façade Materials: Type 1 materials.~~

~~(ii) Allowable Secondary Façade Materials: Type 2 or 3.~~

~~(iii) Prohibited Façade Materials: Type 4.~~

~~ix. All Other Façades.~~

~~(a) Colors shall be consistent with the primary façade(s) of the building.~~

~~(b) Prohibited exterior Building Materials: Type 3 and 4.~~

~~✕ iii. Alternate Compliance.~~

~~(a) A 10% reduction in the required primary façade **Type 1** Material may be permitted by selecting 1 additional Public Realm Standard (Section 8.3.B).~~

~~(b) A 10% increase in allowable **permitted accent Type 3** Material may be permitted by selecting 1 additional Public Realm Standard (Section 8.3.B).~~

Part 11: Amending Sections 8.2.G.: Building, Site & Subdivision Design Standards; Building Design Standards; Façade Standards:

Add text as indicated in in **bold** to move “All Other Façades” from Section 8.2.G.4.a.ix. to new Section 8.2.G.3. to relocate in section to correct position and provide additional clarity, as follows.

3. All Other Façades Standards. Any Building façade not designated as a primary façade shall be designed pursuant to the following standards:

a. Building Materials.

i. Building Materials shall comply with Section 8.2.G.2.a.i: Building Material Types and Colors. Building Materials and Colors shall be consistent with the primary façade(s) of the Building.

ii. Building Materials (excluding: windows, display windows, doors, roofing, fascia or soffit materials) shall be provided as follows:

TABLE 8.2-D – ALL OTHER FAÇADES BUILDING MATERIALS TABLE				
Building Type	Type 1 Materials	Type 2 Materials	Type 3 Materials	Type 4 Materials
Residential	Permitted	Permitted	Prohibited	Prohibited
Commercial/ Mixed-Use	Permitted	Permitted	Prohibited	Prohibited
Industrial and Warehouse	Permitted	Permitted	Prohibited	Prohibited

b. Bulk and Massing, Roof Expression, Façade Activation, and Human Scale Elements. All façades shall be designed with a consistent and compatible appearance to the primary façade(s) of the Building.

Part 12: Amending Section 8.3.B.11: Building, Site & Subdivision Design Standards; Public Realm Standards, Public Realm Standard Options:

Add text as indicated in in **bold** and remove text as indicted in ~~strike through~~ to remove modify terminology as follows:

B. Public Realm Standard Options.

11. Increase primary façade materials to 75% Type 1 Materials to constitute a minimum of 75% on each primary façade.

Part 13: Amending Section 11.10.D. Administrative & Decision-Making Bodies: Development Plans:

Add text as indicated in **bold** and remove text as indicated in ~~strike through~~ to provide findings of fact for quasi-judicial subdivision approvals, as follows:

D. Development Plan Submittal Requirements.

1. Application. The applicant shall prepare and submit a formal application detailing the site location, ownership, and proposed land use/development activities. The Administrator shall create and provide the formal applications including the required submittal items.
2. Plan Set. Applicants shall provide a series of plan sheets to depict the proposed construction and site improvement elements of the project and to show compliance with this UDO. The Administrator shall list the plan set requirements on the application form for Development Plans.
3. Associated Studies. The applicant shall submit associated studies that may be warranted for the proposed development/land use activities as listed on the application. The required studies may be identified in a Sketch Plan review (pre-submittal meeting) prior to application submittal. Associated studies may include, but are not limited to, storm reports, traffic studies, and similar technical information.
4. Development Plan Preparation. Development Plan elements shall be prepared pursuant to the following:
 - a. Property surveys and new legal descriptions shall be prepared by a licensed professional surveyor to conduct work in the State of North Carolina.
 - b. Development plans, grading plans, utility plans, and similar plans shall be prepared by a licensed civil engineer to conduct work in the State of North Carolina.
 - c. Architectural elevations shall be prepared by a licensed architect to conduct work in the State of North Carolina.
 - d. Tree preservation plans shall be prepared by a licensed landscape architect or certified arborist to conduct work in the State of North Carolina.
5. **Criteria. For Development Plans processed and reviewed pursuant to a Type 5 - Quasi-judicial Action, the applicant shall provide a written response to each of the review criteria.**

E. Review Criteria. For Type 5 - Quasi-judicial Actions, the decision-making body shall consider the following review criteria in determining whether to approve, approve with conditions, or deny a Development Plan. These criteria shall be used to evaluate whether the proposal will cause significant adverse impacts on

adjacent properties.

1. **Criterion 1:** The land uses and development intensity of the proposed project will not have significant adverse impacts on adjacent properties and are consistent with the character of the Zoning District and the land uses authorized therein.
2. **Criterion 2:** The proposed project provides for the preservation, improvement, and/or enhancement of open spaces and provides sufficient land dedicated for public park space or an equivalent fee-in-lieu.
3. **Criterion 3:** The proposed layout of streets, lots, utilities, water metering, and public improvements, and their relation to the topography of the land, reflect a design which can be economically served by the Town with public services and facilitates the use and future development of adjacent properties.
4. **Criterion 4:** The proposed building or site design enhances the public realm, maximizes natural surveillance and visibility, facilitates pedestrian access and circulation, and reinforces the Town's character.
5. **Criterion 5:** The design of the project furthers the goals and policies of the Comprehensive Plan.

E. Development Plan Procedures. The following provisions establish the required procedures for Development Plans.

1. **Table 11.4-A:** Review Matrix of this Chapter shall specify the decision-making body for the proposed Development Plan.
2. The applicant shall host a neighborhood meeting pursuant to 11.5.F of this Chapter and provide a Neighborhood Meeting Report as part of its initial application submittal to the Town.
3. The applicant shall submit a Development Plan that demonstrates full compliance with the provisions of the UDO.
4. The Administrator will review the Development Plan and provide written technical comments to the applicant based on the Development Plan's compliance with the applicable UDO standards. The Administrator (through their written comments) may require revisions to the Development Plan to achieve compliance with the UDO. The applicant shall revise said Development Plan to respond to The Administrator's comments.
5. The Administrator will write a staff report with findings and a recommendation. The Administrator will forward the revised Development Plan and staff report to the decision-making body for action.
6. For Type 2a – Administrative Actions, the decision-making body will vote to approve, approve with conditions, or deny the application. For Type 5 -

Quasi-judicial Actions, the decision-making body will conduct a quasi-judicial public hearing, obtain public and expert testimony, and then take action on the application. The decision-making body will vote to approve, approve with conditions, or deny the application.

7. The applicant shall prepare and submit Construction Drawings as a separate application to the Town pursuant to Table 11.4-A: Review Matrix and the requirements of Section 11.14.

~~8. E. Future Activity.~~ Future development, building/site alterations, and land use activities on the subject site shall be consistent with the approved Development Plan application and any associated conditions of approval. In the event, the Development Plan is denied by the decision-making body, the applicant shall only develop or use the property as allowed by this UDO – this may require new applications.

Part 14: Amending Section 11.11. Administrative & Decision-Making Bodies: Subdivision and Recombination Activities:

Add text as indicated in in **bold** and remove text as indicted in ~~strike through~~ to provide findings of fact for quasi-judicial subdivision approvals, as follows:

11.11 Subdivision and Recombination Activities

C. Submittal Requirements.

1. Application. The applicant shall prepare and submit a formal application detailing the site location, ownership, and proposed subdivision activities. The Administrator shall create and provide the formal applications including the required submittal items.

2. Plan Set. Applicants shall provide a subdivision plan that depicts the proposed lot configurations, tracts, easements, and rights-of-way, as applicable, to show compliance with this UDO. The Administrator shall list the plan set requirements on the application form for Subdivisions. ~~Additional requirements are required for Major Subdivisions and Minor Residential Subdivisions.~~

3. Subdivision Plan Preparation. Subdivision Plan elements shall be prepared pursuant to the following:

- a. Property surveys and new legal descriptions shall be prepared by a licensed professional surveyor to conduct work in the State of North Carolina.
- b. Development plans, grading plans, utility plans, and similar plans shall be prepared by a licensed civil engineer to conduct work in the State of North Carolina.
- c. Architectural elevations shall be prepared by a licensed architect to conduct work in the State of North Carolina.

d. Tree preservation plans shall be prepared by a licensed landscape architect or certified arborist to conduct work in the State of North Carolina.

4. Criteria. For Major Subdivisions processed and reviewed pursuant to a Type 5 - Quasi-judicial Action, the applicant shall provide a written response to each of the review criteria.

D. Review Criteria. For Type 5 - Quasi-judicial Actions, the decision-making body shall consider the following review criteria in determining whether to approve, approve with conditions, or deny a Major Subdivision. These criteria shall be used to evaluate whether the proposal will cause significant adverse impacts on adjacent properties.

Criterion 1: The land uses and development intensity of the proposed project will not have significant adverse impacts on adjacent properties and are consistent with the character of the Zoning District and the land uses authorized therein.

Criterion 2: The proposed project provides for the preservation, improvement, and/or enhancement of open spaces and provides sufficient land dedicated for public park space or an equivalent fee-in-lieu.

Criterion 3: The proposed layout of streets, lots, utilities, water metering, and public improvements, and their relation to the topography of the land, reflect a design which can be economically served by the Town with public services and facilitates the use and future development of adjacent properties.

Criterion 4: The proposed building or site design enhances the public realm, maximize natural surveillance and visibility, facilitates pedestrian access and circulation, and reinforces the Town's character.

Criterion 5: The design of the project furthers the goals and policies of the Comprehensive Plan.

Part 15: Amending Section 11.11.1.C. Administrative & Decision-Making Bodies: Subdivision and Recombination Activities: Major Subdivisions (Residential & Non-residential):

Add text as indicated in in **bold** and remove text as indicted in ~~strike through~~ to make technical corrections, as follows:

11.11.1 Major Subdivisions (Residential & Non-residential)

C. Major Subdivisions (Plat) Procedures. The following provisions establish the required procedures for Major Subdivisions:

4. The Administrator will review the Preliminary Plat and provide written technical comments to the applicant based on the plat's compliance with the applicable UDO standards. The Administrator (through their written comments) may require revisions to the preliminary plat to achieve compliance with the UDO. The applicant shall revise said plats to respond to the Administrator's comments. The Administrator will write a staff report with findings ~~of fact~~ and ~~its~~ a recommendation. The Administrator will forward the revised plat and a staff report to the decision-making ~~bodies~~ **body** for action.

5. The decision-making body will conduct a **quasi-judicial** public hearing, obtain public and expert testimony, and then take action on the application. The ~~final~~ decision-making body will vote to approve, approve with conditions, or deny the application.

Part 16: Amending Section 13.3 Definitions: Definitions:

Add text as indicated in in **bold** and remove text as indicted in ~~strike through~~ to make technical corrections, as follows:

~~Development Permit/Application~~ **UDO Application/Permit**. An UDO permit, Development Plan, Subdivision Plan or any other project that requires an application and permit. See the definition of project in this UDO.

District, **Zoning**. A Base District, Conditional Zoning District (CD) or Overlay District applicable to a section of the territory within the jurisdiction of this UDO. **May also be referred to as District or Use District.**

Dwelling, Manufactured Home. A structure, transportable in 1 or more sections which, in the traveling mode, is ~~e~~8 body feet or more in width or 40 body feet or more in length or when erected on site is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained in it. The term "manufactured home" does not include a "recreational vehicle."

Farm, Bona Fide. As defined in NCGS ~~406-584.1.~~ **§ 160D-903**

~~Phased Development Plan. See Development Plan, Phased.~~

School (Commercial, Trade or Business). A public or private school offering instruction in the technical, commercial, and/or trade skills such as real estate, business and secretarial, electronics, automotive and aircraft, medical and dental, and similar commercial establishments. ~~as well as pre-school or after-school activities.~~

~~Storage, Outdoor (non residential). An outdoor storage which is located on the same parcel of non residential property, intended for storage of large equipment, vehicles, and/or other common materials used by the municipality and/or master developer for maintenance of public/private infrastructure; storage of scrap materials used for repair and maintenance; tow yards, and buildings or structure for uses such as repair facilities.~~

~~Parking Structure~~ **Garage**. A structure or portion thereof composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A Parking ~~structure~~ **Garage** may be totally below grade (as in an underground parking garage) or either partially or totally above grade with those levels being either open or enclosed.

Part 17: Entire Unified Development Ordinance

To provide for consistent terminology with a defined term, modify all occurrences of “UDO Permit/Application” to “UDO Application/Permit.”

Part 18: **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 19: **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 20: **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 21: **EFFECTIVE DATE**

The provisions of this ordinance shall become effective October 17, 2023 in accordance with the laws of the State of North Carolina.

Adopted this, the ____ day of _____ 2023.

Town of Holly Springs by

Sean Mayefskie, Mayor

ATTEST:

Linda McKinney, Town Clerk





Holly Springs Planning Board

Planning Board Meeting Agenda Cover Sheet

Agenda Item#: 10.a.

New Business

Title: Training

Strategic Priority Area:

Staff Resource:

Action(s):

- No Action Requested

Explanation:

- Staff will provide a training session to the Planning Board on transportation planning, traffic studies, and required transport improvements with development applications.

Background:

N/A

Funding Source(s):

N/A

Attachment(s):

None