



**Agenda**  
**UDO Steering Committee**  
**Thursday, January 21, 2021**  
**12:00 PM**

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<b>Item</b>	<b>Topic</b>
	Join Zoom Meeting <a href="https://us02web.zoom.us/j/87449181134?pwd=MIJ3RnQ1QzVnNmRWU2tHVlgzb2o1Zz09">https://us02web.zoom.us/j/87449181134?pwd=MIJ3RnQ1QzVnNmRWU2tHVlgzb2o1Zz09</a> Meeting ID: 874 4918 1134 Passcode: 224071
1.	Call to order
2.	Review and Approve the December 17, 2020, committee meeting minutes
3.	Review Sections <ul style="list-style-type: none"><li>a. Section 2 - Administration</li><li>b. Section 5 - Uses</li></ul>
4.	Next scheduled meeting date: February 18, 2021
5.	Adjournment

The Town of Rolesville is committed to providing accessible facilities, programs and services for all people in compliance with the American with Disabilities Act. Should you need assistance or a particular accommodation for this meeting please contact the ADA Coordinator.



## Steering Committee Meeting Minutes

Date: Thursday, December 17, 2020

Time: 12:00 p.m.

### In Attendance

Mayor Ronnie Currin

Town Commissioner Jacky Wilson

Planning Board Vice-Chair Mike Moss

Econ. Dev. Mgr. Mical McFarland

Kimley Horn Consultant James Ehrmann

Rolesville Chamber Member Brad Walker

Andy Ammons

Mayor Pro Tem Michelle Medley

Town Manager Kelly Arnold

Planning Director Danny Johnson

Planner II Julie Spriggs

Kimley Horn Consultant Kelly Klepper

Parks & Rec Advisory Board Derek Versteegen

Plan. Dev. Spc. Shelly Raby

### Absent

Planning Board Member Davion Cross

Timothy Nau

### Call to order

Town Manager Kelly Arnold welcomed everyone.

### Meeting Minutes

The meeting minutes from November 19, 2020, heard no corrections.

### \*Important Notes

1. A Town Board meeting will be scheduled around the end of February to review work completed up to date and discuss the second half as we move forward. Mr. Johnson will work with the Planning Board to coordinate attendance in January or February for a meeting (special or regular TBD).

2. **Land Development Ordinance-** Mr. Johnson reviewed going forward to clarify between the old ordinance and the new proposed ordinance, the old will continue to be referred to as the Unified Development Ordinance (previous version used) and the new will be referred to as the Land Development Ordinance (in line with the 160D changes effective on July 1, 2021).

### Review of Sections

#### a. 6.6 Lighting- Continued Review

**Mr. Walker** questioned light pollution. Ms. Spriggs confirmed light pollution and night sky pollution standards are brought forward from UDO and are covered in the LDO.

The Town of Rolesville is committed to providing accessible facilities, programs, and services for all people in compliance with the Americans with Disabilities Act. Should you need assistance or a particular accommodation please contact the ADA Coordinator.

**Mayor Pro Tem Medley** asked for clarification of a lumen and foot candle. Ms. Spriggs will send the video and graphics to Ms. Medley for further review.

#### **b. 6.3.1 Open Space**

**Mr. Arnold** asked if Mr. Klepper and Mr. Ammons thought the open space standard is fair for our area in regards to Major vs. Minor? Mr. Klepper noted 10 percent (+/-) is commonly seen in other places but can be changed. Mr. Arnold asked if anyone has any thoughts or comments? Mr. Wilson asked for clarification if the standards are based on the building size versus the building footprint? Mr. Klepper clarified it is on the gross floor area total. Mr. Walker questioned why are we requiring open space for commercial? Mr. Klepper noted this is more geared for multi-family lots, not necessarily for new single-family dwellings. Ms. Spriggs noted this section is not used for use change. Single-family is exempt. Mr. Arnold noted he is concerned and wants Mr. Klepper, Mr. Johnson, and Ms. Spriggs to ensure the new ordinance allows for repairs/ renovation of buildings along Main Street.

#### **c. 6.3.2 Buffering- New Review**

**Mr. Walker** questioned the standards and streetscape buffering for downtown, mentioning Rolesville Commons sitting lower than the street and viewing what is in the plaza. Mr. Johnson replied elevation of the street is not a factor. Mr. Wilson pointed out when determining what types of trees are planted, some research needs to be done to prevent sprawl and damage of sidewalks, etc. Mr. Klepper noted that root barrier language has been added to address that concern. Mr. Versteegen has requested to be a part of the discussion on policies. He would like to ensure the species of plants be mixed and not just an option. Mr. Johnson noted this is already stated in the perimeter buffer table, and we want to create a separate document that states the range and various types of plants and trees not include it in the LDO.

#### **d. 6.3.4 Landscape Standards- New Review**

**Mr. Walker** questioned if a divided median could be part of the open space requirement for commercial. Mr. Johnson noted open space for commercial is outside eating, etc. The proposed islands with trees would help with shading for the parking lot, and the medians are safety features. Lowes hardware is a visual reference of what this trying to accomplish. Mayor Currin asked what is the required amount of open space for a strictly commercial lot? Ms. Spriggs replied for a development less than 25 acres, you need anywhere between 500 square feet and 1 acre of open space for that development. Currently, in the UDO, there is no provision of requirements.

**Mr. Arnold** would like to make sure Crossland SouthEast reviews everything we are proposing and that it is standard and fair and not too restrictive.

**Mr. Moss** noted typos and questioned the terminology of diameter and circumference under the Preservation Standards section. Mr. Klepper will send this to his team to clean up and fix.

Mr. Arnold asked Ms. Spriggs to reach out to the members unavailable for today's meeting to reverify their interest in participation, as well as to see about getting comments in advance.

In closing, Mayor Currin thanked everyone for their participation.

Ms. Spriggs will plan to send the next agenda out around January 7<sup>th</sup>, 2021.

**Next Meeting:** Thursday, January 21, 2021, 12:00 pm.- 2:00 pm.

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## Memorandum

**TO:** UDO Steering Committee  
**FROM:** Julie Spriggs, GISP, CFM, CZO, Planner II  
**DATE:** January 7, 2020  
**RE:** Item 3 Review of Sections

The working draft of the Land Development Ordinance (LDO) can be found online at <https://www.rolesvillenc.gov/planning/whats-new-plans-progress>.

The sections we will cover for January's meeting are Sections 2 and 5. As this is a large section to review, I have provided a PowerPoint slide deck to guide our discussion and review the materials before the meetings.

Section 2 text is pulled directly from the current Unified Development Ordinance (UDO) and state statutes. The review of this chapter should focus on the four points above.

Section 5 reformats the permitted uses section. Specific uses may need more attention after July 1. The deadline to have our ordinance in compliance with new state legislation is July 1, 2021. Significant discussions that may delay the LDO adoption can be held sometime after July 1, when the deadline for compliance has been met.

Our discussions will focus on the differences and significant changes between the current UDO and the proposed LDO. Please refer to the slide deck during your reviews to help guide you through the materials. The expectation is not for you to read every word of the proposed LDO sections. Expectations are as follows:

- ❖ Review the agenda, memo, slide deck, and accompany sections
- ❖ Sections to be discussed should be skimmed through with the four points in mind
  - Is the text easy to follow and understand?
  - Do the charts and graphics match the descriptions, and are they easy to understand what they represent?
  - Is there a topic you expected to see covered in this section that was missing?
  - Is there a topic covered that would be better served from another section of the ordinance?
- ❖ Topics included in the slide deck should be read more carefully, with intent to discuss during the meeting

# Welcome

*Town of Rolesville  
LDO Steering Committee Meeting  
Thursday, January 21, 2021*





# AGENDA ITEM 3

Section 2 - Administration

Section 5 - Uses

## SECTION 2 - ADMINISTRATION

- Section 2.1 covers the powers and duties of the various boards and positions granted authority in the LDO:
  - Board of Commissioners
  - Planning Board
  - Board of Adjustment
  - Town Manager
  - Technical Review Committee – will be added
  - Land Development Administrator
- Section 2.1 is directly from one of two sources:
  - Current UDO
  - State Statutes Chapter 160D

## SECTION 2 - ADMINISTRATION

- Section 2.2 covers the review process and procedures
  - Procedures manual will be a separate document
  - Notice Requirements
  - Hearings
    - Legislative and Quasi-Judicial Evidentiary
  - Conditions of Approval
  - Timing of hearings and applications
- Section 2.3 is directly from one of two sources:
  - Current UDO
  - State Statues Chapter 160D



## SECTION 2 - ADMINISTRATION

- Section 2.4 covers vested rights
  - Defines Permit Choice
  - Establishes types of vested rights and timelines
- Section 2.4 is directly from one of two sources:
  - Current UDO
  - State Statues Chapter 160D

## SECTION 5 - USES

- May be amended to after adoption
- Section 5.1 Principal Uses
  - The predominant use of a property, building, unit, or site
- Residential Principal Uses
  - Uses to consider for or after July 1, 2021
    - Tiny houses as a principal use (small lot, small house)
    - Cottage/bungalow courts (detached units arranged in groupings)
    - Others?



## SECTION 5 - USES

- Civic Principal Uses
  - Uses to consider for or after July 1, 2021
    - Private Amenity Centers
- Commercial Principal Uses
  - Uses to consider for or after July 1, 2021
    - Pop-ups
    - Open-Air Markets
    - Self-Storage
    - Tattoo Parlors



## SECTION 5 - USES

- Office and Medical Principal Uses
  - Other Uses to consider for or after July 1, 2021
- Industrial Principal Uses
  - Other Uses to consider for or after July 1, 2021
- Infrastructure Principal Uses
  - Other Uses to consider for or after July 1, 2021

## SECTION 5 - USES

- Open Principal Uses
  - Uses to consider for or after July 1, 2021
    - Urban Farming
    - Community Gardens
    - Bees
    - Chickens
- Section 5.2 Accessory Uses
  - Incidental to primary permitted use
  - Home Occupations
- Section 5.3 Miscellaneous Uses
  - Outlier uses category

## SECTION 5 - USES

- Section 5.4 Temporary Uses
  - Limited time frame of 3 months
  - Seasonal sales
  - Food Trucks
- Section 5.5 Permitted Uses Table
  - P = Permitted by Right
  - S = Special Use Permit
  - Uses are not in just alphabetical order, but grouped by Use, then alphabetized

# NEXT SCHEDULED MEETING – FEBRUARY 18, 2021



- Next scheduled meeting February 18, 2021
- Additional comments can be sent to [julie.spriggs@Rolesville.nc.gov](mailto:julie.spriggs@Rolesville.nc.gov) or call at 919-554-6517
- Working Draft is posted online <https://www.rolesvillenc.gov/planning/whats-new-plans-progress>
- Thank you for your time and participation

## 2. ADMINISTRATION

**EDITORIAL NOTE 12-2-2020:** Per ongoing discussions with Kelly A and Danny J, this Section should be extremely simplified and simply define the decision makers currently in the LDO (updated for LDO references). The actual process of decisions making and review will exist outside the LDO in an administrative manual.

**EDITORIAL NOTE 1-11-2020:** This section has been updated with staff comments in the document.

**Green Comments** = Internal comments with/for staff

**Blue Comments** = Questions/policy decisions for steering committee and Board (if required)

### 2.1. REVIEW AND DECISION-MAKING BODIES

#### 2.1.1. BOARD OF COMMISSIONERS (TOWN BOARD)

A. **Purpose and Intent.** The Board of Commissioners (BOC) is the elected body of the Town of Rolesville. To exercise authority granted to the BOC by state law, the BOC shall have the ability to exercise the powers and duties granted under this LDO.

B. **Powers and Duties.**

1. To review, hear, consider and approve, approve with conditions, or disapprove (as applicable) the following:
  - a. Development Agreement
  - b. Land Use Plan/Comprehensive Plan Amendment
  - c. Site Plan
  - d. Special Use Permit
  - e. Text Amendment
  - f. Vested Rights
  - g. Zoning Map Amendment
    - a. Conditional Zoning
  - h. Design Alternatives (in TC district)



2. To take any other power or duty not delegated to the Planning Board, Board of Adjustment, Town Manager, Land Development Administrator, or other town staff, as the Board of Commissioners may deem desirable and necessary to implement the provisions of the LDO.
- C. **Conflict of Interest.** Commissioners shall not vote on any matter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the Commissioner. All standards of G.S. 160D-109 shall be complied with. A member shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker.

### 2.1.2. PLANNING BOARD (PB)

- A. **Purpose and Intent.** The Planning Board (PB) exercises its authority consistent with G.S. 160D-301. The PB shall have the ability to exercise the powers and duties granted under this LDO.
- B. **Powers and Duties.** Consistent with G.S. 160D-301, the PB shall:
1. Prepare, review, maintain, monitor, and periodically update and recommend to the BOC a comprehensive plan, and such other plans as deemed appropriate, and conduct ongoing related research, data collection, mapping, and analysis.
  2. Facilitate and coordinate citizen engagement and participation in the planning process.
  3. Develop and recommend policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.
  4. Advise the BOC concerning the implementation of plans, including, but not limited to, review and comment on all zoning text and map amendments as required by G.S. 160D-604.
  5. Exercise any functions in the administration and enforcement of various means for carrying out plans that the governing board may direct.

6. To provide a preliminary forum for review of quasi-judicial decisions, provided that no part of the forum or recommendation may be used as a basis for the deciding board.
7. To perform any other related duties that the BOC may direct.

### C. Membership.

1. The Planning Board (PB) shall consist of seven members.
2. Four members shall be citizens living within the corporate limits of the municipality and three members shall be residents of the county living within the area of municipal extraterritorial jurisdiction.
3. The members residing within the municipality shall be appointed by the BOC and the members residing within the area of municipal extraterritorial jurisdiction shall be appointed by the Board of County Commissioners of Wake County, upon receipt of a resolution from the municipal legislative body requesting that such appointments be made. In the event the Board of County Commissioners fails to make the appointments requested within the 90 days of receipt of the resolution, the municipal legislative body shall make the appointments.
4. Their successors shall be appointed for terms of three years.
5. Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term. Vacancies shall be filled by the legislative body responsible for the original appointment.
6. Faithful attendance at the meetings of the PB is considered a prerequisite for the maintenance of membership on the PB. Failure to attend three consecutive meetings shall be deemed adequate cause for summary removal on the PB by the legislative body.
7. Each board member shall have taken an oath of office before starting their duties per G.S. 160D-309.
8. Alternate members may be assigned consistent with G.S. 160D-302.

### D. Rules of Procedure

## 1. Officers and Duties

- a. The officers of the PB shall consist of a Chairman and Vice Chairman.
- b. The Chairman shall preside at all meetings and hearings of the Planning Board and have the duties normally conferred by parliamentary usage on such officers.
- c. The Vice Chairman shall serve as acting Chairman in the absence of the Chairman, and at such times shall have the same power and duties as the Chairman.
- d. Robert Rules of Order shall be recognized as the standard rules of procedure for the PB.
- e. When chairman and vice chairman is absent at required meeting with quorum present, it shall be required to elect an acting chairman from the members present to preside over the meeting.

## 2. Election of Officers

- a. Officers shall be elected by the PB from among its appointive members.
- b. Officers shall be elected at the annual organization meeting which shall be held in January of each year.
- c. The candidate for each office receiving a majority vote of the entire membership of the PB shall be declared elected.
- d. All officers shall be elected for a term of one year and all officers shall be eligible to succeed themselves.
- e. Vacancies in the office shall be filled immediately for the unexpired term by the regular election procedure.

## 3. Meetings

- a. All business to be considered shall be listed on an agenda and to secure such consideration must be received by the Chairman or Secretary at least five days before any regular scheduled meeting. All special business

or items not specifically noted on the regular meeting agenda may be deferred by the PB until the next regular meeting date.

- b. All meetings at which official action is taken shall be open to the general public; however, this shall in no way prohibit or restrict the PB from adjourning on a motion for executive session.
- c. Special meetings may be called by the Chairman. The notice of such a meeting shall specify the purpose of the meeting and no other businesses may be considered except by unanimous consent of the PB members present.
- d. A majority of the appointed members of the PB shall constitute a quorum and shall be present before any formal business is transacted.
- e. All plans, reports and recommendations of the PB must be approved by at least a majority of the appointed members of the PB present at the meeting. The vote of a majority of these members present shall be sufficient to decide all matters before the PB, provided a quorum is present.
- f. The PB shall not vote on advisory or legislative decisions regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appoint board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. A member shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker.

### 2.1.3. BOARD OF ADJUSTMENT (BOA)

- A. **Purpose and Intent.** The Board of Adjustment (BOA) exercises its authority consistent with G.S. 160D-302. The BOA shall have the ability to exercise the powers and duties granted under this LDO.
- B. **Powers and Duties.** Consistent with G.S. 160D-302, the BOA shall review, hear, consider and approve, approve with conditions, or disapprove (as applicable) the following:
1. Appeals
  2. Variances
  3. Map Interpretations. The Board of Adjustment shall hear and decide appeals to interpret the official zoning map in accordance with Section 4.3 of this LDO.
- C. **Membership.**
1. The BOA shall consist of five members, including three residents of the Town of Rolesville and two residents of the extraterritorial jurisdiction.
  2. All members of the BOA shall have voting power on all matters of business.
  3. The town resident members of the BOA shall be appointed by the BOC.
  4. Residents of the extraterritorial jurisdiction shall be appointed by the Board of Commissioners of Wake County.
  5. The initial terms of office were as follows: one member appointed for a term of one year; two members appointed for terms of two years (one of whom is an extraterritorial member); and two members appointed for terms of three years (one of whom is an extraterritorial member).
  6. At completion of the initial terms of office for each member, all additional appointments to vacancies of the BOA were and shall be for three-year terms.
  7. The BOA members serving when this ordinance is adopted shall continue to serve in accordance with the terms to which they were appointed.
  8. Each board member shall have taken an oath of office before starting their duties per G.S. 160D-309.

## D. Rules of Procedure

### 1. Officers and Duties

- a. The BOA shall elect a chairman and vice-chairman from its regular members, who shall serve for one year or until re-elected or until their successors are elected and shall appoint a clerk, who may be a town staff member.
- b. Robert Rules of Order shall be recognized as the standard rules of procedure for the BOA.

### 2. Meetings

- a. The presence of four regular members or alternate members of the sitting in place of the members are necessary for a quorum.
- b. The Clerk of the BOA shall keep minutes of its proceedings, showing the vote of each member upon every question, or if failing to vote, indicating the facts.
- c. The BOA may subpoena witnesses and compel the production of evidence. If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the BOA may appeal to the General Court of Justice for an order requiring that its order be obeyed, and the Court will have jurisdiction to issue those orders after notice to all proper parties. No testimony of any witness before the BOA pursuant to a subpoena issued in exercise of the power conferred by this subsection may be used against the witness in the trial of any civil or criminal action other than a prosecution for false swearing committed on the examination. Anyone who, while under oath during a proceeding before the BOA, willfully swears falsely, is guilty of a Class I misdemeanor.
- d. Voting. The concurring vote of four-fifths of BOA shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For the purposes of this subsection, vacant positions on the BOA and members who are disqualified from voting on a quasi-

judicial matter shall not be considered members of the BOA for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

- E. **Conflict of Interest.** The BOA shall adopt rules and by-laws in accordance with the provisions of this ordinance and G.S. 160D-109. A member of any BOA exercising quasi-judicial functions pursuant to this Article shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex-parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.
- F. **Decision and Appeal.** The BOA shall determine contested facts and make its decision within a reasonable time. Every quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record. Each quasi-judicial decision shall be reduced to writing and reflect the BOA 's determination of contested facts and their application to the applicable standards. The written decision shall be signed by the chair or other duly authorized member of the BOA. A quasi-judicial decision is effective upon filing the written decision with the Town Clerk. The decision of the BOA shall be delivered by personal delivery, electronic mail, or by first class mail to the applicant, property owner, and to any person who has submitted a written request for a copy, prior to the date the decision becomes effective. The person required to provide notice shall certify that proper notice has been made. Every quasi-judicial decision shall be subject to review by the superior court by proceedings in the nature of certiorari pursuant to G.S. 160D-1402. A petition for review shall be filed with the clerk of superior court after 30 days of the decision of the BOA is effective or after a written copy thereof is given. When first class mail is used to deliver notice, three days shall be added to the time to file the petition.

#### 2.1.4. TOWN MANAGER

- A. **Powers and Duties.** The Town Manager is a Town employee responsible for administering and managing the various responsibilities of the Town per the BOC. In the event the Land Development Administrator position is vacant, the duties specified for the Land Development Administrator shall be carried out by the Town Manager.

#### 2.1.5. TECHNICAL REVIEW COMMITTEE (TRC)

- A. **Purpose and Intent.** The Technical Review Committee shall exercise their duties and power per this LDO. The Technical Review Committee, referred to in this LDO as the “TRC”, is an administrative body consisting of the various staff departments related to development at the Town. The TRC consists of departments or outside agencies needed to review and analyze the various review procedures detailed in this LDO and administrative manual.

#### 2.1.6. LAND DEVELOPMENT ADMINISTRATOR (LDA)

- A. **Purpose and Intent.** The Land Development Administrator (LDA) shall exercise their duties and power per this LDO. The LDA shall be responsible for all administrative planning roles within this LDO.
- B. **Powers and Duties.** The LDA, or their designee(s), shall be responsible for:
1. Administration and coordination of the Town's planning program, including supervising planning studies and reports, assembling data, preparing maps, maintaining an information system, developing planning policy, and implementing the community planning process.
  2. Providing staff support and technical assistance to the BOC, PB, and BOA.
  3. Providing liaison information and technical assistance to citizens, community groups, other governments, the development community, and other stakeholders.
  4. Administration of land use controls such as those contained in the LDO, and their technical maintenance.



5. Enforcement of the provisions of this LDO.
6. Other duties as assigned by the Town Manager.
7. Oath of Office before starting their duties per G.S. 160D-309, including all designees.

## 2.2. REVIEW PROCEDURES



- A. **Review Procedures Manual.** All review procedures for processes delineated in this LDO shall be contained in a separate, administrative manual. The administrative manual may be requested from the Town Planning Department.
- B. **Notice Requirements.**
  1. **Published Notice Requirements.** Consistent with G.S. 160D-601, before adopting, amending, or repealing any ordinance or development regulation requiring a legislative hearing, a notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than 10 days nor more than 25 days before the date scheduled for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.
  2. **Mailed Notice Requirements.** Mailed notices shall identify the date, time and place of the public hearing, describe the subject property by address, describe the scope of proposed development, and identify a method to contact the Town for questions regarding the proposed development. In any instance where the provisions of G.S. 160D-601 or 602 require a mailed notice, the review authority shall ensure the mailed notice is completed in accordance with the following:
    - a. Mailed notices shall be provided to the applicant, landowner, and all landowners entitled to receive notice in accordance with G.S. 160D-601 and 602;
    - b. The required mailed notice shall be sent via United States first class mail;
    - c. A copy of the mailed notice shall be kept in the offices of the review authority for public record purposes;

- d. Notice shall be provided at least ten (10) days but not more than twenty-five (25) days prior to the date of the hearing; and
  - e. Notice shall be given to neighboring property owners, by mail, at least ten (10) days but not more than twenty-five (25) days prior to the date of the hearing, to those persons who have listed for taxation real property within 200 feet of the lot that is the subject to the application and the owners of all parcels of land abutting that parcel of land. For the purpose of this Section, properties are “abutting” even if separated by a street, railroad, or other transportation corridor.
3. **Posted Notice Requirements.** Posted notices shall identify the date, time and place of the public hearing, describe the subject property by address, describe the scope of proposed development, and identify a method to contact the Town for questions regarding the proposed development. In any instance where the provisions of G.S. 160D-602 require a posted notice, the review authority shall ensure the posted notice is provided in accordance with the following:
- a. A posted notice shall be placed prominently on the site that is the subject of the hearing, or on an adjacent street or highway right-of-way, at least ten (10) days, but not more than twenty-five (25) days, prior to the date of the hearing.
  - b. The content and form of the notice shall comply with all provisions of G.S. 160D-602.


C. **Hearings.**

- 1. **Required Public Hearing.** Before making a decision on an appeal or an application requiring a public hearing, the decision making body shall hold a public hearing on the application. The hearing shall be open to the public and comply with the following:
  - a. Any persons intending to present evidence or testimony shall be sworn if the hearing is an evidentiary hearing.
  - b. All findings and conclusions shall be based upon evidence if the hearing is an evidentiary hearing.

- c. Accurate minutes shall be kept.
2. **Legislative Public Hearings.** Legislative public hearing shall be held in accordance with all state law and comply with the following requirements:
  - a. Legislative public hearings are not quasi-judicial in nature.
  - b. The legislative public hearing shall be open to the public and attendees shall be allowed opportunity to comment.
  - c. Detailed minutes of proceedings shall be kept per G.S. 160D-308.
  - d. **Decisions** for legislative public hearing applications shall be decided by a simple majority vote.
  - e. Revisions may be made to an application during a public hearing in response to recommendations or suggestions of the review/approval authority. Any required or necessary modifications to the application shall be provided to Town staff prior to issuance of any permit approvals.
3. **Quasi-Judicial Public Hearings.** Quasi-judicial public hearings shall be held in accordance with all state law and G.S. 160-406. Quasi-judicial public hearings and rulings must be based upon only the evidence received by the review/approval authority at the hearing and comply with the following requirements:
  - a. Testimony and **evidence** may be provided by any party in attendance who would have standing to appeal the decision under G.S. 160D-14-2(d) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the review authority. The party shall be afforded a reasonable opportunity to provide testimony, ask questions, or cross examine an applicant and Town staff.
  - b. The administrator or staff to the review authority shall transmit to the review authority all applications, reports, and written materials relevant to the matter being considered and comply with G.S. 160D-406(c).

- c. The chair or officer of the review/approval authority may exclude or limit incompetent evidence and/or personal attacks.
- d. Recommendations or decisions shall be made based upon evidence in the record and not hearsay. Recommendations or decisions shall clearly state factors involved in making the recommendation or decision. The review/approval authority shall act as a fact-finding body and make a decision in accordance with evidence presented.
- e. Ex parte communications are prohibited between applicant or affected party and a member of the review/approval authority.
- f. Any conflict of interest (perceived or actual) shall be disclosed and a review/decision authority member shall not participate in or vote on any quasi-judicial matter if a conflict of interest exists. The standards of G.S. 160D-109 shall apply.
- g. Revisions may be made to an application during a quasi-judicial public hearing in response to recommendations or suggestions of the review/approval authority. Any required or necessary modifications to the application shall be provided to Town staff prior to issuance of any permit approvals. 
- h. When hearing an appeal, the decision making body may reverse or affirm, wholly or partly,  may modify the decision appeal from and shall make any order, requirement, decision, or determination that ought to be made per G.S. 160D-406(j).

**D. Conditions of Approval.** Conditions of approval shall comply with the following:

1. Conditions of approval are limited to a ditional rezoning (a legislative process) and quasi-judicial processes;
2. Conditions of approval shall be limited to conditions necessary to ensure compliance with the LDO, or to prevent or mitigate adverse effects from the proposed development on neighboring land;
3. Any condition of approval shall be set forth in any official notice of decision or permit approval; and

4. Conditions of approval may be proposed by applicant, Town staff, or the particular review/approval authority.
5. Conditions may **not** be approved that are not permitted under G.S. 160D; any regulation relating to building design elements adopted under G.S. 160D may not be applied to any structures subject to regulation under the North Carolina Residential Code for One-and Two-Family Dwellings except under the circumstances granted in 160D-702.

#### E. **Timing.**

1. **Continued Hearings.** The particular approval authority or applicant may continue a public hearing to a subsequent date. No further notice of a continued hearing need be published unless a period of six weeks or more elapses between hearing dates. A request for a continued hearing may be approved if the applicant needs additional time to gather additional information, gather additional public input, or prepare additional evidence.
2. **Withdrawal.** An applicant may withdraw an application at any time and is subject to any incurred fees.
3. **Subsequent Applications.** If an application is denied, no application proposing the same or similar development on the land may be submitted within one year after the official date of denial.

### 2.3. VESTED RIGHTS

- A. **Purpose.** The purpose of this Section is to conform to G.S. 160D-108 and recognize that local government approval of development typically follows significant investment in site evaluation, planning, development costs, consultant fees, and related expenses, and to establish a clear procedure for an applicant to receive reasonable certainty, stability, and fairness in the development regulation process to secure the reasonable expectations of landowners, and foster cooperation between the public and private sectors in land-use planning and development regulation. These provisions strike an appropriate balance between private expectations and the public interest.

- B. **Permit Choice.** If an application made in accordance with local regulation is submitted for a development approval required pursuant to North Carolina General Statutes and this LDO, and a development regulation changes between the time the application was submitted and a decision is made, the applicant may choose which version of the development regulation will apply to the application. If the development permit applicant chooses the version of the rule or ordinance applicable at the time of the permit application, the development permit applicant shall not be required to await the outcome of the amendment to the rule, map, or ordinance prior to acting on the development permit.
- C. **Process.** A person claiming a statutory or common law vested right may submit information to substantiate that claim to the Land Development Administrator, who shall make an initial determination as to the existence of the vested right. The Land Development Administrator's determination may be appealed under G.S. 160D-4-5. On appeal the existence of a vested right shall be reviewed de novo. In lieu of seeking such a determination, a person claiming a vested right may bring an original civil action as provided by G.S. 160D-4-5(c).
- D. **Types and Duration of Statutory Vested Rights.** Each type of vested right listed below is defined by and is subject to the limitations provided in the cited statutes. Vested rights established under this Section are not mutually exclusive. Vested rights established under this Section are not mutually exclusive. The establishment of a vested right under one subsection does not preclude vesting under one or more other subsections or by common law principles.
1. **Building Permits – Six Months.** Pursuant to G.S. 160D-11-9, a building permit expires six months after issuance unless work under the permit has commenced. Building permits also expire if work is discontinued for a period of 12 months after work has commenced.
  2. **Other Local Development Approvals – One Year.** Pursuant to G.S. 160D-4-3(c), unless otherwise specified by this Section, statute or local ordinance, all other local development approvals expire one year after issuance unless work has substantially commenced. Expiration of a local development approval does not

affect the duration of a vested right established as a site specific vesting plan, a multiphase development plan, a development agreement, or vested rights established under common law.

**3. Site Specific Vesting Plans – Two to Five Years.**

- a. **Duration.** A vested right for a site specific vesting plan shall remain vested for a period of two years. This vesting shall not be extended by any amendments or modifications to a site specific vesting plan unless expressly provided by the Town of Rolesville. A local government may provide that rights regarding a site specific vesting plan shall be vested for a period exceeding two years, but not exceeding five years, if warranted by the size and phasing of development, the level of investment, the need for the development, economic cycles, and market conditions or other considerations. This determination shall be in the discretion of the local government and shall be made following the process specific by subsection (c) below for the particular form of a site specific vesting plans involved.
- b. **Relation to Building Permits.** A right vested as provided this subsection shall terminate at the end of the applicable vesting period with respect to buildings and uses for which no valid building permit application have been filed. Upon issuance of a building permit, the provisions of G.S. 160D-11-9 and G.S. 160D-11-13 shall apply, except that the permit shall not expire or be revoked because of the running of time while a vested right under this subsection exists.
- c. **Requirements for Site Specific Vesting Plans.** For the purposes of this Section a “site-specific vesting plan” means a plan submitted a local government describing which reasonable certainty the type and intensity of use for a specific parcel or parcels of property. The plan may be in the form of, but not be limited to, any of the following plans or approvals: a planned unit development plan, a subdivision plat, a site plan, a preliminary or general development plan, a special use permit, a conditional zoning, or any other development approval as may be used by local government. Unless otherwise expressly provided by local

government. Unless otherwise expressly provided by the local government, the plan shall include the approximate boundaries of the site, significant the topographical and other natural features effecting development of the site; the approximate location on the site of the proposed buildings, structures, and other improvements; the approximate dimensions, including height, of the proposed building and other structures; and the approximate location of all existing and proposed infrastructure on the site, including water, sewer, roads, and pedestrian walkways. What constitutes a site specific vesting plan shall be defined by relevant development regulation and the development approval that triggers vesting shall be so identified. At a minimum, the regulation shall designate a vesting point earlier than the issuance of a building permit. In the event the Town of Rolesville fails to adopt a regulation setting forth what will constitute a “site specific vesting plan” and approval of a site specific vesting plan with the condition that a variance be obtained shall not confer a vested right unless and until the necessary variance is obtained. If a sketch plan or other document fails to describe with reasonable certainty the type and intensity of a use for a specified parcel or parcels of property, it may not constitute a site specific vesting plan.

- d. **Process for Approval and Amendment of Site Specific Vesting Plans.** If a site specific plan is based on an approval required by a local development regulation, the local government shall provide whatever notice and hearing is required for that underlying approval. If the duration of the underlying approval is less than two years, that shall not affect the duration of the site specific vesting established by this subsection. If the site specific vesting plan is not based on such an approval, a legislative hearing with notice as required by G.S. 160D-6-2 shall be held. The Town may approve a site specific vesting plan upon such terms and conditions as may reasonably be necessary to protect the public health, safety, and welfare. Such conditional approval shall result in a vested right, although failure to abide by such terms and conditions will result in a forfeiture of vested rights. The Town shall not require a landowner to waive vested



rights as a condition of development approval. A site specific vesting plan shall be deemed approved upon the effective date of the Town's decision approving the plan or such other date as determined by the governing board upon approval. An approved site specific vesting plan and its conditions may be amended with the approval of the owner and the local government as follows: Any substantial modification must be reviewed and approved in the same manner as the original approval; minor modifications may be approved by the Land Development Administrator.

4. **Multi-Phase Developments – Seven Years.** A multi-phased development shall be vested for the entire development with the zoning regulations, subdivision regulations, and unified development ordinances in place at the time a site plan approval is granted for the initial phase of the multi-phased development. This right shall remain vested for a period of seven years from the time a site plan approval is granted for the initial phase of the multi-phased development. For purposes of this subsection, “multi-phased development” means a development containing 100 acres or more that (i) is submitted for site plan approval for construction to occur in more than one phase and (ii) is subject to a master development plan with committed elements, including a requirement to offer land for public use as a condition of its master development plan approval.
  5. **Development Agreements – Indefinite.** A vested right of reasonable duration may be specified in a development agreement.
- E. **Continuing Review.** Following approval or conditional approval of a statutory vested right, the Town may make subsequent reviews and require approvals by the Town to ensure compliance with the terms and conditions of the original approval, provided that such reviewed and approvals are not inconsistent with the original approval. The Town may revoke the original approval for failure to comply with the applicable terms and conditions of the original approval or the applicable development regulation.
- F. **Exceptions.**
1. A vested right, once established as provided for by subdivisions (3) or (4) of subsection (D) of this Section, precludes any zoning action by the Town that would change, alter, impair, prevent, diminish, or otherwise delay the

development or use of the property as set forth in an approved vested right, except:

- a. With the written consent of the affected landowner;
  - b. Upon findings after notice and hearing, that natural or man-made hazards on or in the immediate vicinity of the property, if uncorrected, would pose a serious threat to the public health, and safety, and welfare if the project were to proceed as contemplated in the approved vested right;
  - c. To the extent that the affected landowner receives compensation for all costs, expenses, and other losses incurred by the landowner, including, but not limited to, all fees paid in consideration of financing, and all architectural, planning, marketing, legal, and other consultant's fees incurred after approval by the Town, together with interest as is provided in G.S. 160D-1-6. Compensation shall not include any diminution in the value of the property that is caused by such action;
  - d. Upon findings, after notice and an evidentiary hearing, that the landowner or his representative intentionally supplied inaccurate information or made material misrepresentations that made a difference in the approval by the Town of the vested right; or
  - e. Upon the enactment or promulgation of a State or federal law or regulation that precludes development as contemplated in the approved vested right, in which case the Town may modify the affect provisions, upon a finding that the change in State or federal law has a fundamental effect on the plan, after notice and an evidentiary hearing.
2. The establishment of a vested right under subdivisions (3) or (4) of subsection (D) of this Section shall not preclude the application of overlay zoning or other development regulation which imposes additional requirements but does not affect the allowable type or intensity of use, or ordinances or regulations that are general in nature and are applicable to all property subject to development regulation by the Town, including, but not limited to, building, fire, plumbing, electrical, and mechanical codes. Otherwise applicable new regulations shall

become effective with respect to property that is subject to a vested right established under this Section upon the expiration or termination of the vested rights period provided for in this Section.

3. Notwithstanding any provision of this Section, the establishment of a vested right under this Section shall not preclude, change or impair the authority of the Town to adopt and enforce development regulation provisions governing non-conforming situations or uses as defined in Section 10 of this LDO.

**G. Miscellaneous Provisions.**

1. A vested right obtained under this Section is not a personal right but shall attach to and run with the applicable property. After approval of a vested right under this Section, all successors to the original landowner shall be entitled to exercise such rights.
2. Nothing in this Section shall preclude judicial determination, based on common law principles or other statutory provisions, that a vested right exists in a particular case or that a compensable taking has occurred. Except as expressly provided in this Section, nothing in this Section shall be construed to alter the existing common law.

## 5. USES

\*1/8/2021 Editorial Note: Added in comments from PDF scans, Danny and Julie/Kelly

**Green Comments** = Internal comments with/for staff

**Blue Comments** = Questions/policy decisions for steering committee and Board.

### 5.1. PRINCIPAL USES

#### 5.1.1 GENERALLY

- A. **Purpose and Intent.** “Principal use” shall be defined as the primary or predominant use of which a property, building, unit, site or premises is devoted. All other uses on the premises are deemed accessory. All principal uses shall be listed on the corresponding Permitted Principal Uses Table and must comply with the standards of this Section.
- B. **Use Categories.** To regulate use, categories of uses (“use categories”) for principal uses have been established. Use categories provide a systematic basis for assigning land uses to appropriate categories or zoning districts with other similar or compatible uses and are consistent with established and desired land uses and future land uses in the adopted Comprehensive Plan. Use categories classify land uses and activities based on common functional, product or physical characteristics. Characteristics include the type and amount of activity, the characteristics of customers or residents, how goods or services are sold or delivered, and certain site factors. Principal uses have been grouped into the following use categories:
1. **Residential.** Residential uses promote a variety of housing options for the citizens of Rolesville, ranging from low density single unit residential to high density multiunit residential. Implements low density, medium density, and high density future land use classifications,
  2. **Civic.** Public and institutional uses such as parks, preserved open spaces, public libraries, museums, schools, police, fire, and similar uses.
  3. **Commercial.** Retail sales and services.
  4. **Office and Medical.** Office and medical services including professional offices, medical offices, veterinarians, and hospitals.

5. **Industrial.** Intense heavy industrial uses, recycling and processing plants, waste related services.
6. **Infrastructure.** Minor and major utilities and infrastructure related uses.
7. **Open Uses.** Agricultural and associated uses.

**C. Considerations.**

1. Uses are assigned to the category whose description most closely describes the nature of the primary use. The characteristics subsection of each use category describes the characteristics of each use category. Developments may have more than one primary use. Developments may also have one or more accessory uses. Developments with more than one primary use are addressed in subsection (D) below. Accessory uses are addressed in Section 5.2.
2. The Land Development Administrator is responsible for consideration of uses. If a proposed principal use is not included in this LDO, the Land Development Administrator may use the following items to determine what use category the use is in, and whether the activities constitute primary uses or accessory uses:
  - a. The description of the activity(ies) in relationship to the characteristics of each use category;
  - b. The relative amount of site or floor space and equipment devoted to the activity;
  - c. Relative amounts of sales from each activity;
  - d. The customer type for each activity;
  - e. The relative number of employees in each activity;
  - f. Hours of operation;
  - g. Building and site arrangement;
  - h. Vehicles used with the activity;
  - i. The relative number of vehicle trips generated by the activity;
  - j. Signs;

- k. How the use advertises itself; and
- l. Whether the activity would be likely to be found independent of the other activities on the site.

**D. Developments with Multiple Primary Uses.** When all the primary uses of a development fall within one use category, then the development is assigned to that use category. For example, a development that contains a retail bakery and a cafe would be classified in the retail sales and service category because all of the primary uses are in that category. **When** the primary uses of a development fall within different use categories, each primary use is classified separately and is subject to the regulations for that category.

**E. Definition of Principal Uses.** Each principal use shall be defined by utilizing the following format:

1. **Characteristics.** Characteristics shall be considered the basic definition of a principal use. Additional information on a use is defined in subsections (2-5).
2. **Accessory Uses.** Accessory uses are allowed by right in conjunction with the primary use unless stated otherwise in the regulations. Accessory uses are subject to the same regulations as the primary use. General standards for accessory uses are defined in Section 5.2 below.
3. **Examples.** Examples are listed for each definition. Examples are intended to provide a base for consideration of a similar use (if a similar use is not listed).
4. **Exceptions.** Exceptions are listed to exclude uses which may be commonly confused with another use.
5. **Use Standards.** Use standards are understood to be additional limitations and standards on a particular use. Use standards must be met at the beginning of a principal use (i.e. at time of Town approval).

## 5.1.2. RESIDENTIAL PRINCIPAL USES

### A. Dwelling, Single Family, Detached

1. **Characteristics.** A detached, residential building containing only one dwelling unit. For regulatory purposes, the term is not to be construed as including

mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.

2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and guest house or accessory structures such as a garage or shed. Home occupations may also be permitted as an accessory use including family adult care, up to 6 residents. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential character of the dwelling.
3. Examples. Examples include single family homes and modular homes on a variety of lot sizes and types.
4. Exceptions.
  - a. Lodging where tenancy is arranged for one week or less is considered a form of transient lodging (see commercial categories).

#### **B. Dwelling, Single Family, Attached**

1. Characteristics. A building that may be attached or semi attached, consisting of dwelling units, each dwelling unit typically owned by separate ownership. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing. Limited to 8 units.
2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed. Home occupations may also be permitted as an accessory use including family adult care, up to 6 residents. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential character of the dwelling.
3. Examples. Examples include townhouses, villas, or other attached single family housing options.
4. Exceptions.

- a. Lodging where tenancy is arranged for one week or less is considered a form of transient lodging (see commercial categories).
5. Use Standards.
- a. Townhouses/Attached Dwellings. Townhouses are limited to eight units per structure.

### C. Dwelling, Double Family

1. Characteristics. A building containing two dwelling units consolidated into a single structure on one single lot. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.
2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed. Home occupations may also be permitted as an accessory use.
3. Examples. Examples include two family homes on a variety of lot sizes and types, such as a duplex.
4. Exceptions. Lodging where tenancy is arranged for one week or less are considered to be a form of transient lodging (see commercial categories). 04

### D. Dwelling, Multiple Family

1. Characteristics. Multiple family dwellings are characterized by a building that contains more than five dwelling units. This definition includes condominiums or multiple unit apartments. Tenancy is arranged for periods longer than one week.
2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants and guests, piers and docks, and accessory structures such as a garage or shed. Home occupations may also be permitted as an accessory use including family adult care, up to 6 residents. The home occupation shall be clearly incidental and subordinate to the residential



use of the dwelling and shall not change the residential character of the dwelling.

3. Examples. Uses include apartments and condominiums.
4. Exceptions.
  - a. Lodging where tenancy is arranged for one week or less are considered to be a form of transient lodging (see the commercial categories).
5. Use Standards.
  - a. All dumpsters and other building service areas shall be located where they are concealed from view from the public right of way. All dumpsters shall be concealed with secured gates, landscaping, and solid screening.

#### **E. Dwelling, Upperstory Unit**

1. Characteristics. Upperstory units are characterized by a building that contains a separate use on the bottom floor, and dwelling units on the floors above. These are commonly associated with mixed-use buildings, or a residence above a shop or commercial location. Tenancy is arranged for periods longer than one week.
2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of autos for the occupants, piers and docks. Home occupations may also be permitted as an accessory use including family adult care, up to 6 residents. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential character of the dwelling.
3. Examples. Uses include mixed-use buildings featuring a separate use on the bottom floor, with residential above.
4. Exceptions.
  - a. Lodging where tenancy is arranged for one week or less are considered to be a form of transient lodging (see the commercial categories).

#### **F. Dwelling, Manufactured Family**

1. **Characteristics.** Manufactured family dwellings are built on an integral chassis, with or without permanent foundation, and are used as a dwelling unit. Manufactured family dwellings are subject to any state standards for safety and occupancy.
2. **Accessory Uses.** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed. Home occupations may also be permitted as an accessory use including family adult care, up to 6 residents. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential character of the dwelling.
3. **Examples.** Examples include any type of park model or travel trailer designed as a dwelling unit, built on an integral chassis, with or without permanent foundation. This term includes mobile homes, park trailers, travel trailers and similar transportable structures intended to be improved property.

#### **G. Boarding House/Dormitory**

1. **Characteristics.** A facility with lodging for one or more persons in a group that does not constitute a single family unit.
2. **Accessory Uses.** Accessory uses commonly found are recreational activities, hobbies, and parking of the occupants' vehicles.
3. **Examples.** Uses include a boarding house for an educational facility, rooming house, fraternity or sorority.
4. **Exceptions.**
  - a. Rehabilitation of adults or juvenile offenders sentenced by a court (see correctional facility).

#### **H. Family Care Facility**

1. **Characteristics.** An adult care home having two to six residents. The structure of a family care home may be no more than two stories high, and none of the aged or physically disabled persons being served there may be housed in the upper story without provision for two direct exterior ground-level accesses to the

upper story. Per G.S. 131D. Family care homes are facilities that provide health, counseling, or related services for persons with a disability in a family type of environment. Disable persons include those with a temporary or permanent physical, emotional, or mental disability, but not including persons who are dangerous to others as defined in G.S. 122C-3(11)b. G.S. 168-22 provides that local zoning ordinances must treat certain family care homes as if they were single-family homes.

2. Accessory Uses. Accessory uses commonly found are recreational activities, hobbies, and parking of the occupants' vehicles.
3. Examples. Uses include a dwelling unit designed to provide room, board, and care for six or fewer persons in a family environment.
4. Exceptions.
  - a. Halfway houses or facilities designed to care for those who may be a harm to themselves or others (see Social Services).

#### I. **Live-Work Unit.**

1. Characteristics. Live-work units typically occur within a building used jointly for commercial or industrial and residential purposes. Live-work buildings are generally constructed for commercial or industrial uses and allow for both living and work space uses. All permitted uses may occupy any story of a live-work building. Customers are permitted to come to and from. The occupations must provide a service or product that is conducted wholly within a residential dwelling that allows employees and customers to visit.
2. Accessory Uses. Accessory uses may include associated office, ancillary indoor storage, parking for resident and customer cars.
3. Examples. Examples may include a commercial or industrial building built out to include units which allow for commercial activity and a residential use. This may include lofts which feature a workshop and bedroom so the owner/occupant of the unit may run a business and also live where they conduct the business. General examples of business conducted in a live-work may be an artisanal workshop or gallery, wood or metal workshop (using only the use of hand tools

and small-scale, light equipment), demonstration kitchens, office, resale of items such as antiques and clothing made or altered on site.

4. Exemptions.

- a. Home-occupation. Home occupations are an accessory use to a residential primary use and do not allow customers to come to and from.

5. Use Standards.

- a. A live-work business shall be subject to all applicable Town occupational license and other business taxes.
- b. Any potential resident must be legally notified that the structure is a live-work structure and allows for commercial activity in units within the structure.
- c. A minimum of one individual must occupy the live-work unit as their primary residence.
- d. The live-work unit may not employ more than 2 individuals (not including the primary resident) not living on the premises at any one time.
- e. Occupations or businesses catering to groups may not have any groups larger than 5 persons at one time. No more than 5 customers at once are to be permitted inside.
- f. No storage or warehousing of material is permitted outdoors.
- g. No visible evidence of the occupation inside (other than a permitted sign).

**J. Residential Care (ALF, ILF, CCF)**

1. Characteristics. ALF (Assisted Living Facility), ILF (Independent Living Facilities), CCF (Convalescent Care Facilities) provide residential facilities with on-site 24-hour medical care for seniors. This use category describes building or buildings, Section or distinct part of a building, private home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more

personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator.

2. Accessory Uses. Accessory uses commonly found are recreational activities, cafeteria, café, dining hall, hobbies, parking of the occupants' vehicles, facilities for staff.
3. Examples. Uses include living in nursing homes, skilled nursing facilities, assisted living facilities, convalescent care facilities, and other senior living facilities.
4. Exceptions.
  - a. Lodging where tenancy is arranged for one week or less are considered to be a form of transient lodging (see commercial categories).
5. Use Standards.
  - a. Residential care facilities are permitted a number of rooming units equal to 2 times the density of the applicable district. For example, if 10 units per acre are allowed, the residential care facility may have 20 rooming units.
  - b. Structures shall demonstrate a pedestrian circulation plan, including internal walkways, and shall include provisions for alternative transportation options for residents of the facility.
  - c. Residential care facilities shall be designed and used to serve its residents and their guests only.
  - d. All dumpsters and other building service areas shall be located where they are concealed from view from the public right of way. All dumpsters shall be concealed with secured gates, landscaping, and solid screening.

#### **K. State Licensed Group Homes**

1. Characteristics. A facility with more than 4 unrelated persons who may reside who are at risk, including battered individuals, pregnant women and their children, runaway children, temporarily or permanently disabled mentally, emotionally or physically, individuals recovering from drug or alcohol abuse and all other persons who possess a disability that is protected by the provisions of

either the Americans with Disabilities Act 42 USC 12101 or N.C. Gen. Stat. Article 3, Chapter 168, along with family members and support and supervisory personnel.

2. Accessory Uses. Accessory uses commonly found with residential uses including open space, playgrounds, outdoor areas, parking of occupants' vehicles.
3. Use Standards.
  - a. Total number of individuals occupying a state licensed group home cannot exceed twelve (12).
  - b. A resident manager must permanently reside on the premise.
  - c. The state licensed group home must have all appropriated licensure by federal or state government.

#### Questions:

- Are there other residential types the Town is interested in? Cottage/bungalow courts, tiny homes, pocket neighborhoods, conservation developments?

### 5.1.3. CIVIC PRINCIPAL USES

#### A. Assembly

1. Characteristics. An assembly facility has organized services, events, or programs to educate in a public or private setting. Facilities may contain one or more buildings and structures operated only for the benefit of its members and their guests. Occasional special event activities may be open to the public including weddings and private events.
2. Accessory Uses. Accessory uses include offices; meeting rooms; indoor restaurant; bar; lounge; cabanas; boat docks; parking; indoor or outdoor recreation such as: swimming pools, tennis courts, fitness center, sauna, and other similar facilities.
3. Examples. Examples may include community centers, religious institutions or places of worship.
4. Exceptions.

- a. Any organization primarily operated for the purpose of teaching a particular form of martial arts, dance or music class and health clubs or spas are classified as a retail use.
- b. Lodges, fraternal organization, yacht clubs, country clubs or private clubs are classified under Civic and Private Clubs.

**B. Cemetery.**

1. Characteristics. A location established for the burial of the dead and dedicated for cemetery purposes.
2. Accessory Uses. A cemetery may commonly have a funeral home, mortuary, or mausoleum.

**C. College/University.**

1. Characteristics. Universities, colleges, or vocational schools are higher learning establishments that provide post public school (including associate, bachelor, graduate, doctoral), vocational, and technical degrees and skills.
2. Accessory Uses. Accessory uses may include associated offices, parking, cafeteria, facilities such as a cafeteria, fitness facility, on and off campus dormitories owned and operated by the school, and on campus.
3. Examples. Examples include a trade school, secondary education, career center, vocational college, college, university, satellite campus or satellite branch of a university, college or vocational school.
4. Use Standards.
  - a. All activities associated with a vocational school (or trade school) that cause excess noise or nuisance shall be within a completely enclosed building.
  - b. University, college, or vocational schools may occur in existing buildings suitable for commercial activity, such as a shopping center.

**D. Correctional Facility.**

1. **Characteristics.** A private or government establishment primarily engaged in managing and operating correctional institutions. This establishment is designed for the confinement, correction, and rehabilitation of adult or juvenile offenders sentenced by a court.
2. **Accessory Uses.** Accessory uses include offices; meeting rooms; cafeteria; facilities designed for the use of workers or inmates.
3. **Examples.** Examples may include a correctional institution, penitentiary, detention center, prison, jail.
4. **Exceptions.**
  - a. Halfway house, rehabilitation center (see social services).

#### **E. Cultural Facility.**

1. **Characteristics.** A facility or site open to the public for cultural services and events operated by the government or a non-profit establishment.
2. **Accessory Uses.** Accessory uses may include cafeterias, snack bars, parking, ancillary assembly, retail or restaurant.
3. **Examples.** Examples include libraries, museums, and historical societies.

#### **F. Day Care**

1. **Characteristics.** An establishment (daycare) for more than 8 children in a protected setting.
2. **Accessory Uses.** Accessory uses may include ancillary indoor storage, associated office, parking, cafeteria.
3. **Use Standards.**
  - a. Areas dedicated for drop off and pick up must be included for any site plan or permit request for a day care.

#### **G. Government Office.**

1. **Characteristics.** A building, or portion of a building, wherein government activities are performed involving predominately administrative, record keeping,



professional, and/or clerical operations and where professional services are rendered.

2. Accessory Uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
3. Examples. Examples include government offices, court houses, public work facilities, municipal government buildings.

#### **H. Lodge or Private Clubs.**

1. Characteristics. Private club uses including facilities used by a group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and constitution and by-laws. Facilities may contain one or more buildings and structures operated only for the benefit of its members and their guests.
2. Accessory Uses. Accessory uses may include offices; meeting areas; food preparation areas; parking, and cafes.
3. Examples. Private clubs such as fraternal organizations and orders.
4. Exceptions.
  - a. Event centers or convention centers catering to outside groups or audiences.
  - b. Health and fitness facilities (i.e. commercial gym, see general retail).
5. Use Standards.
  - a. All dumpsters and other building service areas shall be located where they are concealed from view from the public right of way. All dumpsters shall be concealed with secured gates, landscaping, and solid screening.
  - b. Meals or beverages may be sold to members and their guests only.

#### **I. Parks/Public Recreation Facilities**

1. Characteristics. Parks are uses of land which allow for recreation for the general public or land intended to provide opportunities for the enjoyment of natural features.
2. Accessory Uses. Accessory uses may include maintenance facilities, concessions, caretaker's quarters, and parking.
3. Examples. Examples include parks, public squares, plazas, recreational trails, and boat launching areas.

~~J. Private Recreation Facilities (Amenity centers) – Discuss if required.~~

**K. Preserved Open Space**

1. Characteristics. Uses of land which reserve natural areas for purpose of conservation and/or passive recreation opportunities.
2. Accessory Uses. Accessory uses may include maintenance facilities, caretaker's quarters, and parking.
3. Examples. Examples include nature preserves and conservation areas.

**L. Public Safety Facility**

1. Characteristics. Facilities operated by a public safety agency for the purpose of providing safety related services to the general public.
2. Accessory Uses. Accessory uses may include parking, cooking facilities, or holding cells within a police station.
3. Examples. Public safety facilities including fire stations, police stations, and emergency communication broadcast facilities.

**M. Schools (K-12)**

1. Characteristics. This category includes public and private schools at the primary, kindergarten, elementary, middle, junior high, high school, or senior level that provide state mandated basic education. Some students are expected to be of driving age and use their own vehicle to come to and from the school.

2. Accessory Uses. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school daycare.
3. Examples. Examples include public and private daytime schools, boarding schools and military academies.
4. Exceptions.
  - a. Preschools are classified as day care.
5. Use Standards.
  - a. Must meet the curricular teaching certification of instruction approved by the State Board of Education.
  - b. All mobile classrooms shall be located in rear yards. The Land Development Administrator may approve the placement in side or front yards if placement in the rear cannot be accommodated.
  - c. All dumpsters and other building service areas shall be located where they are concealed from view from the public right of way. All dumpsters shall be concealed with secured gates, landscaping, and solid screening.

#### **N. Social Services**

1. Characteristics. Facilities that provide psychosocial rehabilitation, skill development activities, temporary sleeping facilities for displaced persons, employment services and pre-vocational training.
2. Accessory Uses. Accessory uses may include cafeteria, soup kitchens, maintenance facilities, caretaker's quarters, and parking.
3. Examples. Examples include temporary shelters, work training centers for displaced persons.
4. Exceptions.
  - a. Jails or detention centers (see correctional facility)
  - b. Facilities which provide only rehabilitation from substances (see office/medical use - rehabilitative clinic.)

## 5. Use Standards

- a. An employee or volunteer must maintain continuous on-site supervision during operation hours.
- b. May not be within 500 feet of a school or another social services establishment.
- c. A 6' fence or wall shall be required along any outdoor meeting/recreation areas, in addition to any required landscape buffer.

### 5.1.4. COMMERCIAL PRINCIPAL USES

#### A. Adult Business

1. Characteristics. Any establishment featuring an activity that excludes juveniles and caters exclusively to adult oriented uses such as adult books, adult films, tattoo parlors, or adult novelty items. Includes any place contained in N.C. General Statute 14-202-10(b), excluding massage parlors.
2. Accessory Uses. Accessory uses may include ancillary indoor storage, associated office.
3. Exceptions.
  - a. Massage parlors.
4. Use Standards.
  - a. Advertisements, displays or other promotional materials shall not be visible from vehicular or pedestrian rights-of-way (except for permitted on premise signs).
  - b. Adult establishments may not be located within 2,000 feet of another adult establishment.
  - c. Adult establishments may not be located within 2,000 feet of a preexisting place of worship, school, daycare facility, or any residential based zone district.

**B. Bank, No Drive-Through**

1. Characteristics. Establishments which perform financial services conducted in an office setting. No drive-through is permitted.
2. Accessory Uses. Offices and facilities for employees.
3. Examples. Bank, financial institution, credit union.

**C. Bank, with Drive-Through**

1. Characteristics. Establishments which perform financial services conducted in an office setting. Drive-throughs are permitted.
2. Accessory Uses. Offices and facilities for employees.
3. Examples. Bank, financial institution, or credit union featuring a drive-through.
4. Use Standards.
  - a. Drive-through windows, speaker boxes, and ordering stations shall not be adjacent to any residential use or district.
  - b. Outdoor speakers associated with a drive-through shall be at least 50 feet from any property line.
  - c. Menu boards shall be a maximum of 32 square feet.
  - d. Crosswalks shall be required if pedestrians can cross the drive-through lane between the building and parking areas.
  - e. A bypass lane is required to ensure free flow of traffic.
  - f. A minimum two stacking spaces shall be provided for drive through windows.
  - g. Drive-through shall be designed so as not to obstruct the movement of pedestrians along sidewalks or between the building entrance and customer parking spaces.

**D. Bars, Breweries and Distilleries**

1. Characteristics. Any business or commercial establishment which is devoted primarily to the retailing and on-premises consumption of alcoholic beverages and which is licensed by the state to dispense or sell alcoholic beverages.
2. Accessory Uses. Selling of food, canned beer/crowlers/growler sales of beer produced on site, ancillary indoor storage, associated office, outdoor seating for dining, parking, valet parking facility.
3. Examples. Bars, taverns, breweries, distilleries, cocktail lounges, and tasting rooms.
4. Use Standards.
  - a. Outdoor entertainment is limited to 10:00 PM.

#### **E. Commercial Parking**

1. Characteristics. A surface parking area or structure which is available to the public, but may also be used to accommodate employees, customers, and clients.
2. Accessory Uses. Valet parking, parking booth.
3. Examples. Examples include a commercial parking lot or parking garage.
4. Exceptions.
  - a. Outdoor storage of vehicles, boats, other vehicles, machinery, or equipment (see outdoor storage.)
5. Use Standards.
  - a. A parking structure may feature additional accessory uses such as first floor retail, or rooftop amenities such as a restaurant in mixed-use districts.
  - b. No extended parking beyond overnight parking is permitted unless associated with transportation facilities such as an airport, rail, or bus terminal.

#### **F. Carwash**

1. Characteristics. Commercial establishments which allow for the washing of motor vehicles and vehicle cleaning services.
2. Accessory Uses. Accessory uses may include parking, retail sales of items associated with the cleaning of motor vehicles.
3. Examples. Full service carwash, self-service carwash facilities.
4. Use Standards.
  - a. All washing, waxing, machine powered drying shall be in an enclosed building. Hand washing and drying may be conducted outside of an enclosed building.
  - b. No vehicle bays or openings shall face a residential use.

#### **G. Eating Establishment, No Drive-Through**

1. Characteristics. Establishments that prepare and sell food for on-premises consumption or off-premises consumption. Includes a customer service area consisting of tables, chairs, or customer counters.
2. Accessory Uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining and entertainment, parking, valet parking facility, bar seating, limited catering.
3. Examples. Examples include sit down restaurants such as a diner, café, or fine dining restaurants.
5. Use Standards.
  - a. Outdoor entertainment is limited to 10:00 PM.

#### **H. Eating Establishment, with Drive-Through**

1. Characteristics. Establishments that prepare and sell food for on-premises consumption or off-premises consumption including a drive-through. Includes a customer service area consisting of tables, chairs, or customer counters.
2. Accessory Uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining, parking, valet parking facility, bar seating, limited

catering.

3. Examples. Examples include fast food restaurants, any restaurant featuring a drive-through lane.
4. Use Standards.
  - a. Drive-through windows, speaker boxes, and ordering stations shall not be adjacent to any residential use or district.
  - b. Outdoor speakers associated with a drive-through shall be at least 50 feet from any property line.
  - c. Menu boards shall be a maximum of 32 square feet.
  - d. Crosswalks shall be required if pedestrians can cross the drive-through lane between the building and parking areas.
  - e. A bypass lane is required to ensure free flow of traffic.
  - f. A minimum two stacking spaces shall be provided for drive through windows.
  - g. Drive-through shall be designed so as not to obstruct the movement of pedestrians along sidewalks or between the building entrance and customer parking spaces.
- I. **Electronic Gaming Operations** – **Comment:** Confirm with Town regulations regarding electronic gaming operations, 160D.
  1. Characteristics. Electronic gaming operations shall occur in an electronic gaming operation establishment and shall be a principal, not accessory, use.
  2. Standards.
    - a. Shall not be located within 400 feet (determined by straight line and not street distance) from any other electronic gaming operation as measured by horizontal distance from the closest building exterior walls of each.
    - b. No electronic gaming operation establishment shall be located within 400 feet (determined by straight line and not street distance) of the closest



boundary line of any residential zoning district, or of any point on the closest property line of school, residence, public park, daycare or religious use as measured by a horizontal distance from closest point on the closest building exterior wall of the electronic gaming operation.

- c. No electronic gaming operations establishment shall exceed 3,000 square feet in size.
- d. If a non-conforming electronic gaming operation is visibly discontinued for six consecutive months, the use shall not be re-established or resumed, and any subsequent use shall conform to the requirements of the Zoning Ordinance.
- e. All local, state, and federal laws shall be met.

#### **J. Event Center**

1. Characteristics. Venues or facilities used by a group of people for temporary events such as conferences, sports, weddings, event halls, concerts, or similar events.
2. Accessory Uses. Accessory uses include offices; meeting rooms; indoor restaurant; bar; lounge; cabanas; boat docks; parking; indoor or outdoor recreation such as: swimming pools, tennis courts, fitness center, sauna, and other similar facilities.
3. Examples. Examples may include a convention center, coordinate wedding and banquet halls, sports stadium, or concert hall.
4. Exceptions.
  - a. Any fraternal organization (see civic and private club);
  - b. Community centers and private clubs;
  - c. Halls or rooms available to rent from public safety facilities including fire and police stations.
5. Use Standards.

- a. Landscape buffer with a buffer intensity of 3 shall be established along any side of the property abutting any residential use or public right-of-way.

#### **K. Funeral Home**

1. Characteristics. A facility used for the preparation of the deceased and the display of the deceased, connected to human funeral services. The facility may include space and facilities for embalming and preparation of the dead for burial, performance of autopsies, the storage of caskets and funeral supplies.
2. Accessory Uses. Accessory uses may include ancillary indoor storage, associated office, parking, storage of funeral vehicles, crematorium meeting all related laws and regulations.
3. Use Standards.
  - a. Overnight parking of funeral home vehicles permitted.

#### **L. Gas Station**

1. Characteristics. Gas stations are involved in the retail sale of fuel for motor vehicles, and convenience items including but not limited to food, beverages, tobacco products, and other similar products as its primary sales.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, parking, and car wash.
3. Examples. Motor vehicle fuel stations with one or more fuel pump selling fuel for motor vehicles and selling items which generally serve the day-to-day retail needs of residents. Examples of such stores may include but are not limited to convenience stores, drug stores, liquor stores.
4. Exceptions.
  - a. General retail stores as defined above.
  - b. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as light industrial.

- c. Sales of landscape materials, including bark chips and compost, is classified as light industrial.
  - d. Sales, rental, or leasing of heavy trucks and equipment is classified as light industrial.
5. Use Standards.
- a. All washing, waxing, machine powered drying shall be in an enclosed building. Hand washing and drying may be conducted outside of an enclosed building.
  - b. No vehicle bays or openings shall face a residential use.
  - c. Car wash activities limited to 10:00 PM.

#### **M. Golfing Facility**

- 1. Characteristics. A facility or site designed for the outdoor play of golf.
- 2. Accessory Uses. Accessory uses may include clubhouses, maintenance facilities, concessions, caretaker's quarters, and parking.
- 3. Examples. Examples include golf courses and driving ranges.
- 4. Exceptions.
  - a. Miniature golf (*see Recreation, Outdoor*).

#### **N. Lodging**

- 1. Characteristics. Transient accommodation units arranged for short term stays of less than 30 days. This does not include patient transient accommodations, shelters for the homeless or short-term rentals.
- 2. Accessory Uses. Ancillary indoor storage, associated office, bar or lounge, eating establishment, laundry facility, meeting facility, off-street parking, swimming pool, other recreational facilities.
- 3. Examples. Examples include hotels, motels, or a bed and breakfast.

#### **O. Recreation, Indoor**

1. Characteristics. Commercial uses providing daily or regularly scheduled recreation-oriented activities in an indoor setting.
2. Accessory Uses. Accessory uses include ancillary indoor storage, associated office, concession, dining area or cafeteria, pro-shop and limited sales of goods related to on-site activities.
3. Examples. Examples include, but are not limited to indoor entertainment activities enclosed in a building such as a pool hall, bowling alley, axe throwing, indoor sports facility (including pickleball and tennis courts), indoor rock climbing, ice rink, indoor gun range, gymnastic facility, karate, dance studio, movie theater, music hall, escape rooms.

**P. Recreation, Outdoor**

1. Characteristics. Uses which provide recreation-oriented activities predominately outdoors. May vary in size and feature generally commercial uses.
2. Accessory Uses. Accessory uses include ancillary indoor storage, associated office, concession, dining area or cafeteria, pro-shop and limited sales of goods related to on-site activities.
3. Examples. Examples include, but are not limited to outdoor entertainment activities taking place outside of an enclosed building such as tennis, pickleball, miniature golf, obstacle or ropes course, outdoor rock climbing, drive-in theater, campground, paintball, outdoor skating facilities, outdoor shooting range, private outdoor sport facilities.
4. Use Standards.
  - a. If the outdoor entertainment involves any projectiles, berms or backstops are required at the perimeter boundary of the activity to ensure safety to off-site areas.
  - b. No associated outdoor features shall be located between the front façade of the building and the street fronting the lot.

- c. The use requested to be conducted shall not have adverse effects without mitigation techniques including (but not limited to) stormwater, dust, odor, smoke, vibration, lighting, or noise.

#### **Q. Retail Sales and Service, Neighborhood**

1. Characteristics. General retail and services establishments are involved in the sale, lease or rent of new or used products and services at the neighborhood level. Single uses shall not exceed 25,000 square feet.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Stores selling, leasing, or renting consumer, home, and business goods including art, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, personal care services, health and fitness facilities, and animal grooming.
4. Exceptions.
  - a. Lumber yards and other building material sales are classified as light industrial and manufacturing.
  - b. Sales, rental, or leasing of heavy trucks and equipment is classified as light industrial and manufacturing.
5. Use Standards.
  - a. All dumpsters and other building service areas shall be located where they are concealed from view from the public right of way. All dumpsters shall be concealed with secured gates, landscaping, and solid screening
  - b. No storage shall be permitted in pedestrian areas or parking areas.

#### **R. Retail Sales and Services, Community**

1. Characteristics. General retail sales and service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment or provide product repair.

Community retail sales and services serve the needs of several neighborhoods and single uses shall not exceed 50,000 square feet.

2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Stores selling, leasing, or renting consumer, home, and business goods including art, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, personal care services, health and fitness facilities, and animal grooming.
4. Exceptions.
  - a. Lumber yards and other building material sales are classified as light industrial and manufacturing.
  - b. Sales, rental, or leasing of heavy trucks and equipment is classified as light industrial and manufacturing.
5. Use Standards.
  - a. Plumbing, mechanical, electrical service components such as HVAC systems, trash enclosures, storage areas, generators, transformers, solar panels and similar features or utility hardware on buildings, roofs, or the ground shall be screened from public view with materials similar to the structure.

#### **5. Retail Sales and Services, Shopping Center**

1. Characteristics. General retail sales and service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services, entertainment or product repair for consumer and business goods. Single uses may exceed 100,000 square feet.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Large retail stores, shopping malls, shopping plazas.

4. Use Standards.
  - a. Plumbing, mechanical, electrical service components such as HVAC systems, trash enclosures, storage areas, generators, transformers, solar panels and similar features or utility hardware on buildings, roofs, or the ground shall be screened from public view with materials similar to the structure.

#### **T. Vehicle, Rental and Sales**

1. Characteristics. Establishments that are involved with the rental, sale or lease of motor vehicles.
2. Accessory Uses. Accessory uses may include ancillary indoor storage, associated office, showroom, vehicle fueling (not open to the general public), car wash (not open to the general public), and limited retail sales of items associated with motor vehicles.
3. Examples. Examples include but are not limited to car dealerships, boat dealerships, motor vehicle dealerships dealing in recreational vehicles, car rental establishments, moving vehicle rental establishments.
4. Use Standards.
  - a. Vehicle display areas shall not be raised above general topography of the site.
  - b. No outdoor speaker system.
  - c. Vehicles may not be displayed in any required buffer.

#### **U. Vehicle, Minor Service**

1. Characteristics. Establishments which provide minor vehicle services and repair including but not limited to brake adjustments, oil changes, realignments, detailing, mufflers, hoses, belts, and the like.
2. Accessory Uses. Accessory uses may include limited sale of parts or vehicle accessories, towing, associated office, parking, repackaging of goods for on-site sale or use.

3. Examples. Minor vehicle service establishments in which no vehicle dismantling occurs.
4. Use Standards.
  - a. No stockpiling of parts or salvaging of vehicle parts.
  - b. No storage of wrecked or unregistered vehicles may be permitted on site.
  - c. No outdoor speaker system.
  - d. All work performed shall be within an enclosed building, however bay doors may be open during hours of operation.
  - e. No more than three service bays shall be permitted.
  - f. A landscape buffer in conformance with Section X shall be required along any property line abutting a residentially zoned property.
  - g. In addition to service vehicles necessary for the operation of business, only vehicles awaiting repair may be stored on site. No inoperable vehicles may be left on site for more than 15 days. In special circumstances where this provision would pose undue hardship, the Zoning Administrator may grant an extension for vehicle storage of up to 15 days.

#### **v. Vehicle, Major Service**

1. Characteristics. Establishments which provide major vehicle services and repair including but not limited to engines, transmission, towing and collision service, painting.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated office, ancillary indoor storage, towing, outdoor storage of vehicles.
3. Examples. Examples include auto collision repair shops, paint shops.
4. Use Standards.
  - a. No stockpiling of parts or salvaging of vehicle parts.
  - b. No storage of impounded vehicles.



- c. No outdoor speaker system.
- d. Service doors shall be closed except for entry and exit of automobiles.
- e. All storage of partially dismantled or wrecked vehicles shall be fenced and screened from public view through an opaque fence or wall. Storage of said items shall not exceed the height of the fence.
- h. All work performed shall be within an enclosed building, however bay doors may be open during hours of operation.
- i. No more than three service bays shall be permitted.
- j. A landscape buffer in conformance with Section X shall be required along any property line abutting a residentially zoned property.
- k. In addition to service vehicles necessary for the operation of business, only vehicles awaiting repair may be stored on site. No inoperable vehicles may be left on site for more than 15 days. In special circumstances where this provision would pose undue hardship, the LDA may grant an extension for vehicle storage of up to 15 days.

### **Questions:**

- Does the Town have desires to permit general retail sales in a different approach than neighborhood, community and shopping center? These focus mostly on sizes of the commercial uses.

## **5.1.5. OFFICE AND MEDICAL PRINCIPAL USES**

### **A. Animal Care**

1. Characteristics. A facility where animals are provided medical care. Animals may be boarded or stay overnight within a completely enclosed building.

2. Accessory Uses. Accessory uses may include parking, limited retail sales of animal goods, limited sale of medicine and prescriptions for animal use, associated office, ancillary indoor storage.
3. Examples. Vet clinic, private veterinarian practice, animal hospital, animal kennel facility.
5. Use Standards.
  - a. All outdoor areas for animals must be fenced.
  - b. Outdoor activity is permitted only during the day.

## **B. Dental Facility**

1. Characteristics. A facility engaged in the examination, diagnosis and treatment of dental health care patients.
2. Accessory Uses. Accessory uses may include cafeterias, day care facilities, parking, or other amenities primarily for the use of employees in the firm or building.
3. Examples. Examples include dentists, dental clinics or dental labs.

## **C. Hospital**

1. Characteristics. An establishment which primarily engages in providing medical treatment, including (but not limited to) diagnostic services, surgical services, and emergency care.
2. Accessory Uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees.
3. Examples. Examples may include a hospital or freestanding emergency rooms with ambulatory care.
4. Use Standards.
  - a. Drive up lanes for ambulances shall not be located within 100 feet of a residential use.

## **D. Medical Facility**

1. **Characteristics.** A facility engaged in the examination, diagnosis and treatment of medical chiropractic, ophthalmologic, and pediatric or other health care patients.
2. **Accessory Uses.** Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
3. **Examples.** Examples include doctor offices, medical clinics, medical labs, outpatient facilities without ambulatory care, and blood testing facilities.

#### **E. Professional Office**

1. **Characteristics.** A building, or portion of a building, wherein activities are performed involving predominately administrative, record keeping, professional, and/or clerical operations.
2. **Accessory Uses.** Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
3. **Examples.** Examples include professional services such as lawyers, accountants, engineers, architects, real estate agents, travel agencies, employment agencies, data processing, and sales offices.
4. **Exceptions.**
  - a. Offices that are part of and are located with a firm in another category are considered accessory to the firm's primary activity.
  - b. Contractors and others who perform services off-site are included in the office category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.

#### **F. Urgent Care**

1. **Characteristics.** A walk-in medical establishment offering care for injuries or illnesses requiring immediate care, but not serious enough as to require hospital care.

2. Accessory Uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
3. Examples. Examples include urgent care facilities without ambulatory care.

## 5.1.6. INDUSTRIAL PRINCIPAL USES

### A. Artisanal Manufacturing

1. Characteristics. A small-scale fabrication or production use by skilled workers which involves or assembly of food or goods with no noxious by-products. May include a showroom or ancillary sales of products.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, parking.
3. Examples. Small scale fabrication of arts, 3-D printing, crafts, foods or beverages, including welding, sculpting, arts and crafts, pottery, small-batch bakeries, cheese shops.
4. Use Standards.
  - a. No processes or equipment may be used that creates dust, smoke, fumes, odors, or vibration which can be detected off property.
  - b. Outdoor storage is prohibited.
  - c. Deliveries are limited to parcel and small freight carries and is not intended for large tractor trailers.

### B. Flex

1. Characteristics. Uses which take place within a flex space building, allowing a flexible range of office and warehouse uses. Flex use buildings allow for a combination of offices, wholesale, and light manufacturing with proportions of each use subject to the needs of a user.

2. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with primary use.
3. Examples. Flex use buildings typically in an industrial park or business park environment.

### C. Fulfillment Center

1. Characteristics. A physical location in which a fulfillment provider fulfills customer orders for ecommerce retailers. Fulfillment centers allow online orders to get to customers. Typically involved with “last mile” deliveries.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with primary use.
3. Examples. Online retailer fulfillment centers intended to provide deliveries to homes.

### D. Industrial, Light

1. Characteristics. Any business or establishment which deals in light industrial uses including light manufacturing (such as clothing, assembly, printing, repair), research and development, and self-service storage.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with primary use.
3. Examples. Monument sales and manufacturing, landscaping contractor, clothing manufacturing, publishing firm, bottling, lawn or tree service, sheet metal, stone or concrete products (but not concrete manufacturing), commercial packing for fruits and vegetables, trailer storage or freight facility, sale or rental of machinery and heavy equipment.

#### 4. Exemptions

- a. Heavy industrial or noxious uses such as concrete manufacturing.

#### 5. Use Standards.

- a. Storage shall be in an enclosed building or an outdoor storage area which is screened/fenced, a minimum six feet screen or fence is required.
- b. Self-service storage shall be contained within a fully enclosed building and contained in a single building, access internally.
- c. Landscape buffer with a buffer intensity of 2 must be provided when abutting a residential use.

### **E. Industrial, Heavy**

1. Characteristics. Any business or establishment that involves dangerous, noxious, offensive uses. Uses may involve smoke, odor, noise, vibration, or threats to safety and general wellbeing of the public.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with primary use.
3. Examples. Crematorium, slaughterhouse, solid waste transfer station, outdoor storage as a primary use, commercial feed lot, lumberyard, primary metal manufacturing, towing yard for vehicles.
4. Use Standards.
  - a. Buffers and protective yards must be provided.
  - b. All buildings shall be setback a minimum of 50' from property line.
  - c. Outdoor storage yards shall not be located closer than 25 feet to any public street or property line. Outdoor storage yards shall be completely enclosed by a fence or wall not less than six feet. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

- d. Building facades that are oriented toward an arterial or collector street shall provide architectural details to eliminate large blank wall areas.

#### **F. Junk Yard**

1. Characteristics. Any use dedicated to the storage and dismantling of vehicles, scrap metal and associated waste.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated office, cafeteria, parking.
3. Examples. Salvage yards, junkyards, or automobile graveyards.
4. Use Standards.
  - a. All buildings shall be setback a minimum of 50' from property line.
  - b. Outdoor storage yards shall not be located closer than 25' to any public street or property line. Outdoor storage yards shall be completely enclosed by a fence or wall not less than six feet. No material, refuse or items within storage yard shall be visible from a public street.

#### **G. Land Fill**

1. Characteristics. Any facility which deals in the disposal or elimination of used materials, goods, or waste associated with consumption.
2. Accessory Uses may include (but are not limited to) associated office, outdoor storage associated with primary use, parking.
3. Examples. Landfill, solid or liquid waste transfer or composting.
4. Use Standards.
  - a. All buildings shall be setback a minimum of 50' from property line.
  - b. Outdoor storage yards shall not be located closer than 25 feet to any public street or property line. Outdoor storage yards shall be completely enclosed by a fence or wall not less than six feet. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

#### **H. Recycling Facility**

1. Characteristics. Any facility which deals in the recycling of used materials or waste.
2. Accessory Uses may include (but are not limited to) associated office, outdoor storage associated with primary use, parking.
3. Examples. Recyclable material storage or recycling facility.
4. Use Standards.
  - a. All buildings shall be setback a minimum of 50' from property line.
  - b. Outdoor storage yards shall not be located closer than 25 feet to any public street or property line. Outdoor storage yards shall be completely enclosed by a fence or wall not less than six feet. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

#### **I. Warehousing**

1. Characteristics. A structure or premises where the principal use is the indoor storage of merchandise, products, goods, or materials in bulk, for a fee or charge.
2. Accessory Uses. Accessory uses may include associated office, parking, accessory outdoor storage associated with primary use, and accessory wholesale sales.
3. Exceptions.
  - a. No uses identified and classified under Heavy Industrial are permitted as indoor storage.
4. Examples. Includes warehouses, mini-warehouses, self-storage.

#### **J. Wholesale Trade**

1. Characteristics. Firms involved in the sale or rent of products to industrial or commercial businesses only. Not intended for private customers. Uses emphasize on-site sales or order taking. Firm may or may not be open to the general public. Sales to private customers and general public are not permitted.
2. Accessory Uses. Accessory uses may include (but are not limited to) accessory medical clinic, ancillary indoor storage, associated office, cafeteria, day care for



employee use, parking, repackaging of goods, showroom, warehouse, residential unit for security purposes.

3. Examples. Sale of machinery, janitorial supplies, restaurant equipment supplies.

### 5.1.7. INFRASTRUCTURE PRINCIPAL USES

#### A. Minor Utility

1. Characteristics. Public or private infrastructure serving a limited area possibly having limited on-site personnel. Minor utilities are infrastructure services that need to be located in or near the area where the service is provided. Services may be public or privately provided.
2. Accessory Uses. Accessory uses may include parking; and control, monitoring, data or transmission equipment.
3. Examples. Examples include water and sewer pump stations; electrical substations; telephone exchanges; small-scale stormwater facility.
4. Exceptions.
  - a. Utility offices where employees and customers are generally present are classified as offices.

#### B. Major Utility

1. Characteristics. Public or private infrastructure serving a regional area. Major utility uses may have regular employees at the site. Services may be public or privately provided. Because of the intensity of use, these uses must have a special use permit.
2. Accessory Uses. Accessory uses may include parking; or control, monitoring, data or transmission equipment.
3. Examples. Examples include water towers and reservoirs; regional stormwater retention and detention facilities, and other intense regional utilities with regional demand.

**C. Minor Transportation Installation**

1. Characteristics. Minor public or private transportation infrastructure serving a limited area possibly having limited on-site personnel.
2. Accessory Uses. Accessory uses may include parking; and control, monitoring, data or transmission equipment.
3. Examples. Examples include bus stops or turn arounds; or bicycle storage locker facilities.
4. Exceptions.
  - a. Bus and light rail barns are classified as major transportation installation.

**D. Major Transportation Installation**

1. Characteristics. Major public or private transportation infrastructure serving a regional area possibly having regular employees at the site.
2. Accessory Uses. Accessory uses may include parking; or control, monitoring, data or transmission equipment.
3. Examples. Examples include transit centers or park-and-ride facilities for mass transit.

**Questions:**

- Does the Town like the approach of placing infrastructure related items as their own principal use category?

**5.1.8. OPEN PRINCIPAL USES****A. Agricultural USEs**

1. Characteristics. Characterized by uses that create or preserve areas intended primarily for the raising of animals and crops, conservation, and the secondary industries associated with agricultural production.

2. Accessory Uses. Accessory uses include housing for ranch or farm labor, scenic and sightseeing tours, sales of agricultural products, u-pick facilities, farm tours, hay rides, pony rides, on-site agriculturally related artistry, community agriculture.
3. Examples. Examples include animal raising, crop production, fish farm, and stables.
4. Use Standards.
  - a. Sales shall be limited to 100 square feet of gross floor area per acre of land.
  - b. Sales shall not occur on sites less than 2 acres in size.
  - c. Structures intended for animal use or animal raising shall be at least 100' from all property lines.

**Questions:**

- Does agriculture occur in areas of the Town? Is there a desire for this category?
- Does the Town have interest in urban farming or community gardens?
- Are there any other common “open uses” or “agriculture based” uses that the Town has been dealing with?

## 5.2. ACCESSORY USES, STRUCTURES AND HOME OCCUPATIONS

### **A. General Standards.**

1. Accessory uses shall be consistent with all standards in the district for the principal use.
2. Uses and structures shall:
  - a. Be accessory and clearly incidental and subordinate to permitted uses and structures;
  - b. Be located on the same lot as the permitted uses or structures, or on a contiguous lot in the same ownership;
  - c. Not involve operations or structures inconsistent with the character of the primary use or principal structure served;
  - d. Not likely to attract visitors in larger numbers than would normally be expected.
3. No accessory building or structure shall be erected in any required setback area.
4. An accessory use or structure shall only be allowed when a principal use exists.
5. Accessory structures shall comply with maximum building coverage requirements.
6. Accessory structures shall have a similar appearance to the principal structure.
7. Accessory structures are limited to a maximum 35 feet in height or the height of the primary structure.
8. An accessory building sharing one or more common walls with the principal building shall be considered part of the principal building for purposes of this ordinance and must meet all yard requirements applied to the principal building.
9. No detached accessory building shall be located closer than 10 feet to any other building or mobile home.
10. No accessory building (except a well house) or recreational structure or use may extend in front of the rear line of a single or double unit dwelling.

**B. Home Occupations.** Home occupations are permitted in all districts only as an accessory use to a residential principal use and shall comply with the following regulations:

1. No person other than a resident of the dwelling shall be engaged in such occupation
2. No more than three customers, clients, or patrons shall come to the dwelling at any one time nor more than ten in any one day
3. No more than two vehicles may be used in the conduct of the home occupation. Any such vehicle shall be parked off the street. The parking of any such vehicles on the property, other than an automobile, van, or pick-up shall be in an enclosed building.
4. No more than 25 percent of the total actual floor area of the dwelling or 500 square feet, whichever is less, shall be used in the conduct of the home occupation. In addition, one accessory building not exceeding 1,000 square feet, shall be a special use in connection with the home occupation, to house commercial vehicles and/or for storage of materials used in connection with the home occupation and/or for use as an administrative office for the home occupation. The accessory building may be used for manufacturing, processing, instruction, sales, services, or other work in connection with the home occupation. All lot coverage, dimensional, and other requirements of this ordinance must be met by such accessory building. A sketch of the proposed building and list of the materials to be used on the outside must be submitted with the application for a Special Use Permit.
5. No outdoor sales or storage shall be permitted in connection with the home occupation. This provision shall not prohibit the outdoor on-premises sale of the products of home gardens, or yard sales if otherwise in accordance with town ordinance.
6. The exterior appearance of the dwelling shall not be altered in such a manner nor shall the occupation in the residence be conducted in such a way as to cause the premises to differ from its residential character in exterior appearance.

7. The use may not emit smoke beyond that which normally occurs in the applicable zoning district, nor shall it emit dust, vibration, odor, smoke, fumes, glare, radiation, electrical interference, interference to radio and television reception or other nuisance and shall not be volatile or present a fire hazard, nor may the occupation discharge into any waterway, stream, lake, or into the ground or a septic tank any waste which will be dangerous or a nuisance to persons or animals, or which will damage plants or crops.
8. No home occupation shall involve the use of electrical or mechanical equipment that would change the fire rating of the structure in which the home occupation is conducted.
9. There shall be no more than two deliveries per day to the premises of materials to be used in conjunction with the home occupation and these shall take place between the hours of 7:00 a.m. and 9:00 p.m.
10. No customers, clients, patrons, or employees other than the residents' household may be on the premises in connection with the home occupation before 7:00 a.m. or after 9:00 p.m.
11. The following common name uses are strictly prohibited as home occupations: car washes, commercial automotive repair garages, truck terminals, slaughterhouses, paint, petroleum and chemical plants, any occupation which involves the bulk storage of liquid petroleum, gasoline, kerosene, or other flammable liquids, funeral homes and mortuaries, massage parlors, sale of reading or viewing material of a pornographic nature, movie theaters, animal hospitals and kennels, and bottled gas sales.
12. Any home occupation not complying with these regulations shall be a special use.

### 5.3. MISCELLANEOUS USES AND STRUCTURES

#### **A. General Standards.**

1. Bicycle racks may be located in any district. No advertising signs shall be permitted on such structures. Setback requirements are waived for bicycle racks.

2. Mail and newspaper delivery boxes and lockers may be placed in accordance with U.S. Postal Service regulations, and are exempt from district setbacks.
3. Donation boxes may be located in any district and are limited to one donation box per lot.
4. Automobile charging stations may be located in any district. Each charging station must include signs that indicate the station is intended for electric vehicle charging only. Voltage levels and safety information, including contact information in case of malfunction, shall be included.

**Questions:**

Are there additional miscellaneous uses and structures the town would like to have standards on?

#### 5.4. TEMPORARY USES AND STRUCTURES

- A. **Temporary Use Permit.** Temporary uses and structures shall be controlled by issuance of Temporary Use Permits for uses not to exceed three months duration during a calendar year. All requests for Temporary Use Permits shall be submitted to the Zoning Administrator, who shall issue an approval or denial of the permit within 30 days of receipt of each completed application. See Section 2 for the review process for Temporary Use Permits.
  1. Applicants for Temporary Use and Temporary Special Use Permits shall provide four copies of a sketch map identifying the location of all temporary structures, trailers, product display areas, parking areas, road access points and other temporary uses and improvements to the property.
- B. **Temporary Sales Lots.** The establishment of temporary sales lots for farmers markets, Christmas trees, and other seasonal agricultural products, plus related goods, are permitted in non-residential districts with the following conditions
  1. Storage of goods in or sale of goods from trailer(s) on the site is prohibited. Truck trailers and flat beds are not permitted except for short-term delivery services.
  2. The use may only be located on a vacant lot or on a lot occupied by a non-

residential use.

3. Temporary uses using a tent or similar canopy shall secure approval from the Wake County Fire Marshall's office prior to erecting such a canopy.
  4. Temporary uses shall present proof of property owner approval prior to the application of a use permit.
  5. The use shall be conducted behind the prevailing established setback line for structures in either direction on the same side of the street.
  6. Off-street parking may be provided behind or to the side of the established use. Parking shall not occur in the front yard.
  7. Signs and lighting on the premises of a temporary use shall meet the same standards as permitted in the district in which the temporary use is situated.
  8. The temporary permit issued by the Town shall be displayed in public view during hours of operation.
- C. **Food Trucks. Question:** Is the Town interested in similar uses such as pop-ups, mobile vendors and like uses? Could expand upon this definitional approach.
1. Characteristics. A movable, motorized vehicle or a towed vehicle designed and equipped as a retail establishment which sells food. Also known as a mobile vendor. A food truck permit, with a detailed site plan showing location of a proposed food truck, outdoor seating and distance requirements, must be obtained from the Town. The permit must be renewed each year.
  2. Examples. A food truck or mobile food cart.
  3. Use Standards.
    - a. Food trucks must be located at least 100 feet from the main entrance to any eating establishment or similar food service business.
    - b. Food trucks and food truck uses must be located at least five feet from the edge of any driveway or public sidewalk, utility boxes and vaults, handicapped ramp, building entrance, exit or emergency access/exit way, or emergency call box and must not locate within any area that impedes,



endangers, or interferes with pedestrian or vehicular traffic. Food trucks must be located a minimum distance of 15 feet in all directions of a fire hydrant.

- c. Food truck uses and associated seating, if any, must not occupy parking spaces required to fulfill the minimum requirements of the principal use, unless the principal use's hours of operation do not coincide with those of the food truck business. Seating must be removed when food truck is not in operation.
- d. Food trucks and food truck uses must not occupy any handicap accessible parking space as specified in G.S. § 20-37.6.
- e. Food truck equipment must be contained within or attached to or within three feet of the food truck. All sanitary regulations of County, State and Federal Health Department must be met.
- f. Hours of operation shall be between:
  - i. Sunday through Thursday: 7:00 a.m. to 10:00 p.m.
  - ii. Friday through Saturday: 7:00 a.m. to 12:00 midnight.
- g. During operation hours, a trash can must be provided for customers. The food truck vendor and/or commercial commissary operator is responsible for the proper disposal of waste and trash associated with the operation.
- h. Drive-through service is prohibited from a food truck.
- i. A permanent water connection is prohibited.
- j. One sidewalk sign may be provided during operation hours.
- k. Food trucks are prohibited from locating on public streets, unless the street is closed under a special event permit.
- l. If part of a special event permit, these use standards shall not apply in any respect to food vending.

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5.5. PERMITTED PRINCIPAL USE TABLE

ROLESVILLE PERMITTED PRINCIPAL USE TABLE													
	RLD	RMD	RHD	RMH	UMH	NC	CH	O&P	I	IBP	TC	C-MU	S-MU
<b>USE CATEGORIES</b>													
<b>RESIDENTIAL USES</b>													
A Residential Dwelling, As Below:													
Dwelling, Single Family, Detached	P	P										P	P
Dwelling, Single Family, Attached		P	P								P	P	P
Dwelling, Double Family		P	P										
Dwelling, Multiple Family			P								P	P	P
Dwelling, Upperstory Unit											P	P	P
Dwelling, Manufactured Unit				P	P								

ROLESVILLE LDO UPDATE

	RLD	RMD	RHD	RMH	UMH	NC	CH	O&P	I	IBP	TC	C-MU	S-MU
<b>RESIDENTIAL USES</b>													
Boarding House/Dormitory			P										
Family Care Facility	P	P	P										
Live-Work Unit			S						P	P			
Residential Care (ALF, ILF, CCF)			P				P	P					
State Licensed Group Homes								P					
<b>CIVIC USES</b>													
Assembly						P	P	P			P	P	P
Cemetery									S				
College/University						P		P	S	S	S		
Correctional Facility								S					
Cultural Facility						P	P	P	S	S	P	P	P
Day Care			S			P	P	P			P	P	S
Government Office						P	P	P	P	P	P	P	P
Lodge or Private Clubs						P	P				P	P	P

ROLESVILLE LDO UPDATE

	RLD	RMD	RHD	RMH	UMH	NC	CH	O&P	I	IBP	TC-1	C-MU	S-MU
<b>CIVIC USES</b>													
Parks/Public Recreation Facilities	P	P	P			P	P	P			P	P	P
Private Recreation Facilities	P	P	P								P	P	P
Preserved Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Safety Facility			S			P	P	P	P	P	P	P	P
Schools (K-12)			S			P	P	P					
Social Services						S		S					
<b>COMMERCIAL USES</b>													
Adult Business									S				
Bank, No Drive-Through						P	P	P		S	P	P	P
Bank, with Drive-Through						P	P	P		S	S	S	S
Bars, Breweries and Distilleries						P	P		P	P	P	P	S
Commercial Parking						P	P	P	P	P	P	P	P
Carwash						P	P		P	P			

ROLESVILLE LDO UPDATE

	RLD	RMD	RHD	RMH	UMH	NC	CH	O&P	I	IBP	TC	C-MU	S-MU
<b>COMMERCIAL USES</b>													
Eating Establishment, No-Drive-Through						P	P	P	S	S	P	P	P
Eating Establishment, with Drive-Through						P	P	S		S	S	S	S
Electronic Gaming Operation							S		S				
Event Center						P	P						
Funeral Home						P	P	P					
Gas Station						P	P	S					S
Golfing Facility						P							
Lodging						P	P				P	S	P
Recreation, Indoor						P	P	P		P	P	S	P
Recreation, Outdoor						P	P						
Retail Sales and Services, Neighborhood						P	P	P			P	P	P
Retail Sales and Services, Community						P	P						S

ROLESVILLE LDO UPDATE

	RLD	RMD	RHD	RMH	UMH	NC	CH	O&P	I	IBP	TC	C-MU	S-MU
<b>COMMERCIAL USES</b>													
Retail Sales and Services, Shopping Center						P	P				P	S	S
Vehicle, Rental and Sales						P	P						
Vehicle, Minor Service						P	P		P	P			
Vehicle, Major Service							S		P	S			
<b>OFFICE AND MEDICAL</b>													
Animal Care						P	P	P		P			
Dental Facility						P	P	P		P	P	P	P
Hospital						S	S	P					
Medical Facility						P	P	P	P	P	P	P	P
Professional Office						P	P	P	P	P	P	P	P
Urgent Care						P	P	P	P	P	P		P

ROLESVILLE LDO UPDATE

	RLD	RMD	RHD	RMH	UMH	NC	CH	O&P	I	IBP	TC	C-MU	S-MU
<b>INDUSTRIAL USES</b>													
Artisanal Manufacturing						P	P		P	P	P	P	P
Flex						S	S	S	P	P		P	P
Fulfillment Center						S	S		P	P			P
Industrial, Light									P	P			
Industrial, Heavy									P				
Junk Yard									S				
Land Fill									S				
Recycling Facility									S				
Warehousing							S		P	P			
Wholesale Trade									P	P			
<b>INFRASTRUCTURE</b>													
Minor Utility	P	P	P	P	P	P	P	P	P	P	P	P	P
Major Utility	S	S	S	S	S	P	P	P	P	P			
Minor Transportation Installation	P	P	P	P	P	P	P	P	P	P	P	P	P
Major Transportation Installation						S	S	S	S	P	S		S



ROLESVILLE LDO UPDATE

	RLD	RMD	RHD	RMH	UMH	NC	CH	O&P	I	IBP	TC	C-MU	S-MU
<b>OPEN USES</b>													
Agricultural Uses	P												

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