

# Land Development Ordinance (LDO) Update

June 1, 2021



Kimley»Horn

# Today's Agenda...

## Land Development Ordinance

- Review entire LDO
- Adopt LDO and Zoning Map
- Planning Board unanimous recommendation for approval

# Significance of LDO

# Introduction

Comprehensive Plan (2017)  
Community Transportation Plan  
(2021)



Land Development Ordinance  
(July 1, 2021)

- Land use and multimodal transportation plan
- Vision for the community

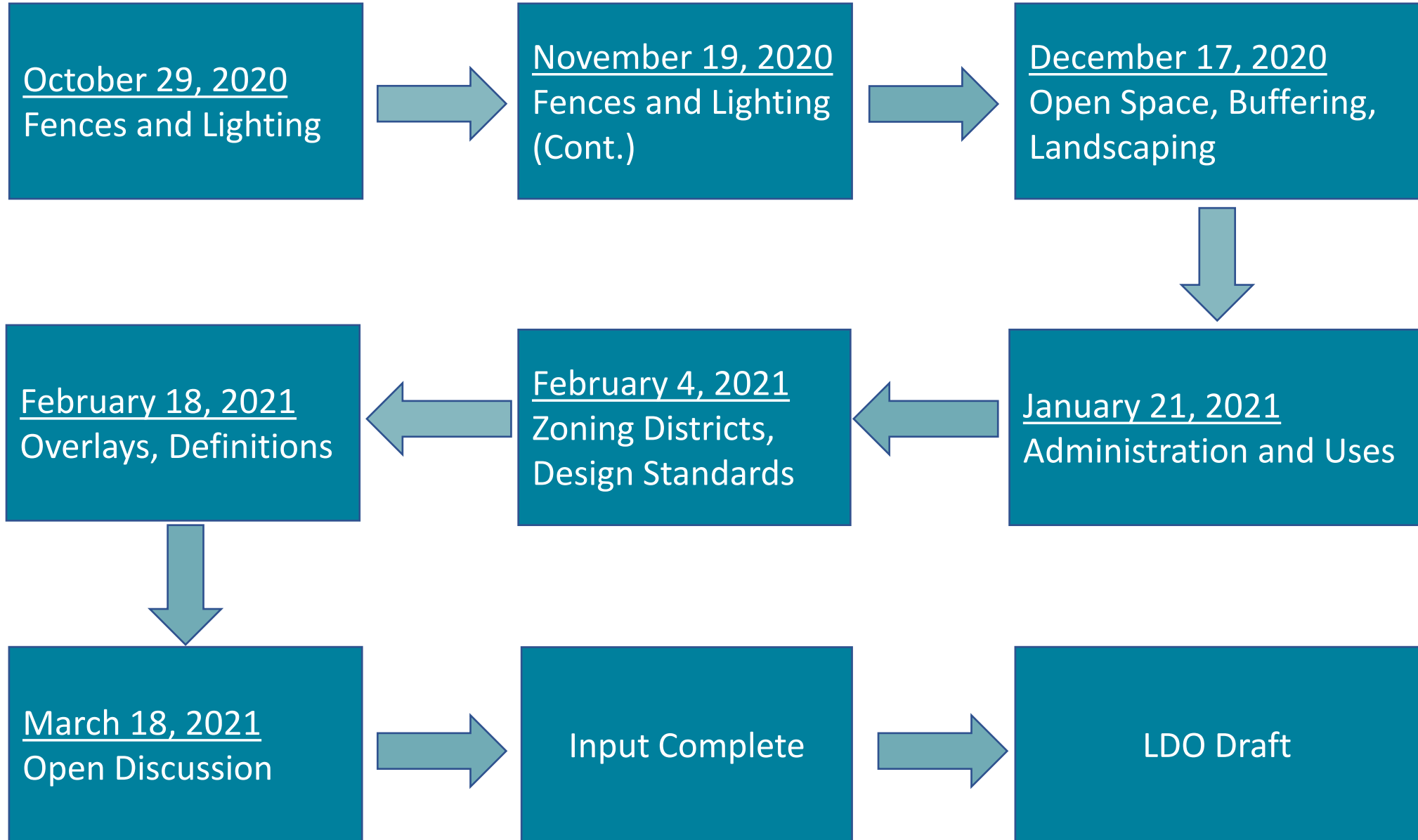
- Implements the Plans
- Simplify, clarify
- "Rolesville"ian
- Create, update rules and regulations to address growth and redevelopment\*

\* LDO must be consistent with Comprehensive Plan

# Steering Committee Input

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# Steering Committee Summary





# Workshops Input

# Workshops Summary

- **August 25, 2020** – Use Table, Parking, Buffering, Town Center
- **September 22, 2020** – Town Center, Table of Contents, Groupings
- **February 26, 2021** – Mixed-Use, Approval Processes, Key Topics
- **April 22, 2021** – UDO vs LDO, Districts, Density, Processes
- **May 5, 2021** – Key Topics
- **May 18, 2021** – Next Steps/Review.

Planning Board recommended approval on May 17, 2021





# Proposed LDO

# Existing UDO Layout

## UDO

1. General Provisions
2. General Administration
3. Development Review Procedures
4. Zoning Districts
5. Use and Dimensional Standards
6. Supplementary District Standards
7. Overlay District Standards
8. Special Use Standards
9. Additional Development Standards
10. Parking and Loading Requirements
11. Sign Standards
12. Mobile Home Provisions
13. Reserved
14. Landscape and Appearance Standards
15. Subdivision Standards
16. Definitions

# New LDO

## Land Development Ordinance

- 1. Section 1 - Introduction**
- 2. Section 2 – Review Bodies**
- 3. Section 3 – Zoning Districts**
- 4. Section 4 - Overlays**
- 5. Section 5 - Uses**
- 6. Section 6 – Development Standards**
- 7. Section 7 – Telecommunication**
- 8. Section 8 – Traffic Impact**
- 9. Section 9 – Subdivision Regulations**
- 10. Section 10 – Nonconformities**
- 11. Section 11 – Administration and Definitions**

**Appendix A – LDO Handbook**

**Appendix B – Flood and Stormwater**

# Major Changes/Additions

Organization and readability

Graphics tied to standards

Hybrid mixed-use districts utilizing form-based code techniques

Greenways, conservation subdivisions, cluster subdivisions, preservation standards

160D compliance

Update development standards in line with current best practices



**160D**

- 1. Ordinance Update – by July 1, 2021**
2. Comprehensive Plan Update – by July 1, 2022  
\*Current comprehensive plan only 5 years old, money set aside for future updates.
3. Broaden permit choice regulations
4. Require written property owner consent for downzonings
5. Prohibit requiring acquisition of off-site Right-of-Way
6. Consistent definitions
7. Quasi-Judicial processes

1. Eliminates Combined Conditional Use/Special Use
  - Cannot have district with “just” special uses
  - All former CUD/SE = Special Use Permit
2. May use FBC or districts
3. Conditional Zoning requires “consent”
4. Administrative Approvals (minor amendments not variance)
5. Permit “Lengths”
6. Must be compliant by July 1, 2021



# **Section 1**

## **Introduction**



# Section 1 - Introduction

1.1 - Authority

1.2 - Purpose and Intent

1.3 - Effective Area

1.4 - Applicability

1.5 - Consistency With Comprehensive Plan

1.6 - Rolesville Official Zoning Map

1.7 - Transitional Requirements

1.8 - Severability

1.9 - Private Agreements

# Section 1 - Introduction

- Establishes Authority and Intent of the LDO
- Applicability
- Effective Area
- Consistency with Comprehensive Plan
- Official Zoning Map



# **Section 2**

## **Review Bodies**

# Section 2 – Review Bodies

2.1 – Review and Decision-Making Bodies

2.2 – Review Procedures

2.3 – Vested Rights

# Section 2 – Review Bodies

- Establishes Review Bodies
  - Board of Commissioners
  - Planning Board
  - Board of Adjustment
  - Town Manager
  - Technical Review Committee
  - Land Development Administrator
- Links Back to the LDO Handbook



# **Section 3**

## **Zoning Districts**

# Section 3 – Zoning Districts

3.1 – Residential Districts

3.2 – Nonresidential Districts

3.3 – Conditional Zoning Districts

3.4 – Mixed-Use Districts

3.5 – Inactive Districts

# Section 3 – Zoning Districts

- Establishes Zoning Districts
- Contains All Development Standards for Zoning Districts

TABLE 3.1.A. GENERAL USE DISTRICTS ESTABLISHED		
GENERAL USE DISTRICT NAME	LDO ABBREVIATION	LDO SECTION
<b>RESIDENTIAL DISTRICTS</b>		
Residential Low Density	RL	3.1.1.
Residential Medium Density	RM	3.1.2.
Residential High Density	RH	3.1.3.
Manufactured Home District	MH	3.1.4.
<b>NONRESIDENTIAL DISTRICTS</b>		
General Commercial	GC	3.2.1.
Commercial Highway District	CH	3.2.2.
Office and Professional District	OP	3.2.3.
Business, Industry and Technology	BT	3.2.4.
General Industrial	GI	3.2.5.



# Zoning Districts

- Proposed Mixed-Use Districts:

MIXED-USE DISTRICT NAME	LDO ABBREVIATION
<b>RESIDENTIAL DISTRICTS</b>	
Town Center District	TC
Mixed-Use Activity Center	AC
Mixed-Use Neighborhood Center	NC

- Additional standards
- Requires a mixture of uses and timing of development

# Section 4

## Overlays



# Section 4 – Overlays

4.1 – Special Highway Overlay District For The U.S. 401 Bypass (SHOD)

4.2 – Watershed Overlay

# Section 4 – Overlays

- Establishes Overlays in Town
  - Special Highway Overlay
  - Watershed Overlay
- Unique standards for different development types
- Overlay on the zoning map

# Section 5 Uses



# Section 5 – Uses

## 5.1 - Principal Uses

### 5.1.1. Use Categories and Definitions

## 5.2 - Accessory Uses, Structures, Home Occupations

## 5.3 - Miscellaneous Uses and Structures

## 5.4 - Temporary Uses and Structures

# Previous Policy Input - Uses

- Allow upper-story residential in the OP (Office and Professional) district
- Electronic gaming cannot be outright prohibited
  - Special use permit in GI (General Industrial) district only
  - Distance requirements
- Adult business cannot be outright prohibited
  - Special use permit in GI (General Industrial) district only
  - Distance requirements
- Tattoo “Establishment” permitted in GC (General Commercial), CH (Commercial Highway), and GI (General Industrial) districts

# Temporary Use - Temporary/Sales/Construction Trailers

- Cannot park any trailer on the streets except in provided circumstances
- Limit to 2 trailers on site during an active phase of development
- Prohibit tractor trailers, storage pods, ship cargo containers, and transport containers as permanent storage



# Food Trucks

- Board(s) input: Tiered Approach
  - 24 Hour Permit
  - 1 Location Permit
  - Multiple Location Permit
- Different fee for each permit tier
- Site plan required
- 100 feet from main entrance to restaurant
- Allow for special events with more than 1 food truck

# Use Table Example (Table 5.1)

PERMITTED PRINCIPAL USE TABLE												
Key: "P" = Permitted, "S" = Special Use Permit, "-" = Not Permitted												
	RL	RM	RH	MH	GC	CH	OP	GI	BT	TC	AC	NC
RESIDENTIAL USES												
Dwelling, Single Family, Detached	P	P	P	-	-	-	-	-	-	-	P	P
Dwelling, Single Family, Attached	-	-	P	-	-	-	-	-	-	P	P	P
Dwelling, Double Family	-	-	P	-	-	-	-	-	-	-	-	-
Dwelling, Multiple Family	-	-	P	-	-	-	-	-	-	P	P	P
Dwelling, Upperstory Unit	-	-	-	-	P	P	P	-	-	P	P	P
Dwelling, Manufactured Unit	-	-	-	P	-	-	-	-	-	-	-	-



# Section 6

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## Development Standards

# Section 6 – Development Standards

6.1 – Signs

6.2 – Open Space, Buffering, Compatibility, Landscaping, and Trees

6.3 – Conservation Subdivision Development

6.4 – Parking and Loading

6.5 – Fences, Walls, and Berms

6.6 – Lighting

6.7 – Complete Streets

6.8 – Design Standards

# Section 6.1

## Signs



# Section 6.1 - Signs

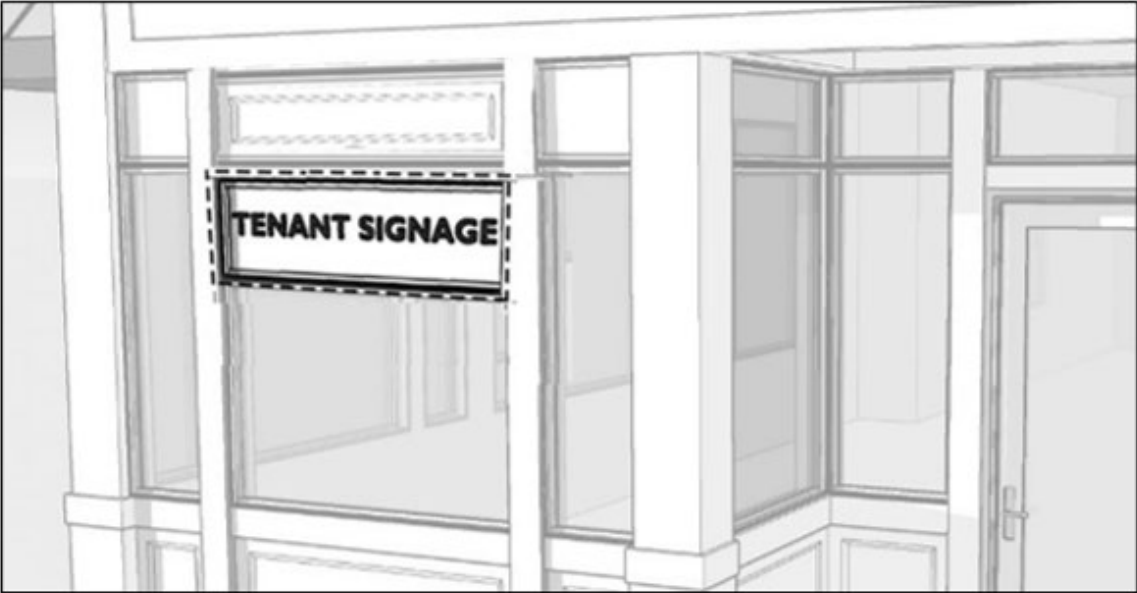
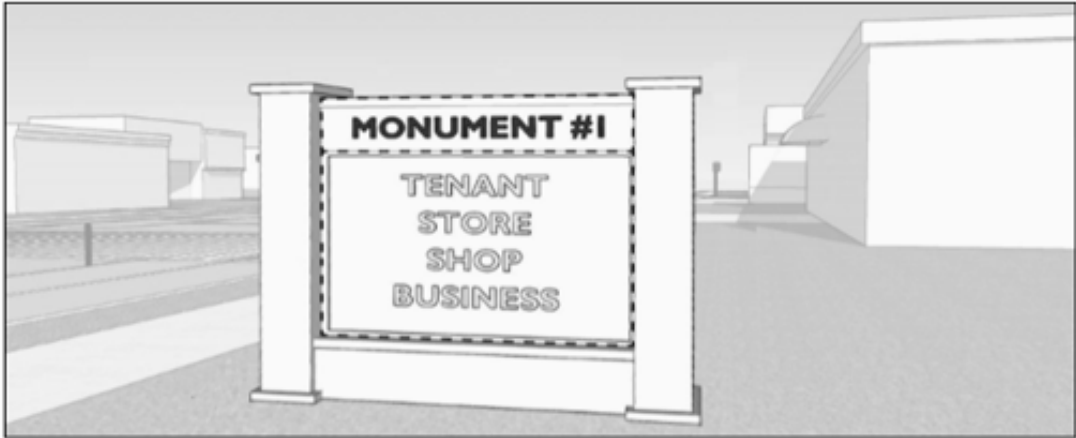
PERMITTED SIGN TYPES	KEY: "P" = PERMITTED, "-" = PROHIBITED											
	RL	RM	RH	MH	GC	CH	OP	BT	GI	TC	AC	NC
<b>BUILDING SIGNS</b>												
WALL SIGNS	P	P	P	P	P	P	P	P	P	P	P	P
CANOPY/AWNING	P	P	P	P	P	-	-	-	-	P	P	P
PROJECTING/BLADE	P	P	P	P	P	-	P	P	-	P	P	P
<b>GROUND SIGNS</b>												
MONUMENT	P	P	P	P	P	P	P	P	P	P	P	P
COMMUNITY/SUBDIVISION	P	P	P	P	-	-	-	-	-	-	P	P
PYLON/FREESTANDING	P	P	P	P	P	P	P	P	P	-	-	-
<b>OTHER SIGNS</b>												
SIDEWALK	-	-	-	-	-	-	-	-	-	P	P	-
WINDOW	-	-	-	-	P	P	P	P	-	P	P	P
<b>NOTES</b>												
Multiple family developments may be permitted a wall sign and monument or community sign.												

# Section 6.1 - Signs

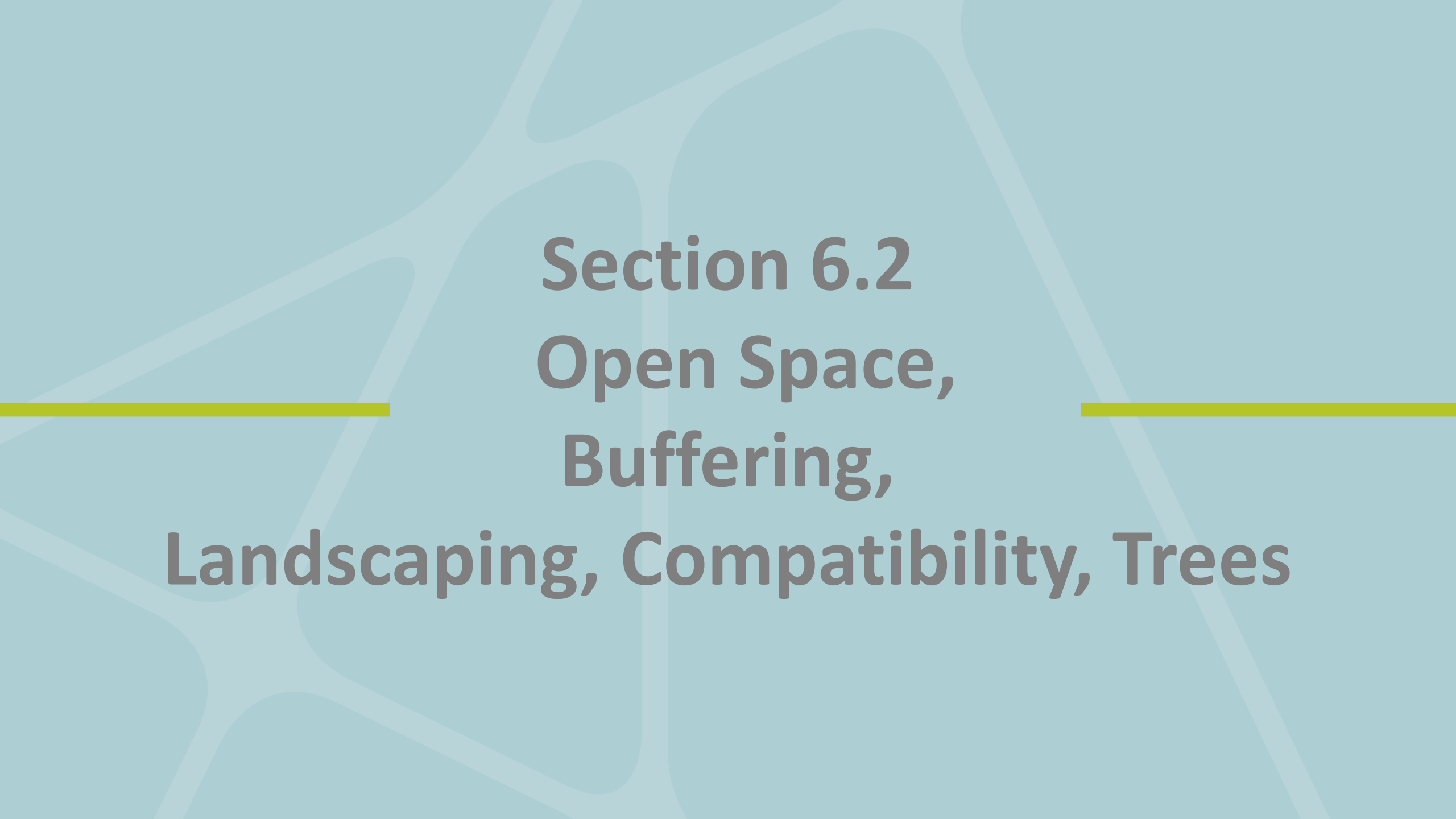


- Updated signage code promoting consistent sizes and placements of signs
- Easy to read and understand with graphics
- Remove extra regulations and condense

# Section 6.1 - Signs







**Section 6.2**  
**Open Space,**  
**Buffering,**  
**Landscaping, Compatibility, Trees**

# Open Space

- Residential Low Density (RL) and Residential Medium Density (RM)
  - 10% open space required
- Increase for Residential High Density (RH)
  - 15% open space required
- Nonresidential Districts
  - 5% open space required



# Open Space

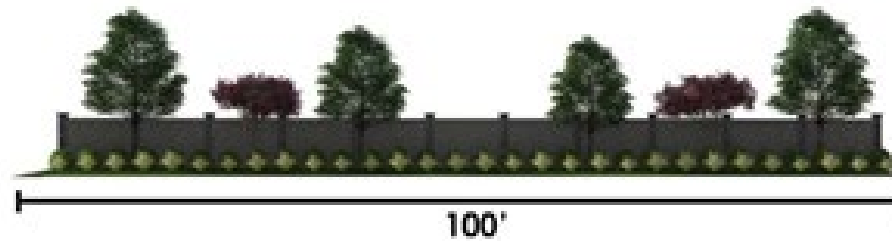
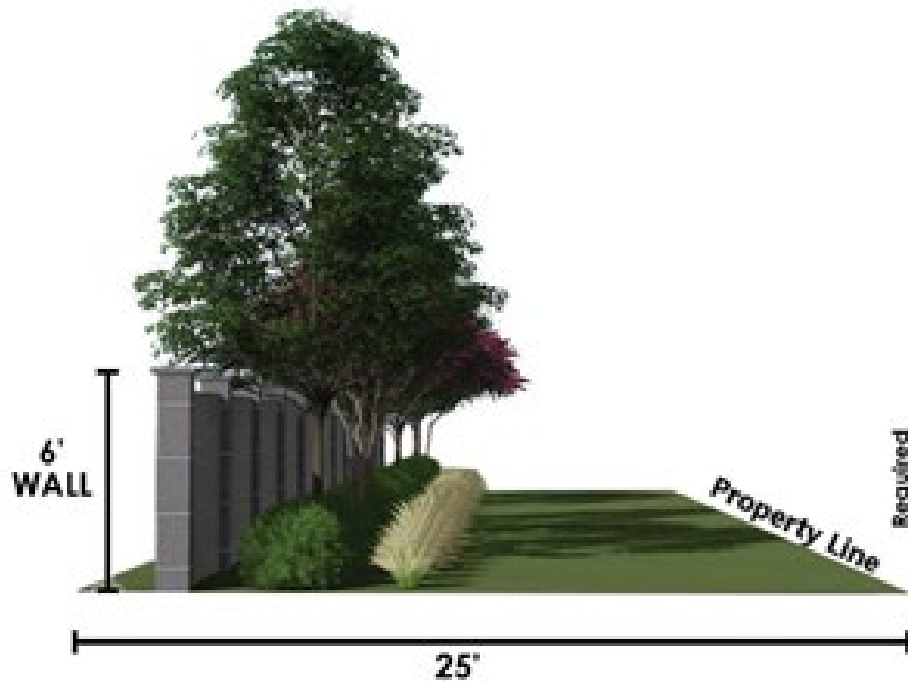
- Active and Passive features required

Active Features	Passive Features
Lawn Games and Concrete Gaming Tables	Walking Trails
Hard Courts (Pickleball, Tennis, Etc.)	Boardwalks
Playgrounds	Gardens
Swimming Pools and Splash Pads	Greens
Athletic Fields (Soccer, Baseball, Etc.)	Picnic Areas
Clubhouse, Pavilions, Amenity Centers	Lakes and Ponds
Exercise Facilities	Lawns and Natural Areas
Plazas	Greenways

# Buffering

- 4 Buffer Types ranging in width and intensity

- 25' WIDTH
- 4 TREES PER 100 LF
- 2 UNDERSTORY TREE PER 100 LF
- 60 SHRUBS PER 100 LF
- 6" WALL



Property



# Buffer Types

	Type 1	Type 2	Type 3	Type 4
Min. Width	10'	15'	25'	50'
Min. Canopy Trees	3	3	4	8
Min. Understory Trees	1	1	2	4
Min. Shrubs	40	50	60	Hedge
Min. Fence	6'	6'	N/P	N/P
Min. Wall	N/R	N/R	6'	3'
Min. Berm	N/R	N/R	N/R	5'

**Note:**

Measurements provided are per 100 linear feet.

**Key:**

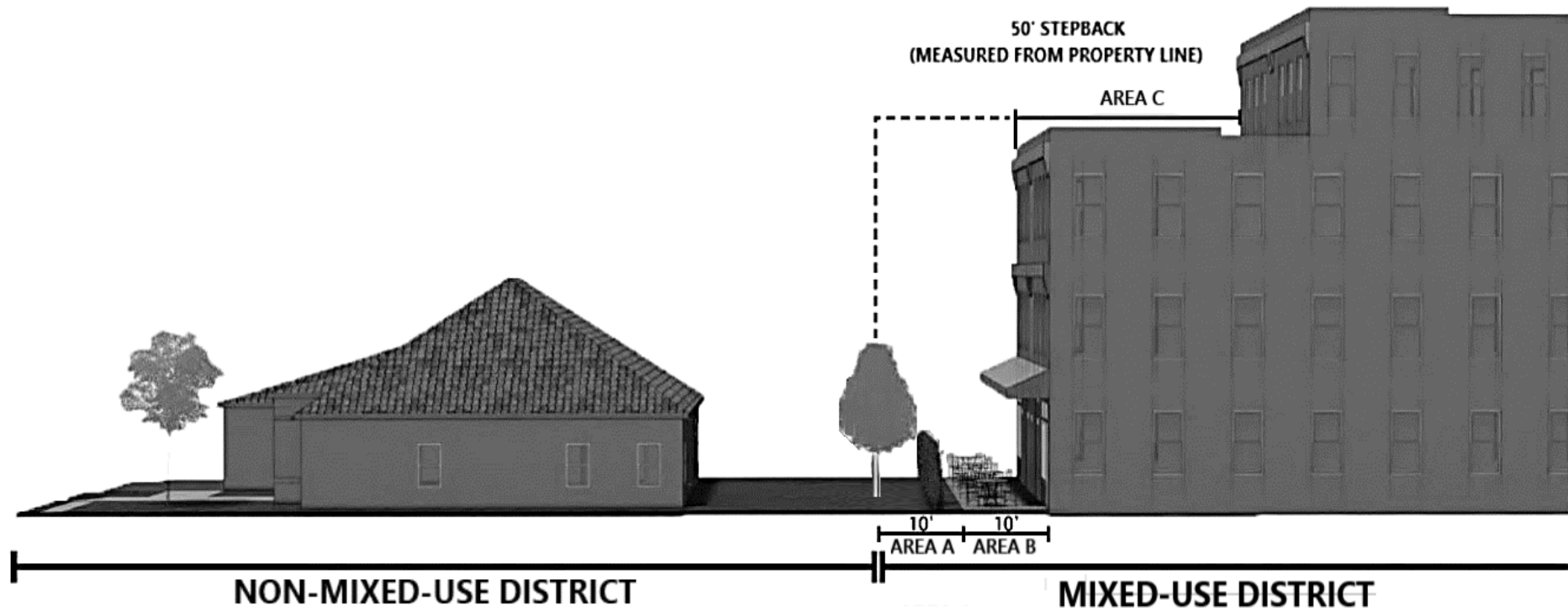
N/R: Not Required

N/P: Not Permitted

Min: Minimum

# Compatibility

- Allow for mitigation techniques to ensure compatibility

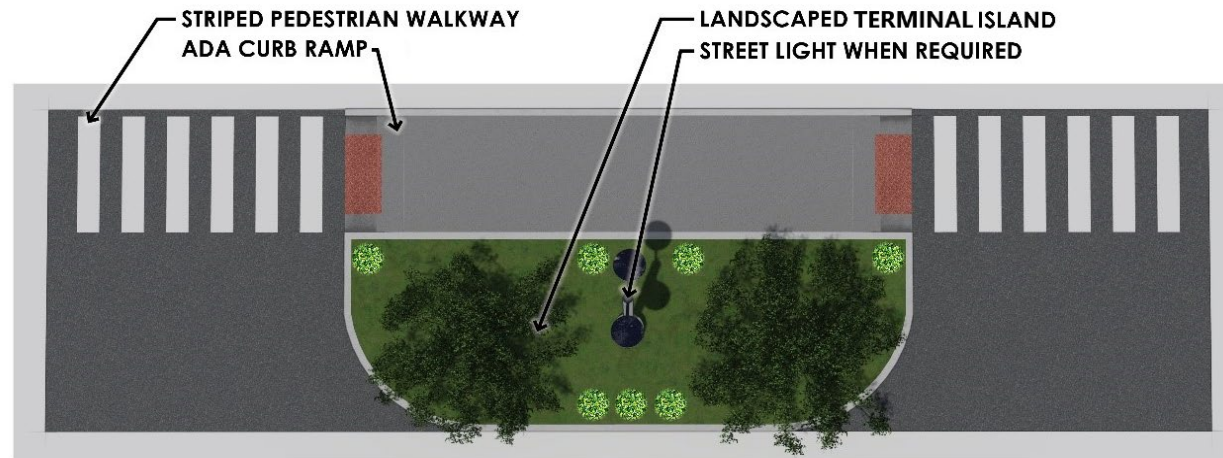


# Landscaping

- Require variety of trees

Total Trees Planted on Site	Minimum Number of Genera Required	Maximum Percentage of any Genera
20 or less	1	Not applicable
21-50	2	60 percent
51-100	3	50 percent
101 or more	4	40 percent

- Require landscaping in parking lots





# Tree Preservation

Policy input provided:

- 10% preservation on developments 2 acres or larger
- Evergreen trees 20 inches dbh, deciduous trees 18 inches dbh within required buffering areas preserved
- Trees 60 inches dbh preserved
- Allow for flexibility in replacement of trees
- Allow for removal of sick or dead trees



## **Section 6.3**

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# **Conservation Subdivision**

## Section 6.3 – Conservation Subdivision

- Allow for development on smaller lots in exchange for conservation of land
- 50% of area must be dedicated to conservation of land
- Priority on preserving natural features and environmentally sensitive lands

# Section 6.4

## Parking



# Section 6.4 - Parking

- Minimum and maximum parking (range) to prevent excess parking but provided what is needed
- Parking area design
- Allow for shared parking and alternative parking plans (APP)

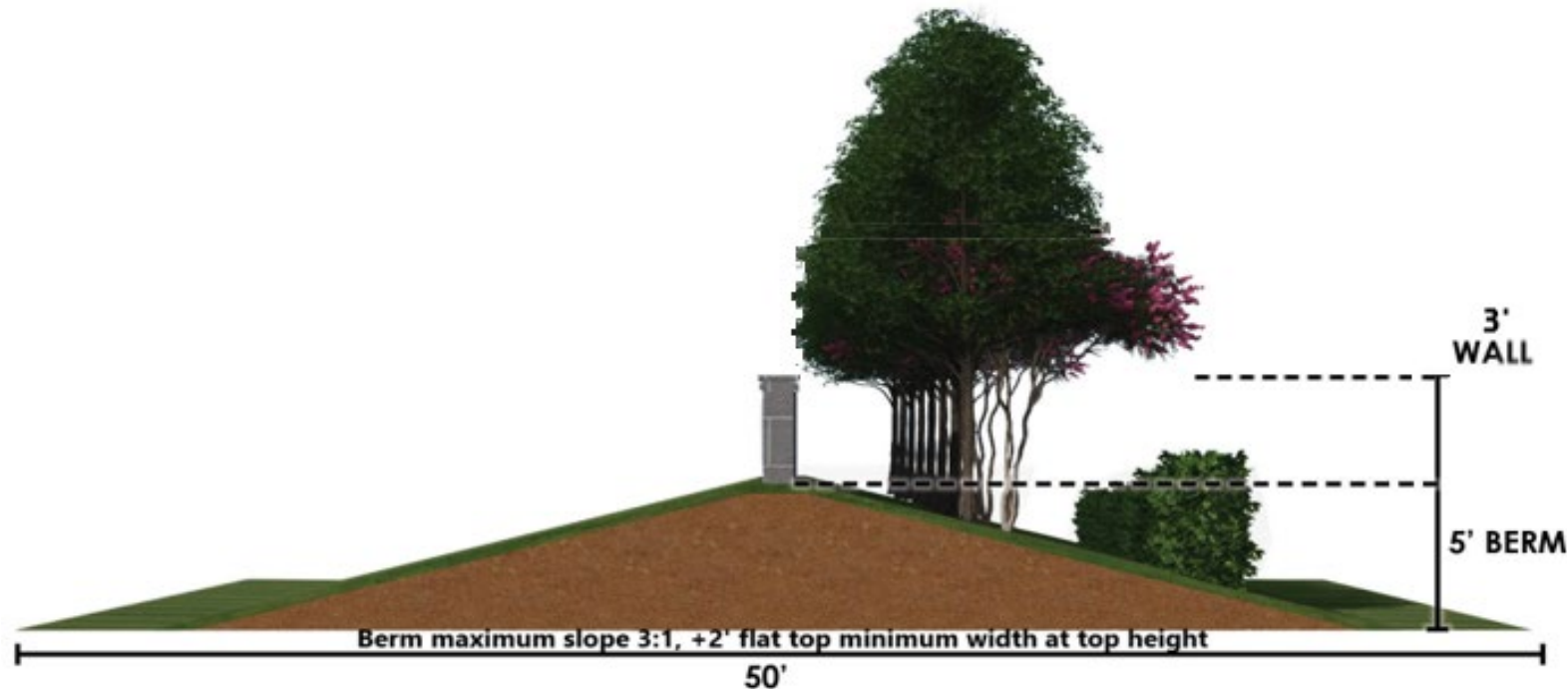
ROLESVILLE OFF-STREET PARKING REQUIREMENTS			
PRINCIPAL USES	MINIMUM REQUIRED	MAXIMUM ALLOWED	ADDITIONAL NOTES
<b>RESIDENTIAL USES</b>			
Dwelling, Single Family, Attached	2.0/Dwelling Unit Plus 0.25 Guest Spaces/Dwelling Unit	No Maximum	Exclusive of garage, which shall not be included in minimum and maximum.
Dwelling, Multiple Family	1.5/Dwelling Unit Plus 0.10 Guest Spaces/Dwelling Unit	2.5/Dwelling Unit	Maximum 10% additional guest parking of total parking count may be permitted.
Dwelling, Upperstory Unit	1.0/Dwelling Unit	2.0/Dwelling Unit	
Live-Work Unit	0.75 /Dwelling Unit	1.75/Dwelling Unit	
Residential Care (ALF, ILF, CCF)	0.25/Bed	1.0/Bed	
<b>CIVIC USES</b>			
Assembly/Church	1.0 per 4.0 seats in the principal assembly room	2.0 per 4.0 seats in the principal assembly room	
Day Care	2.5/1,000 SF	5.0/1,000 SF	
Government Office	2.5/1,000 SF	5.0/1,000 SF	
Parks/Public Recreation Facilities	3 Per Gross Acre Plus 1 Per 1,000 SF of Gross Floor Area of Buildings	No Maximum	
Schools (K-12)	1.0 per 5.0 seats in the principal assembly room	2.0 per 5.0 seats in the principal assembly room	Minimum parking for schools shall be consistent with Wake County Standards

## **Section 6.5**

# **Fences, Walls, and Berms**

# Section 6.5 – Fences, Walls, and Berms

- Ensure the safe and aesthetically pleasing construction of fences, walls, and berms
- Fences and walls shall be constructed of high-quality materials



# Section 6.6

## Lighting



## Section 6.6 – Lighting

- Regulate the intensity of exterior lighting for all types of buildings, individual lots, and developments
- Allow for special event lighting such as grand openings
- Establish maximum heights and require parking lot lighting to be staggered



# Section 6.6 – Lighting





# **Section 6.7**

## **Complete Streets**

## Section 6.7 – Complete Streets

- Adopt, by reference, the policies contained within the comprehensive plan and the town’s adopted community transportation plan (CTP)

Context Area	Land Use Designation (FLUM)	Zoning District
Town Core	Town Center, Commercial, Industrial	TC, GC, CH, OP, GI
Mixed Use	Mixed Use Neighborhood, High Density Neighborhood	TC, AC, NC
Employment Center	Business Park	TC, GC, CH, OP, GI, BT
Residential	Low Density Residential, Medium Density Residential	RL, RM, RH, MH
Rural Crossroads	Commercial	GC
Open Space	Preserved Open Space	RL



# **Section 6.8**

## **Design Standards**

## Section 6.8 – Design Standards

- Provide minimum requirements for the design and configuration of single family (optional), multifamily, nonresidential, industrial buildings, and developments.
- Require 60% brick materials for facades visible from rights-of-way – BOC provided input (masonry ordinance).
- Allow for appropriate transparency and accent materials for aesthetically pleasing buildings.



# Section 6.8 - Design Standards



# Section 6.8 - Design Standards



A-D	Façade Standards Illustrated
A	Vertical Mass
B	Roof Lines
C	Horizontal Mass
D	Wall Offsets



# Section 7

## Telecommunication



# Section 7 - Telecommunication

- Planning Board provided input to allow towers in all districts through special exception
- Provide collocation standards
- Require consultant review
- Provide 160D compliant small wireless (small cell) standards



# **Section 8**

## **Traffic Impact**

# Section 8 – Traffic Impact

- Ensure that new development and redevelopment does not adversely affect the capacity of streets and intersections to accommodate vehicular traffic safely and efficiently
- The cost of the TIA shall be the responsibility of the applicant of the development
- The applicant shall utilize the services of an on-call consultant, hired, or retained by the town, to perform the required TIA

# Section 9

## Subdivision Regulations

# Section 9 – Subdivision Regulations

## Section 9.1 – Introductory and Legal Provisions

## Section 9.2 – Design Standards

9.2.1 Streets and Sidewalks

9.2.2 Blocks

9.2.3 Lots

9.2.4 Easements

9.2.5 Subdivision Access Standards

9.2.6 Utilities

9.2.7 Refuse

# Section 9 – Subdivision Regulations

- 160D compliance
- Major and minor subdivisions
- Design standards for streets and sidewalks
- Input items – sidewalks
  - Sidewalks on both sides of street
  - Streets that are three-hundred (300) feet or less are only required to have a sidewalk on one (1) side if it ends in a cul-de-sac
  - Greenways shall not be constructed in place of sidewalks



# **Section 10**

## **Nonconformities**

# Section 10 – Nonconformities

10.1 – Purpose and Intent

10.2 – Applicability

10.3 – Nonconforming Structures

10.4 – Nonconforming Uses

10.5 – Nonconforming Lots

10.6 – Conforming Uses and Structures

10.7 – Effect of Amendments



# Section 10 – Nonconformities

- Allow and regulate the continued existence of nonconformities
- Nonconforming structures, uses, and lots

# **Section 11**

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## **Administration and Definitions**

# Section 11 – Administration and Definitions

11.1 – Introduction

11.2 – Interpretation

11.3 – Images

11.4 – Rules of Measurement

11.5 – Conflicting Provisions

11.6 – Zoning Map

11.7 – Definitions

# Section 11 – Administration and Definitions

- General administration provisions
- Interpretation provisions
- General definitions used in the LDO excluding use definitions (Section 5.1)



# **Appendix A**

# **LDO Handbook**

# Appendix A – LDO Handbook

1 – General Provisions

2 – Legislative Processes

3 – Evidentiary Processes

4 – Other Processes

# Appendix A – LDO Handbook

- Identify procedures for filing and processing applications for development approval within the Town of Rolesville
- Tool for staff of the Town of Rolesville
- Designed to allow users to determine the steps involved to obtain development approval

# Appendix A – LDO Handbook

- Legislative approvals require approval by the Town of Rolesville Board of Commissioners

REVIEW PROCESS	SECTION						
		LDA	TRC	BOA	PB	BOC	
LEGISLATIVE PROCESSES							
Annexation	2.1	R				D	
Development Agreement	2.2	R			RR	D	
Rezoning (Zoning Map Amendment)	2.3	R	R		RR	D	
Text Amendment	2.4	R			RR	D	



# Appendix A – LDO Handbook

- Evidentiary (quasi-judicial) approvals involve the application of a discretionary standard of the LDO to an application

REVIEW PROCESS	SECTION					
		LDA	TRC	BOA	PB	BOC
Appeals	3.1	R		D		
Special Use Permit	3.2	R	R			D
Variance	3.3	R		D		
Vested Rights Certificate/Determination	3.4	R				D
Major Subdivision Preliminary Plat	3.5	R	R			D

# Appendix A – LDO Handbook

- Administrative approvals do not require public hearings
- Administrative approval by Technical Review Committee



# **Appendix B**

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## **Flood and Stormwater**

# Appendix B – Flood and Stormwater

1.1 – Flood Damage Prevention Overlay

1.2 – Stormwater Management

# Appendix B – Flood and Stormwater

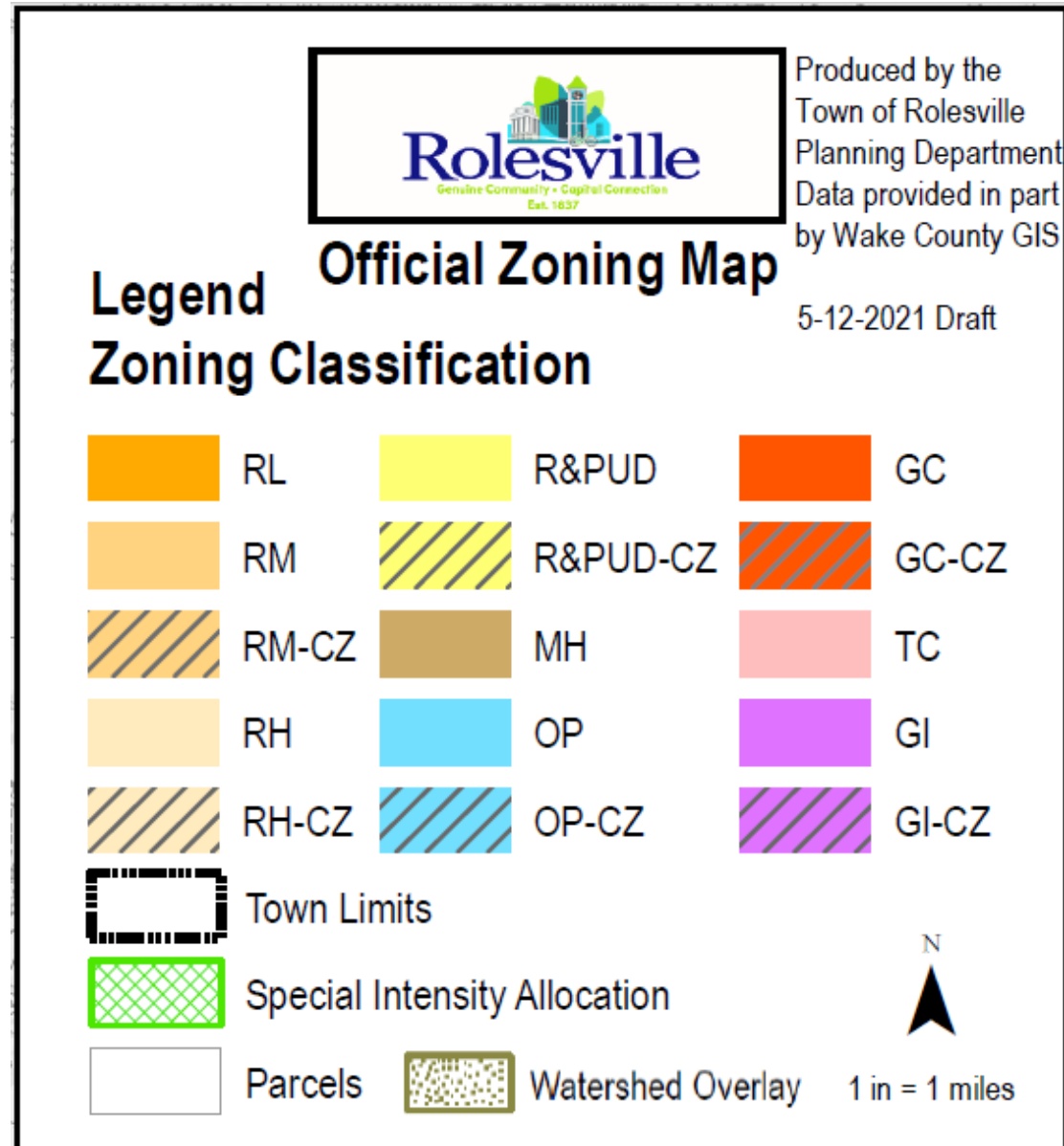
- State model flood prevention ordinance (flood damage prevention overlay)
- Uses state model ordinance (consistent with Wake County)
- Stormwater management consistent with current standards and tracking with new state level requirements



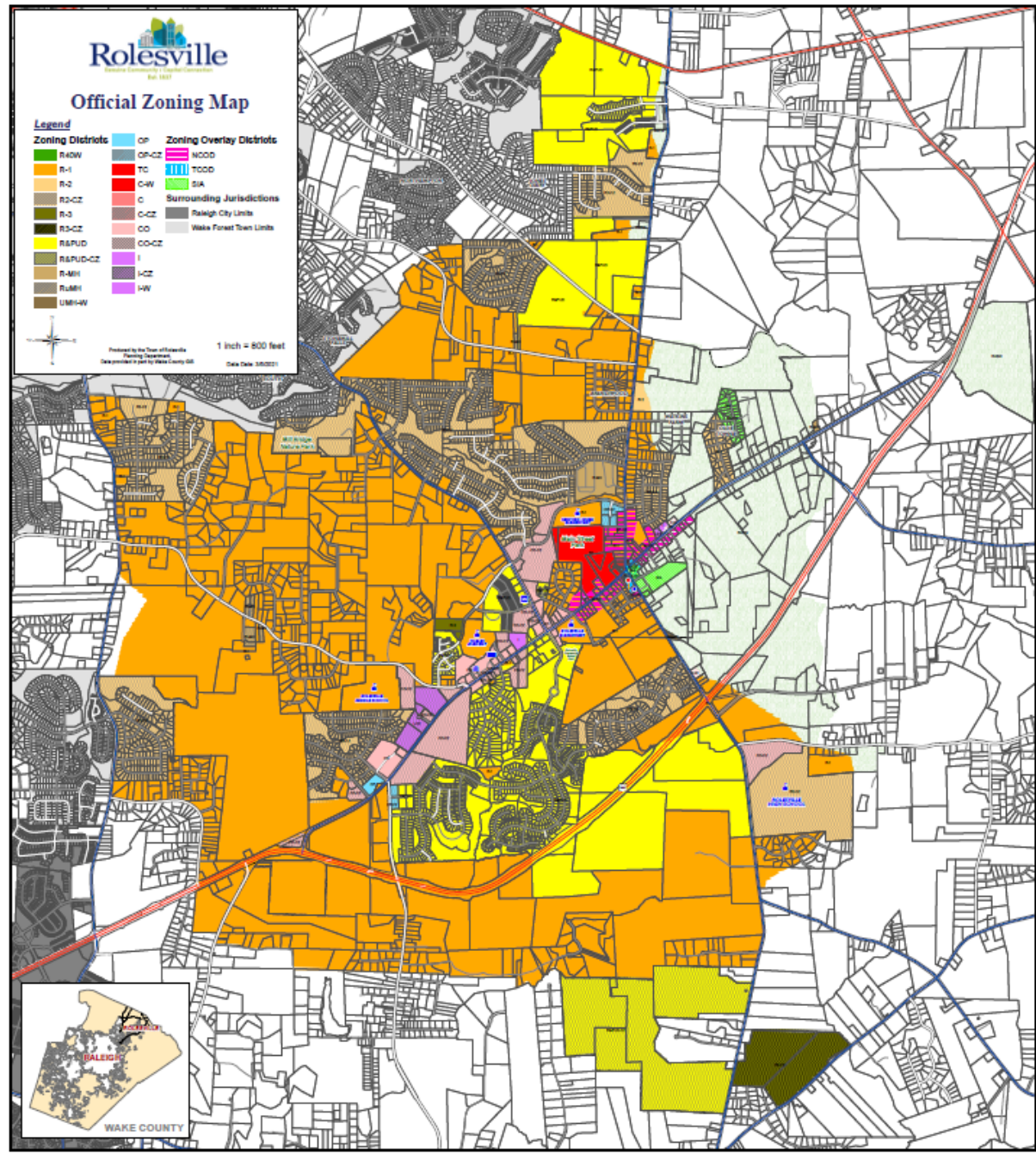
# Zoning Map

# Zoning Map

- Adopted as part of the LDO
- Requires advertising
- Retaining zoning – just updating names of zoning districts

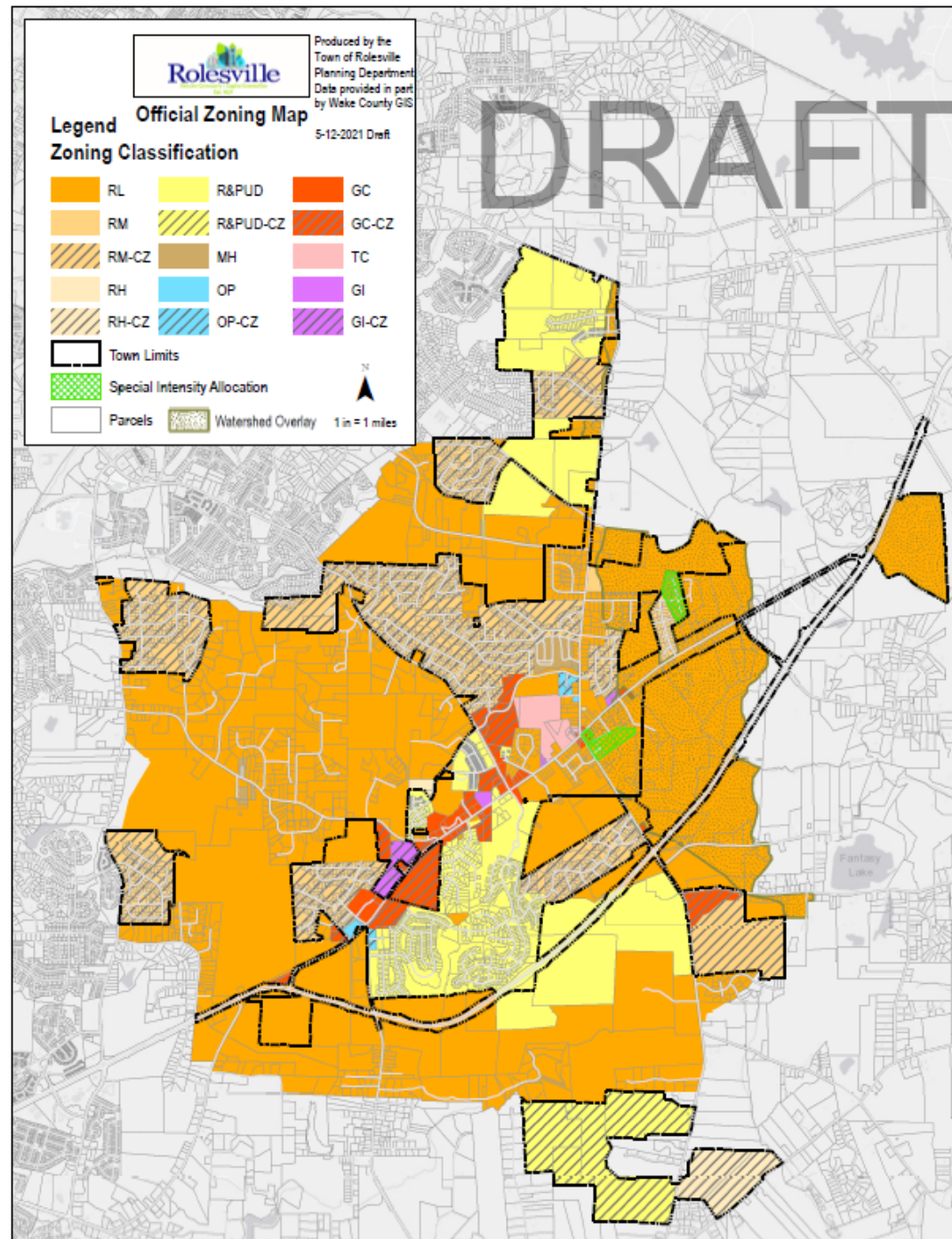


# Existing Zoning Map





# Proposed Zoning Map





# Next Steps

# Adoption of LDO

- BOC adopts LDO and Zoning Map, June 1, 2021
- LDO 160D compliant by mandated July 1, 2021 deadline





**Wrap-Up  
Thanks!**