



**Planning Board Meeting**  
**April 27, 2026**  
**7:00 p.m.**  
**Rolesville Town Hall**

**AGENDA**

A. Call to Order

1. Pledge of Allegiance
2. Invocation
3. Approval of March 23, 2026 Meeting Minutes

B. Regular Agenda

1. Board AI Policy
2. TA-26-0005 – Omnibus LDO Text Amendments

C. Communications

1. Planning Director's Report
2. Town Attorney's Report
3. Other Business
4. Adjournment



**Planning Board Meeting**  
**March 23, 2026 - 7:00 PM**  
**502 Southtown Circle, Rolesville, NC 27571**

**MINUTES**

**PRESENT:** Mike Moss, Chair  
Donnie Lawrence, Vice-Chair  
Tisha Lowe, Board Member  
Frank Pearce, Board Member  
David Neill, Town Attorney  
Stephen Wensman, Planning Director  
Tanner Hayslette, Planner I  
Sharon Hope, Administrative Support Specialist

**ABSENT:** Brian Kennedy, Board Member  
Jim Schwartz, Board Member  
Mindy Barham, Board Member

**A. CALL TO ORDER**

Chair Moss called the meeting to order at 7:00 p.m.

**A.1. PLEDGE OF ALLEGIANCE**

The Board collectively recited the Pledge of Allegiance.

**A.2. INVOCATION**

Chair Moss delivered the invocation.

**A.3. APPROVAL OF FEBRUARY 23, 2026, MEETING MINUTES**

**Moved by Board Member Lowe and Seconded by Board Member Pearce. Motion to approve the minutes of the February 23, 2026, meeting was carried with a 4-0 vote, 4 voted aye (Moss, Lawrence, Lowe, Pearce), 0 voted nay.**

**B. REGULAR AGENDA**

**B.1. TA-26-0003 – LDO Text Amendment to Section 9.1.2.B. Minor Subdivision**

Mr. Wensman introduced this Text Amendment for minor subdivisions continued from the February 23, 2026, Planning Board meeting. This amendment is a correction to the code and to the Appendix A – LDO Handbook at the direction of the Town Attorney as the Statute states “five (5) acres or less” and should say “five (5) acres and greater”. After review, more language was added to allow minor subdivisions between two acres and five acres. Mr. Wensman noted that greater than ten acres is exempt and less than two acres is exempt. The new language models the Statute language, includes more clarity, and removes ambiguity.

Chair asked a question regarding the addition of road access language, and Mr. Wensman provided explanation. The Chair asked for questions and heard none.

**Moved by Vice Chair Lawrence and Seconded by Board Member Lowe. Motion to recommend approval of TA-26-0003 – Text Amendment for Minor Subdivisions, to the Town Board of Commissioners because it is consistent with the Comprehensive Plan and was carried by a 4-0 vote, 4 voted aye (Moss, Lawrence, Lowe, Pearce), 0 voted nay.**

**B.2. TA-26-0004 – LDO Text Amendment to Section 6.5.E.4 Fence Height**

Mr. Wensman introduced the Text Amendment to address resident concerns about the need for an eight-foot fence at the outer edges of a subdivision or neighborhood. Currently the maximum fence height is 6' with 1' of transparent "lattice" detail on top. This amendment would allow a fence of 8' maximum height at the outer perimeter of a subdivision when the subdivision is against a higher density, more intense residential district. The Board collectively asked a few clarifying questions which Mr. Wensman answered.

**Moved by Vice Chair Lawrence and Seconded by Board Member Lowe. Motion to recommend approval of TA-26-0004 – Text Amendment to Residential Fence Height to the Town Board of Commissioners because it is consistent with the Comprehensive Plan and was carried by a 4-0 vote, 4 voted aye (Moss, Lawrence, Lowe, Pearce), 0 voted nay.**

**C. COMMUNICATIONS**

**C.1. Planning Director's Report**

**a. Technical Review**

Mr. Wensman stated that Technical Review has been quiet recently; however, this month we received 10 new applications.

**b. Close-Out projects**

Mr. Wensman stated that we have a couple of projects that have reached the close-out stage including The Preserve at Jones Dairy, which is a KB Homes community, and townhomes at the Wallbrook project.

**c. Discussion of Scott Miles, Town Engineer, projects**

Mr. Wensman stated that Scott Miles will be doing some plan review, inspections and special projects throughout the town: Street Acceptance Policy, Powell Bill Policy and a potential recommendation for Traffic Calming as Mr. Miles joined the Traffic Calming Committee.

**C.2. Town Attorney's Report**

The Town Attorney stated that he did not have a report but was open for any questions.

**C.3. Other Business**

None currently.

**C.4. Adjournment**

**A motion to adjourn was made by Vice-Chair Lawrence and Seconded by Board Member Pearce. The motion was carried by a 4-0 vote, 4 voted aye (Moss, Lawrence, Lowe, Pearce), 0 voted nay. The meeting was adjourned at 7:11 p.m.**

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**Mike Moss**  
**Planning Board Chair**

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**Sharon S. Hope**  
**Administrative Support Specialist**

# Memo

**To:** The Planning Board  
**From:** The Planning Department  
**Date:** Meeting Held April 27, 2026  
**Re:** TA-26-0005 – Omnibus Text Amendments

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## **Background**

TA-26-0005 staff-initiated Text Amendments cover both substantive and technical amendments in multiple sections of Rolesville's Land Development Ordinance (LDO).

## **Proposed Text Amendments**

A summary of the Text Amendments is listed below; please see Attachments to read the proposed Text Amendment language.

- **Section 3. Zoning Districts**
  - Section 3.F. – Amendment to add item F. Development Standards including the setback standards moved from LDO Section 11.7. Definitions.
  - Table 3.1.3. Residential High (RH) Development Standards – Amendment to clarify side setbacks between Single Family Attached and Detached housing
  - Table 3.2.4. Business, Industrial, and Technology (BT) Development Standards – Amendment to eliminate setback requirement when Business, Industrial, and Technology (BT) is adjacent to Business, Industrial, and Technology (BT)
  - Miscellaneous minor corrections
  
- **Section 5. Uses**
  - 5.1.4. Commercial Uses item U. – Amendment to add standard for measuring separation distance for Vape and Tobacco Stores
  - Miscellaneous minor corrections
  
- **Section 6.2. Open Space, Buffering, Compatibility, Landscaping, and Trees**
  - 6.2.2.1. Perimeter Buffers item D.4. – Amendment to allow parking areas in Office and Professional (OP) and Business, Industrial, and Technology (BT) zoning districts to encroach in the outer 50% of a perimeter buffer
  - 6.2.2.1. Perimeter Buffers items E., F., and G. – Amendments to define standards for opacity that may be achieved by landscaping or a combination of landscaping and a fence or wall
  - Note TA-26-0002 Perimeter Buffer Correction is scheduled for the May 5 Town Board of Commissioners' meeting
  - Miscellaneous minor corrections

- **Section 6.8. Design Standards**
  - Section 6.8.2. Nonresidential Building Design Standards Item D.1.b. – Amendment to exclude Industrial Uses and Government Facility Uses from roof line standards
  - Section 6.8.2. Nonresidential Building Design Standards Item D.2. – Amendment to exempt Public Safety Uses within Government Facility Uses from transparency requirements
  - Section 6.8.2. Nonresidential Building Design Standards Item D.3. – Amendments to Blank Wall Area for buildings in General Commercial (GC), Commercial (CH), Office and Professional (OP), and Business, Industrial, and Technology (BT) zoning districts
  - Miscellaneous minor corrections
  
- **Section 9. Subdivision Regulations**
  - Section 9.2.1. Streets and Sidewalks item A.1. – Multiple-lot campus type settings in Office and Professional (OP), Business, Industrial, and Technology (BT), and General Industrial (GI) zoning districts may access to and abut Private Access Easements
  - Section 9.2.1. Streets and Sidewalks item B.8. – Amendment to require addresses and street names prior to the submittal of Construction Infrastructure Drawings and/or Site Development Plans
  - Note TA-26-0003 Minor Subdivision Correction is scheduled for the May 5 Town Board of Commissioners' meeting
  - Miscellaneous minor corrections
  
- **Section 11.7 Definitions**
  - Removal of setbacks definition that includes development standards

### **Comprehensive Plan Consistency**

The Rolesville 2050 Comprehensive Plan Focus Areas include looking at challenges and opportunities as they relate to:

- Transportation,
- Economic Development,
- Housing & Land Use, and
- Parks, Recreation, & Community Character.

Having clear and effective development regulations has the potential to support all the Focus Areas in Rolesville's Comprehensive Plan.

### **Proposed Motion**

Motion to recommend (approval or denial) of **TA-26-0005 – Omnibus Text Amendments**, to the Town Board of Commissioners, because it is (consistent or inconsistent) with the Comprehensive Plan. (Please include examples of consistency or inconsistency.)

## **Attachments**

Select pages from the following sections of the LDO are included as Attachments to this report:

- Section 3. Zoning Districts
- Section 5. Uses
- Section 6.2. Open Space, Buffering, Compatibility, Landscaping, and Trees
- Section 6.8. Design Standards
- Section 9. Subdivision Regulations
- Section 11. Administration and Definitions

### 3. ZONING DISTRICTS

A. **General Use Districts.** Table 3.A identifies the general use zoning districts established by this LDO.

Table 3.A. General Use Districts Established

TABLE 3.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.

B. **Conditional Zoning Districts.** See Section 3.3 for conditional zoning districts.

C. **Mixed-Use Districts.** Table 3.C identifies the mixed-use zoning districts established by this LDO.

Table 3.C. Mixed-Use Districts Established

TABLE 3.C. MIXED-USE DISTRICTS ESTABLISHED		
MIXED-USE DISTRICT NAME	LDO ABBREVIATION	LDO SECTION
Town Center District	TC	3.4.1.
Activity Center Mixed-Use	AC	3.4.2.
Neighborhood Center Mixed-Use	NC	3.4.3.

D. **Inactive Districts.** See Section 3.5 for inactive districts.

E. **Organization of Districts.**

1. Each district includes purpose, intent, and development standards where applicable.
2. The Permitted Principal Use Table, contained in Section 5.1, identifies which principal uses may be permitted in each zoning district. Each district has its own column on the corresponding table of permitted principal uses. Permitted principal uses are defined in Section 5.1.

F. **Development Standards.**

1. **Building Height. See Section 11.7. Definitions.**
2. **Setbacks. Required setbacks shall be measured from the closest base of the wall of the structure to the lot line or nearest street right-of-way line. Allowable exceptions to setbacks shall not be utilized for measurement of setbacks. Setbacks shall be established at the time of approval of a Site Development Plan or Final Subdivision Plat. Setbacks so established shall continue to apply to the area within the Site Development Plan or Final Subdivision Plat despite subsequent changes to the setback regulations. Setbacks are designated by a front, corner, side, and rear setback requirements. Mechanical, electrical, and plumbing equipment (including air-conditioning and pool equipment) are exempt from side and rear yard requirements but shall not be located any closer than three (3) feet from the property line. Uncovered stairs, landings, terraces, porches, balconies, and fire escapes may project into any yard, but such projection may not exceed six (6) feet, and such projection may not be closer than ten feet to any lot line. Architectural projections, such as chimneys, flues, sills, eaves, belt courses, and ornaments, may project into any required yard, but such projection shall not exceed three (3) feet.**

### 3.1. RESIDENTIAL DISTRICTS

- A. **Intent.** The residential zoning districts established in this LDO are intended to implement the low density residential, medium density residential, and high density residential future land use classifications, as defined in the Rolesville comprehensive plan. The residential districts intend to provide a safe, healthy environment for the residents of Rolesville. Specifically, the residential districts are intended to:
1. Provide for a variety of residential housing choices with varied densities, types, and designs;
  2. Create neighborhoods and preserve existing character while allowing for new, compatible development; and
  3. Provide for safe, appropriately located lands for residential development consistent with the Rolesville comprehensive plan.
- B. **Cluster Development.** Cluster development within the Residential Low Density (RL) and Residential Medium Density (RM) districts is permitted. A cluster development allows an applicant to qualify for reduced minimum lot sizes. Within the RM district, an increase in permitted density, from three (3) to a maximum of five (5) dwelling units per acre, is permitted. Cluster development is approved as part of the Major Subdivision Preliminary Plat and shall be clearly indicated on the application.
1. **Open Space within Cluster Development.** Cluster Developments shall designate at least forty (40) percent of the site for contiguous open space (as defined in Section 6.3.1: Open Space). Where properties do not require rezoning, open spaces shall be reviewed as part of the Major Subdivision Preliminary Plat. Open space areas within the perimeter of the subdivision can be used for the buffering requirements. Required open space shall be conserved as a conservation easement. Required open space, recorded as a conservation easement, shall be indicated on all development approval.
  2. **Buffering for Cluster Development.** A Type 2 buffer shall be provided for cluster developments. The Type 2 buffer may be counted towards no more than fifty (50) percent of the required open space percentage for a cluster development. These buffers may also allow pedestrian paths within the buffers. These buffers shall be platted as separate tracts to be owned and maintained by the Homeowner's Association or similar entity.

3.1.1. RESIDENTIAL LOW DENSITY (RL)

- A. **Purpose and Intent.** The Residential Low Density (RL) zoning district is established as a district in which the principal use of land is for single-family detached dwellings. The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to the development of residences and would be detrimental to the quiet residential nature of areas included within this district. RL implements the low density residential future land use at a density range of one (1) to two (2) dwelling units per acre.
- B. **Development Standards.** The RL district shall conform to the standards identified in Table 3.1.1.

Table 3.1.1. RL Development Standards

STANDARDS		RL REQUIREMENTS
Building Height		Max: 35'
Density		Max: 2 Dwelling Units Per Acre
Building Setbacks (Min.)	Front	30' 20' (Cluster)
	Side	12' 10' (Cluster)
	Rear	25' 20' (Cluster)
	Corner	17' 12' (Cluster)
Lot	Width (Min.)	100' 65' (Cluster)
	Coverage (min./max.)	N/A
	Area (Min.)	20,000 Square Feet (By Right) 10,000 Square Feet (Cluster Development)

3.1.2. RESIDENTIAL MEDIUM DENSITY (RM)

- A. **Purpose and Intent.** The Residential Medium Density (RM) zoning district is established as a district in which the principal use of land is for residential purposes. The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to the development of residences and would be detrimental to the quiet residential nature of the areas included within this district. RM implements the medium density residential future land use at a density range of three (3) to five (5) dwelling units per acre.
- B. **Development Standards.** The RM district shall conform to the standards identified in Table 3.1.2.

Table 3.1.2. RM Development Standards

STANDARDS		RM STANDARDS			
		RM 15,000 SF Lot	RM Cluster 8,000 SF Lot	RM Cluster 7,000 SF Lot	RM Cluster 6,000 SF Lot
Building Height		Max: 35'	Max: 35'	Max: 35'	Max: 35'
Density		Max: 3 Dwelling Units Per Net Acre Max: 5 Dwelling Units Per Acre (Cluster Development)	Max: 5 Dwelling Units Per Acre	Max: 5 Dwelling Units Per Acre	Max: 5 Dwelling Units Per Acre
Building Setbacks (Min.)	Front	30'	20'	20'	20'
	Side	12'	8'	8'	5'
	Rear	25'	20'	20'	20'
	Corner	17'	12'	8'	8'
Lot	Width (Min.)	85'	70'	60'	50'
	Area (Min.)	15,000 SF	8,000 SF	7,000 SF	6,000 SF
Special Standards		In a cluster development, no more than thirty-five percent (35 %) of lots may be smaller than 7,000 SF and at least thirty-five percent (35%) of lots must be 8,000 SF or larger.			

3.1.3. RESIDENTIAL HIGH DENSITY (RH)

A. **Purpose and Intent.** The Residential High Density (RH) zoning district is established as a district in which the principal use of land is for residential purposes, including attached, double family, and multiple family dwellings. The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to the development of higher density residential structures. RH implements the high density residential future land use at a density range of six (6) to twelve (12) dwelling units per acre.

B. **Development Standards.** The RH district shall conform to the standards identified in Table 3.1.3.

Table 3.1.3. RH Development Standards

STANDARDS		RH REQUIREMENTS				
Building Height		Max: 35' Max for Residential Care uses: 60' with the installation of sprinklers and with Conditional Zoning				
Density		Max: 6 Dwelling Units Per Acre (Single Family Detached) Max: 8 Dwelling Units Per Acre (Age Restricted) Max: 9 Dwelling Units Per Acre (Attached) Max: 12 Dwelling Units Per Acre (Multifamily)				
		Single Family Detached	Single Family Detached (Age Restricted)	Attached	Attached (Age Restricted)	Multiple Family
Building Setback (Min./Max.)	Front	15'	15'	15'	15'	20'
	Side	10' <u>Min. 30' between Detached and Attached structures</u>	10' Aggregate	0' Internal <u>5' for structures of three units or less</u> 10' End Unit Min. 30' between structures Min. 10' between structures of three units or less <u>Min. 30' between Attached and Detached structures</u>	0' Internal 5' End Unit Min. 16' Between structures Min. 10' Between two-unit structures	15'
	Rear	15'				
	Corner	15'	15'	15'	15'	20'

ROLESVILLE LAND DEVELOPMENT ORDINANCE

Lot	Width (Min.)	75' (Single Family Detached) 40' (Single Family Detached Age Restricted) 20' (Attached)
	Coverage	N/A
	Area (Min.)	7,500 Square Feet (Single Family Detached) 4,000 Square Feet (Single Family Detached Age Restricted) 2,000 Square Feet (Attached) 1,900 Square Feet (Attached Age Restricted)
Special Standards and Notes		<p>No more than 15 gross acres may be assigned to attached or multiple family uses. This acreage limit shall be applied to the total of all attached and multifamily uses within a subdivision. Notwithstanding the foregoing, the acreage limit may be divided within and/or distributed throughout a subdivision. There is no limitation for age restricted residential developments.</p> <p>Two or three-unit single family attached buildings adjacent to a four-unit or greater building will follow the thirty foot (30') building separation requirement.</p>

3.1.4. MANUFACTURED HOME DISTRICT (MH)

- A. **Purpose and Intent.** The Manufactured Home (MH) zoning district is established as a zoning district that permits manufactured homes with or without access to public water and sewer. The MH district is permitted to be in the form of a mobile home park.
- B. **Development Standards.** The MH district shall conform to the standards identified in Table 3.1.4.

Table 3.1.4. MH Development Standards

STANDARDS		MH REQUIREMENTS
Building Height		Max: 35'
Density		Max: 2 Dwelling Units Per Acre
Building Setbacks (Min.)	Front	30'
	Side	12'
	Rear	25'
	Corner	17'
Lot	Width (Min.)	85'
	Coverage (min./max.)	N/A
	Area (Min.)	20,000 Square Feet

- C. **Mobile Home Park Standards.** The MH district may be in the form of a mobile home park. Due to their unique standards, the standards below shall apply for all new mobile home park developments:

1. **Design Standards.** Minimum lot size for each mobile home shall be determined by the Wake County Health Department after a field investigation. The lot shall be of such minimum size as is necessary for adequate protection of the water supply system and for proper functioning of the individual sewage disposal system. In no case shall a lot with an approved water supply be less than 20,000 square feet.
  - a. The pitch of the roof of the home has a minimum vertical rise of three (3) feet for every twelve (120) feet of horizontal run and the roof is finished

with a type of shingle that is commonly used in standard residential construction;

- b. All roof structures shall provide an eave projection of no less than six (6) inches, not including gutter;
- c. Each mobile home lot shall be provided parking spaces for at least two (2) automobiles, covered with gravel or other suitable material, either on the lot or within three hundred (300) feet of the lot;
- d. All streets, roads, or drives located in the park must have a minimum right-of-way of forty (40) feet and must be covered with material deemed acceptable by the Town of Rolesville;
- e. All mobile homes must have direct access through a driveway, private drive, or other public street to a public right-of-way;
- f. All streets and private drives more than two-hundred-and-fifty (250) feet in length must be lighted at night; and
- g. All utility lines and wires shall be installed underground.
- h. The exterior siding consists predominately of vinyl or aluminum horizontal lap siding (whose reflectivity does not exceed that of gloss white paint), wood, or ~~hardieplank~~ **fiber cement siding**, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
- i. Permanent steps shall be constructed at all exterior doors as necessary and a permanent porch or patio measuring at least three (3) feet in width and five (5) feet in length shall be constructed at the front or main entrance to the mobile home.
- j. Must be set up in accordance with the standards set forth by the North Carolina Department of Insurance and a continuous, permanent masonry foundation or masonry curtain wall, unpierced except for required ventilation and access, installed under the perimeter of the mobile home.

- k. All homes shall be tied down in accordance with the regulation set forth by the North Carolina Department of Insurance.
  - l. Stairs, porches, entrance platforms, ramps, and other means of entrance and exit to and from the home shall be installed or constructed in accordance with the standards set by the North Carolina Department of Insurance.
  - m. The moving hitch, wheels, axles, and transporting lights must be removed. If they cannot be removed, they must be screened from view by evergreen plantings as approved by the Planning Director or designee.
  - n. All requirements for the location of a single family dwelling on an individual lot shall be met.
  - o. Mobile homes shall not have a width of less than twenty-four (24) feet.
2. **Operating Requirements.** Each mobile home park shall operate in accordance with the rules and regulations of the Wake County Board of Health and the fire protection agency having jurisdiction of the park.

### 3.2. NONRESIDENTIAL DISTRICTS

- A. **Intent.** The nonresidential zoning districts established in this LDO are intended to implement the commercial, business park, industrial, school, and preserved open space future land use classifications, as defined in the Rolesville comprehensive plan. The nonresidential districts intend to provide lands within the town for a range of civic, commercial, office and medical, infrastructure, and open space uses. Specifically, the nonresidential districts are intended to:
1. Provide for a variety of environments for various types of nonresidential uses and development;
  2. Increase the town's economic base and provide employment opportunities for the residents of the town and surrounding communities; and
  3. Provide for safe, appropriately located lands for nonresidential development consistent with the comprehensive plan that will minimize the impact of nonresidential development on residential districts.

### 3.2.1. GENERAL COMMERCIAL (GC)

- A. **Purpose and Intent.** The General Commercial (GC) zoning district is established as a district in which the principal use of land is for commercial uses. The GC district allows for wide range of intensities of commercial uses. Regulations of this district are intended to minimize potential effects of commercial activity on residential districts. The GC district implements the commercial future land use classification.
- B. **Development Standards.** The GC district shall conform to the standards identified in Table 3.2.1.
- C. **Setback Reductions.** Setback reductions of up to sixty-five (65) percent shall be allowed within the Main Street Corridor if all the following are provided:
1. Buildings and community gathering spaces define no less than two-thirds of street frontage;
  2. Vehicular surface areas are limited to no more than one-third of property frontage; and
  3. A minimum ten foot (10') wide sidewalk or multi-use trail is provided along Main Street, or if property is not adjacent but within five hundred feet (500') of the Main Street Corridor, that a minimum ten foot (10') wide sidepath be provided to provide pedestrian access to Main Street.

In addition to the foregoing, at least two of the following shall be provided:

4. Enhanced landscaping, visible from the public right-of-way, that exceeds LDO standards by at least twenty-five (25) percent;
5. A privately maintained community gathering space or green space, at least one-thousand two hundred (1,200) square feet, that is publicly accessible;
6. Art installations visible from the public right-of-way.

Table 3.2.1. GC Development Standards

STANDARDS		GC REQUIREMENTS
Building Height		Max: 42'; Design Alternative to go up to 50'
Building Setbacks (Min.)	Front	20'
	Side	15'
	Rear	35'
	Corner	25'
Lot	Width (Min.)	100'
	FAR/Coverage (min./max.)	N/A
	Area (Min.)	20,000 Square Feet

3.2.2. COMMERCIAL HIGHWAY DISTRICT (CH)

- A. **Purpose and Intent.** The Commercial Highway (CH) zoning district is established as a commercial district in which the principal use of land is for those service and retail trade purposes, which will accommodate the needs of the motoring public, the reduction of highway congestion and hazards, and the minimization of blight. The CH district allows for wide range of intensities of commercial uses. Regulations of this district are intended to minimize congestion and potential effects of commercial activity on residential districts. The CH district implements the commercial future land use classification.
  
- B. **Development Standards.** The CH district shall conform to the standards identified in Table 3.2.2.

Table 3.2.2. CH Development Standards

STANDARDS		CH REQUIREMENTS
Building Height		Max: 60'
Building Setbacks	Front	20'
	Side	15'
	Rear	35'
	Corner	25'
Lot	Width (Min.)	100'
	FAR/Coverage (min./max.)	N/A
	Area (Min.)	20,000 Square Feet

3.2.3. OFFICE AND PROFESSIONAL DISTRICT (OP)

A. **Purpose and Intent.** The Office and Professional (OP) zoning district is established to provide an area for office and medical uses and their necessary support functions, and other compatible uses. Conflicts with adjacent land uses are to be minimized. This district may serve as a transitional district between residential and commercial uses.

B. **Development Standards.** The OP district shall conform to the standards identified in Table 3.2.3.

Table 3.2.3. OP Development Standards

STANDARDS		OP REQUIREMENTS
Building Height		Max: 42'; Design Alternative to go up to 50'
Building Setbacks (Min.)	Front	20'
	Side	15'
	Rear	35'
	Corner	25'
Lot	Width (Min.)	100'
	FAR/Coverage (min./max.)	N/A
	Area (Min.)	20,000 square feet

3.2.4. BUSINESS, INDUSTRIAL, AND TECHNOLOGY (BT)

- A. **Purpose and Intent.** The Business, Industrial, and Technology (BT) zoning district is designed to accommodate a wide range of uses including professional, business, governmental and medical offices, corporate headquarters, and uses that rely on advanced scientific and engineering capabilities. The BT district is intended to provide sites in a campus or park type setting with an emphasis on internal connections and access, emphasis on natural characteristics and open space preservation, and buffering of adjacent, less intensive land uses. Land uses within this district are intended to provide for research facilities and manufacturing operations requiring application of research input and activity as an integral part of the manufacturing process. The BT district implements the Business Park future land use in the comprehensive plan and can only be implemented via a zoning map amendment.
  
- B. **Development Standards.** The BT zoning district shall conform to the standards identified in Table 3.2.4.

Table 3.2.4. BT Development Standards

STANDARDS		BT REQUIREMENTS
Building Height		Max: 60'
Building Setbacks (Min.)	Front	30'
	Side	15'
	Rear	35'
	Corner	25'
	<u>BT adjacent to BT</u>	<u>0'</u>
Lot	Width (Min.)	100'
	Coverage (Min./Max.)	N/A
	Area ( <u>Min.</u> )	20,000 Square Feet

3.2.5. GENERAL INDUSTRIAL (GI)

- A. **Purpose and Intent.** The General Industrial (GI) zoning district is established as a district in which the principal use of the land is for industries that can be operated in a relatively clean and quiet manner that will not be a nuisance to adjacent residential or commercial districts. The GI district implements the industrial future land use classification by allowing for industrial uses.
  
- B. **Development Standards.** The GI zoning district shall conform to the standards identified in Table 3.2.5.

Table 3.2.5. GI Development Standards

STANDARDS		GI REQUIREMENTS
Building Height		Max: 60'
Building Setbacks (Min.)	Front	30'
	Side	15'
	Rear	35'
	Corner	25'
Lot	Width (Min.)	100'
	Coverage (Min./Max.)	N/A
	Area (Min.)	20,000 Square Feet

### 3.3. CONDITIONAL ZONING DISTRICTS

- A. **Intent.** This section establishes the option of conditional zoning within the town. Rezoning of land to a conditional zoning district allows a landowner to propose, and the town to consider, additional conditions or restrictions on the range of allowable principal uses, use standards, intensities, development standards, and other standards in the parallel general use zoning district. This process allows the town to tailor a zoning classification to accommodate desirable development while minimizing problems that may arise from development otherwise allowed by the general use zoning district.
- B. **Standards.**
1. **Concept Site Plan.** A **concept** site plan may be approved as part of a conditional zoning. If a **concept** site plan is incorporated as a condition in conditional zoning, it is part of that legislative decision.
  2. **Conditions.** Conditions and site-specific standards imposed in a conditional district shall be standards above and beyond the requirements of this LDO; conditions shall not lesser the standards in this LDO. Conditions shall be limited to those that address the conformance of the development and use of the site to the Rolesville comprehensive plan or the impacts reasonably expected to be generated by the development or use of the site.
  3. **Multiple Parcels.** If multiple parcels of land are subject to a single conditional zoning district, the owners of individual parcels may apply for modification of the conditions so long as the modification would not result in other properties failing to meet the terms of the conditions. Any modifications approved shall only be applicable to those properties whose owners petition for the modification.

### 3.4. MIXED-USE DISTRICTS

A. **Intent.** The Town of Rolesville recognizes the importance of compact, urban forms of development centered on a mix of uses, residential and nonresidential, with specific design and development related standards. The town’s adopted comprehensive plan identifies recommended “mixed-use” neighborhoods, each with its own representative and unique standards. The provisions established within this section of the LDO shall apply to all parcels designated on the zoning map as a mixed-use district.

TABLE 3.4. MIXED-USE DISTRICTS ESTABLISHED	
MIXED-USE DISTRICT NAME	LDO ABBREVIATION
<b>RESIDENTIAL DISTRICTS</b>	
Town Center District	TC
Mixed-Use Activity Center	AC
Mixed-Use Neighborhood Center	NC

B. **Standards.** The standards provided in this section and in other sections as referenced herein, are provided for the benefit within the public and private realm. Each implementing mixed-use district shall act as its own zoning district, with its own specific standards of development and permissible uses. Each district contains a summary table of development standards.

C. **Uses.** The Permitted Principal Use Table, defined in Section 5.1, identifies which principal uses may be permitted in each zoning district of the town. Each district has its own column on the corresponding table of permitted principal uses. Permitted principal uses are defined in Section 5.1.

D. **Applicability.** For this section, nonresidential standards shall also include (apply to) multifamily developments.

E. **Special Standards in Mixed-Use Districts.**

1. **Compatibility.** Compatibility considerations within mixed-use districts are subject to Section 6.2.3: Mixed-Use Perimeter Compatibility.

2. **Building Placement.**

a. Building placement measurements shall be measured from the edge of the public right-of-way or existing public sidewalk if not located within

the right-of-way. Where Private Access Easements are utilized to achieve Dwelling, Single Family, Attached lot frontage requirements, building placement shall be from the edge of pavement or edge of sidewalk depending on the form or use of the easement (drive aisle, vehicular parking, alley).

- b. Building placement dimensions may be varied administratively, by the Land Development Administrator. Where multiple buildings are proposed on the same lot or parcel, the building placement shall apply to the primary building as identified on the [concept](#) site plan and if mitigating techniques such as liner buildings, streetwalls or similar are provided.
- c. An administrative exception may be granted for side building placement that utilize fire-rated separation walls within ten (10) feet of side property lines, per compliance with 601 NCSBC-2018, Table 601 and Table 602.

### 3. Streetwalls.

- a. Streetwalls shall be constructed of brick, masonry, stone, wrought iron/aluminum, or other decorative material and shall be designed with the same building materials and architectural appearance as the primary structure. Wood, fencing, and chain link are prohibited materials for a streetwall.
- b. Streetwalls shall be a minimum of three (3) feet and a maximum of four (4) feet in height. Breaks in streetwalls are permitted to allow for pedestrian or vehicular access, recessed storefront entrance, plazas, or for tree protection.
- c. Street walls may be a maximum of fifty (50) feet in length. Breaks must be provided using columns or offsets, including landscaping/trees, of at least ten (10) feet in width, up to a maximum of twenty (20) feet in width. On corner parcels, the corner of the building may be recessed from the front and side property lines on a diagonal. Streetwalls or combination of streetwalls and canopy trees with hedge not to exceed three (3) feet in height can be substituted for a continuous streetwall.

## 5. USES

- A. **Purpose and Intent.** This section regulates principal, accessory, miscellaneous, and temporary uses in the Town of Rolesville.

### 5.1.1 GENERALLY

**A. Use Categories.** To regulate principal use, categories of uses (“use categories”) for principal uses have been established. Use categories provide a systematic basis for assigning principal uses to appropriate categories or zoning districts with other similar or compatible uses and are consistent with established and desired uses and future land uses in the adopted Comprehensive Plan. Use categories classify principal 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.
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.** Industrial uses, manufacturing, technology, recycling, processing plants, and waste related services.
6. **Infrastructure.** Minor and major utilities and infrastructure related uses.
7. **Open Uses.** Agricultural and associated uses.

**B. Considerations.**

1. Principal Uses are assigned to the category that most closely describes the nature of the principal use. The characteristics subsection of each use category describes the characteristics of each use category. Developments may have more than one (1) principal use. Developments may also have one (1) or more accessory uses. Developments with more than one (1) principal use are addressed in subsection (D) below. Accessory uses are addressed in Section 5.2.

- C. **Developments with Multiple Principal Uses.** When all the principal uses of a development fall within one (1) 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 the principal uses are in that category. When the principal uses of a development fall within different use categories, each principal use is classified separately and is subject to the regulations for that category.
- D. **Principal Uses.** Each principal use is defined in the following format:
1. **Characteristics.** Characteristics are considered the basic definition of a principal use.
  2. **Accessory Uses.** Accessory uses are allowed by right in conjunction with the principal use unless stated otherwise in the regulations. Accessory uses are subject to the same regulations as the principal use and the general standards for accessory uses Section 5.2.
  3. **Examples.** Common examples are listed for each definition.
  4. **Uses Not Included.** Uses not included are listed to exclude uses which are commonly confused with another use.
  5. **Use Standards.** Use standards are additional limitations and standards on a principal use.

### 5.1.2. RESIDENTIAL PRINCIPAL USES

#### A. Dwelling, Single Family, Detached

1. **Characteristics.** A detached, residential building containing only one (1) 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, pools, parking of motor vehicles for the occupants, piers, and docks, 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 six (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. Uses Not Included.
  - a. Lodging where tenancy is arranged for one (1) week or less is considered a form of transient lodging (see commercial categories).

**B. Dwelling, Single Family, Attached (i.e. Townhouse)**

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 eight (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 six (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. Uses Not Included.
  - a. Lodging where tenancy is arranged for one (1) week or less is considered a form of transient lodging (see commercial categories).
5. Use Standards.
  - a. Townhouses are limited to eight (8) units per structure.

- b. Every Townhouse Lot shall provide frontage of at least twenty (20) feet in width on a public right-of-way (street or road) except where a Townhouse Lot abuts a Private Access Easement, in which case a Townhouse dwelling situated thereon may not front on a Private Street or Private Access Easement but instead shall front on a common area Lot. No Townhouse dwelling unit may front on a Private Access Easement.
- c. Private Access Easements shall comply with the following:
  - i. Private Access Easements may be utilized for subdivision Lot frontage requirements only where the associated development plan has been approved by the Town Board of Commissioners via a Conditional Zoning (CZ) District process.
  - ii. Any subdivision design utilizing Private Access Easements shall provide all the required physical attributes of a public right-of-way as outlined in this Ordinance, such as streetyard buffers / street trees, sidewalks or other pedestrian access, travel lanes or other vehicular and emergency access, lighting, etc.
    - 1. The maximum length of a Private Access Easement shall be 150 feet. The required dimensions of turnarounds for Private Access Easements providing street access for motor vehicles shall not be included in this length measurement.
    - 2. All Private Access Easements providing street access for motor vehicles shall be provided with turnarounds selected from Figure D103.1 of the 2018 North Carolina State Building Code: Fire Prevention Code, Appendix D.
    - 3. Adequate emergency services access to all dwelling units shall be provided.

~~4. Addressing for all Lots shall be obtained during the Preliminary Subdivision Plat review/ approval process.~~

5. All proposed Lots shall be provided with access to a sidewalk, greenway, or multi-use path providing connectivity to adjacent Lots, guest parking areas, and the larger sidewalk network within the Subdivision.

6. The placement of large or small canopy trees shall be designed and installed at the same rate as required in Section 6.2.2.2.D.2. or 6.2.4.4., depending on the design/use of the Private Access Easement.

iii. Private Access Easements must be designed to no less than the minimum width needed to install and maintain the infrastructure required to be within the easement (in lieu of a public right-of-way).

### **C. Dwelling, Double Family**

1. Characteristics. A building containing two (2) dwelling units consolidated into a single structure on one (1) 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 (2) family homes on a variety of lot sizes and types, such as a duplex.
4. Uses Not Included. Lodging where tenancy is arranged for one (1) week or less is a form of transient lodging (see commercial categories).

**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 with 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 premises.
  - c. The state licensed group home must have all appropriated licensure by federal or state government.
  - d. Group homes shall be prohibited from being located within a one-half mile radius of an existing group home.

**5.1.3. CIVIC PRINCIPAL USES****A. Assembly/Church**

1. **Characteristics.** An assembly facility has organized services, events, or programs to educate in a public or private setting. Facilities may contain one (1) 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, churches, religious institutions, or places of worship.
4. Uses Not Included.
  - 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 organizations, 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, and maintenance structures such as a shed.

**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, 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. Uses Not Included.
  - 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 five (5) 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.

- b. Outdoor play areas and playgrounds shall be fenced with a minimum six (6) foot fence.

#### G. Government Facility.

1. Characteristics. A building, or portion of a building, wherein government activities are performed involving administrative, record keeping, professional, clerical, and public safety operations and where professional services are rendered.
2. Accessory Uses. Accessory uses may include cafeterias or cooking facilities, day care facilities, health facilities, parking, holding cells within a police station, outdoor storage yards, or other amenities.
3. Examples. Examples include government offices, court houses, public work facilities, public safety facilities, municipal government buildings, libraries.
- ~~4. Use Standard. Buildings must be set back at least one hundred feet (100') from adjacent residentially zoned property.~~
5. Use Standard. When Government Facilities are located on residentially zoned property and adjacent to other residentially zoned property, a minimum twenty-five foot (25') landscape buffer providing at least seventy-five percent (75%) opacity is required.

#### 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 (1) 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. Uses Not Included.

- 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 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 greenways, public squares, plazas, recreational trails, and boat launching areas.

**J. 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.

**K. 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. Uses Not Included.
  - a. Preschools are classified as day care.
5. Use Standards.
  - a. All mobile classrooms shall be in rear yards. The Land Development Administrator may approve the placement in the side or front yards if placement in the rear cannot be accommodated.
  - b. 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.

#### L. 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. Uses Not Included.
  - 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 five hundred (500) feet of a school, day care, or another social services establishment.
- c. A six (6) foot 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, 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. Uses Not Included.
  - a. Massage parlors.
  - b. Lingerie stores.
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, park, or any residential based zone district.
  - d. Requires a special use permit.

- e. All local, state, and federal laws shall be met.

## **B. Bank**

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.
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 fifty (50) feet from any property line.
  - c. Menu boards shall be a maximum of thirty-two (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 of two (2) stacking spaces shall be provided for drive through windows.
  - g. Drive-throughs shall be designed so as not to obstruct the movement of pedestrians along sidewalks or between the building entrance and customer parking spaces.

## **C. Bars and Nightclubs.**

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, ancillary indoor storage, associated office, outdoor seating for dining, parking, valet parking facility.
3. Examples. Bars, night clubs, dance halls, taverns, and cocktail lounges

4. Use Standards.
  - a. Outdoor entertainment is limited to 10:00 PM.

#### **D. Breweries and Distilleries**

1. Characteristics. Any establishment which is devoted primarily to the manufacturing of alcoholic beverages, and which is licensed by the state to manufacture, dispense, and/or sell its manufactured 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. Microbreweries, breweries, distilleries, and wineries.
4. Use Standards.
  - b. 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. Uses Not Included.
  - 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**

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.
  - b. Drive-through windows, speaker boxes, and ordering stations shall not be adjacent to any residential use or district.

- c. Outdoor speakers associated with a drive-through shall be at least fifty (50) feet from any property line.
- d. Menu boards shall be a maximum of thirty-two (32) square feet.
- e. Crosswalks shall be required if pedestrians can cross the drive-through lane between the building and parking areas.
- f. A bypass lane is required to ensure free flow of traffic.
- g. A minimum of two (2) stacking spaces shall be provided for drive through windows.
- h. Drive-throughs shall be designed so as not to obstruct the movement of pedestrians along sidewalks or between the building entrance and customer parking spaces.

#### **H. Electronic Gaming Operations.**

1. Characteristics. Electronic gaming operations shall occur in an electronic gaming operation establishment and shall be a principal use, not an accessory use.
2. Standards.
  - a. The days and hours of operation shall be between:
    - i. Monday through Thursday: 7:00 a.m. to 11:00 p.m.
    - ii. Friday through Saturday: 7:00 a.m. to 12:00 midnight.
    - iii. Sunday: 1:00 p.m. to 8:00 p.m.
  - b. No play on any game shall be allowed during the times when the electronic gaming operations are required to remain closed.
  - c. All electronic gaming operations shall be operated only on the ground floor of a building, and plate glass windows shall be in those parts of the building facing any street, so that a clear view inside may be had from the street.
  - d. No screens, curtains, blinds, partitions, or other obstructions shall be placed between the entrance to the room where games are played and

the rear wall of the room, so that a clear view of the interior may be had from the street.

- e. No loud noises shall be allowed to emanate beyond the licensed premises.
- f. There must be an adult, 18 years of age or older, always managing the business on the premises during the hours of operation. No patron under 18 years of age is allowed within the establishment.
- g. The maximum number of machines/terminals/computers for any electronic gaming operations business is twenty (20).
- h. No alcoholic beverages shall be served or consumed on the premises of the electronic gaming operation.
- i. The establishment must be a minimum of five hundred (500) feet away from any building used as a dwelling. Measurement of distance separation shall be in a straight line from the closest point of the buildings at which the electronic gaming operation is located.
- j. The establishment must be a minimum of one thousand (1,000) feet away from any established religious institution, school, daycare center, library, public park, or recreational area. Measurement of distance separation shall be in a straight line from the closest point of the buildings at which the electronic gaming operation is located.
- k. The establishment can be no closer than one thousand (1,000) feet of another electronic gaming operation. [Measurement of distance separation shall be in a straight line from the closest point of the buildings at which the electronic gaming operation is located.](#)
- l. All local, state, and federal laws shall be met.

## I. 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.

temporary tattoos are not considered to constitute a tattoo parlor.

2. Use Standards.
  - a. All local, state, and federal laws must be met.

#### **U. Vape and Tobacco Store**

1. Characteristics. Any establishment that is a retail outlet specializing in the selling of electronic cigarettes, electronic juice, and other vaping products.
2. Vape and tobacco stores shall be located at least 1,000 feet from any public or private school. Measurement of distance separation shall be in a straight line from the closest point of the buildings at which the vape and tobacco store is located.
3. The establishment can be no closer than one thousand (1,000) feet to another vape and tobacco store. Measurement of distance separation shall be in a straight line from the closest point of the buildings at which the vape and tobacco store is located.

#### **V. 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 public), car wash (not open to the 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 the general topography of the site.
  - b. No outdoor speaker system.

## 6.2. OPEN SPACE, BUFFERING, COMPATIBILITY, LANDSCAPING, AND TREES

### 6.2.1. OPEN SPACE

- A. **Purpose and Intent.** The purpose of this section is to require open space that encourages preservation of natural features, adds to the visual character of a development, and provides active and passive recreational opportunities for residents and visitors alike. Open space is an asset to the community, and it is the intent of this section to:
1. Define standards in which new development shall dedicate a portion of area(s) as open space;
  2. Designate minimum open space requirements, open space size, open space types, and open space design standards;
  3. Define the minimum maintenance and ownership requirements for open spaces.
  4. Promote open space accessible to the public in new developments; and
  5. Expand development of greenways and connectivity between both built-up and fallow open spaces across town.
- B. **Applicability.** All new development shall comply with the standards of this section. The following shall also apply in instances of repairs, renovations, or additions, or change in use. No permit for construction of any building, structure or use may be issued until open space has been provided in accordance with this LDO.
1. **Repair or Renovation.** A building may be repaired or renovated without requiring open space per the requirements of this LDO provided there is no increase in gross floor area.
  2. **Minor.** When a building or site is increased in gross floor area or improved site area by ten (10) percent or less, open space is required only for the additional floor area or improved site area. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.

## 6.2.2. BUFFERING

### 6.2.2.1. PERIMETER BUFFERS

- A. **Purpose and Intent.** This section defines the minimum required perimeter buffering standards. These standards intend to minimize potential nuisances, such as noise, pollution, lights, and buildings or parking areas through physical and visual separation between land uses in separate zoning districts.
- B. **Applicability.** All new development shall comply with the standards of this section. The following shall also apply in instances of repairs, renovations, or additions. ~~No permit for construction of any building, structure or use may be issued until buffering has been provided in accordance with this Land Development Ordinance (LDO).~~
1. **Repair or Renovation.** A building may be repaired or renovated without requiring buffering per the requirements of this LDO provided there is no increase in gross floor area.
  2. **Minor.** When a building or site is increased in gross floor area or improved site area by ten (10) percent or less, buffering is required only for the additional floor area or improved site area. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.
  3. **Major.** When a building or site is increased in gross floor area or improved site area by greater than ten (10) percent, both the additional area and existing area must conform to the buffering standards in this LDO. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.
  4. **Change in Use.** A change in use shall not require compliance with this section, unless ~~if~~ the specific use has a use standard requiring a specific buffer.

**C. Perimeter Buffer General Standards.**

1. A perimeter buffer (i.e., buffer) area is determined exclusive of any required setback, however perimeter buffers may be in required setback. Buffer areas must be located within the outer perimeter of the lot, parallel to and extending to the lot line. Buffers are understood to be located and measured from the property line.
2. Perimeter buffer areas shall consist of a landscaped buffer intended to mitigate and screen the property from adjacent properties. No buildings, structures, principal, or accessory uses are allowed in the buffer. Only the items identified in Section 6.2.2.1.D: Permitted Items Within Perimeter Buffers, are permitted within the buffer.
3. Perimeter buffers begin at the common property line, immediately abutting the adjacent property. Where there is a perimeter easement (such as a drainage or utility easement) that does not allow for the installation of the buffer, then the required buffer shall be placed as close to the property line, adjacent to the easement, as possible.

**D. Permitted Items Within Perimeter Buffers.** Required and additional plant materials, fences, walls, and berms are permitted in a buffer.

1. **Plant Material.** Required plant material, including ground cover and lawn grasses, shall be planted within the buffer. Plant material may be planted parallel to the buffer perimeter or may be meandered for aesthetic purposes. Required plant material may not be clustered and shall be planted in accordance with this section and Section 6.2.4: Landscaping Standards. Buffers may incorporate greater width and additional plant materials. Perimeter buffer type standards are defined in Section 6.2.2.1.E and illustrations of the buffer types are illustrated in Section 6.2.2.1.F.
2. **Fences and Walls.** Required fences and walls shall be installed in accordance with Section 6.5: Fences, Walls, And Berms, and inside the buffer, not along outer perimeter, and boundary line. Required plant material shall be installed in front of any required fence so the required plant material is completely visible from the adjacent property or right-of-way and meet the standards of this LDO.

3. **Berms.** Berms shall be installed in accordance with Section 6.5: Fences, Walls, And Berms, and the highest point of the berm shall exist in the middle of the required buffer. Any required fence or wall shall be installed at the highest point of the berm. Required plant material shall be installed in front of any required fence or wall, alongside the outer perimeter of the buffer, along the property line within the buffer and meet the standards of this LDO.
4. **Parking. Parking areas in the Office and Professional (OP) and Business, Industry, and Technology (BT) Zoning Districts may encroach into the outer fifty percent (50%) of a perimeter buffer area.**

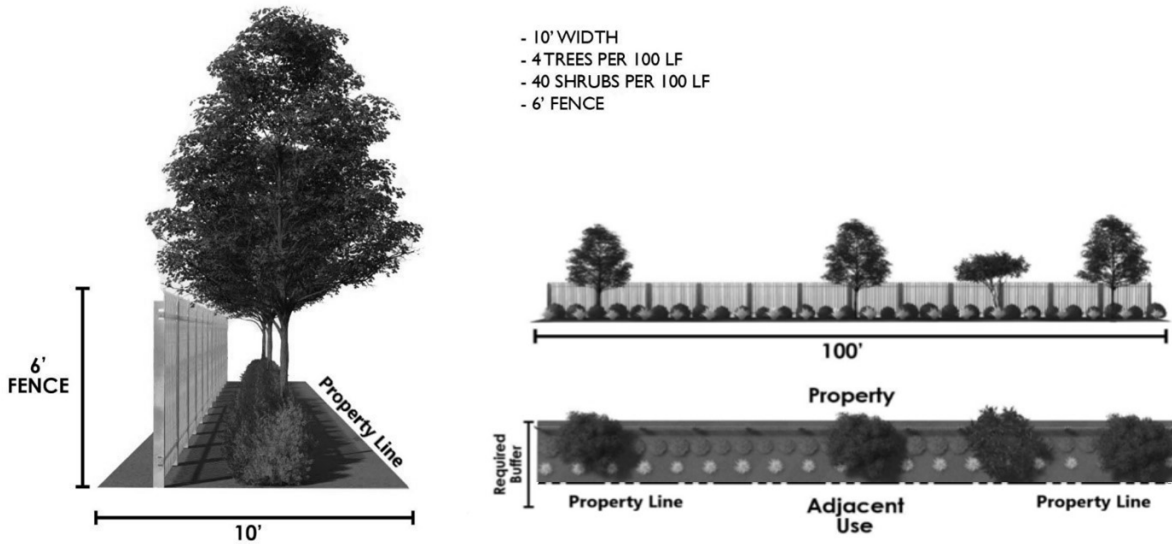
E. **Perimeter Buffer Types.** Table 6.2.2.1 provides four (4) different buffer types.

Table 6.2.2.1. Perimeter Buffer Types Table

	Type 1	Type 2	Type 3	Type 4
Min. Width	10'	15'	25'	50'
Min. Canopy Trees	3	3	4	8
Min. Under- story Trees	1	1	2	4
Min. Shrubs	40	50	60	Hedge
<b>Min. Fence</b>	<b>6'</b>	<b>6'</b>	<b>N/P</b>	<b>N/P</b>
<b>Min. Wall</b>	<b>N/R</b>	<b>N/R</b>	<b>6'</b>	<b>3'</b>
<b>Min. Berm</b>	<b>N/R</b>	<b>N/R</b>	<b>N/R</b>	<b>5'</b>
<b>Min. Opacity</b>	<b><u>50% to 6'</u></b>	<b><u>75% to 6'</u></b>	<b><u>75% to 6'</u></b>	<b><u>75% to 8'</u></b>
<p><b>Notes:</b>                      Measurements provided are per 100 linear feet.</p> <p><b>Additional Standards</b>                      Trees and plants may be clustered provided a maximum 10' gap between plantings is maintained.                      Minimum shrubs and hedges may be double staggered.                      The above standards are the minimum standards required, enhanced landscape and buffer standards may be provided. For example, <del>a wall may be substituted for a fence and / or</del> additional landscape materials may be installed.  <del>The placement of fences shall ensure all required planting materials are located between the fence and the property line. However, canopy trees may be on both sides of a wall if a minimum one half of required canopy trees are in front (property line).</del>                      Placement of required items in the buffer may be in the full width of the buffer.  <u>Opacity is measured from ground level and shall be achieved with plant material with or without a fence or wall.</u>  <del>Key: "N/R" = Not Required "N/P" = Not Permitted "Min" = Minimum</del></p>				

F. **Perimeter Buffer Types.** The following images show an example of buffer types defined in Table 6.2.2.1.

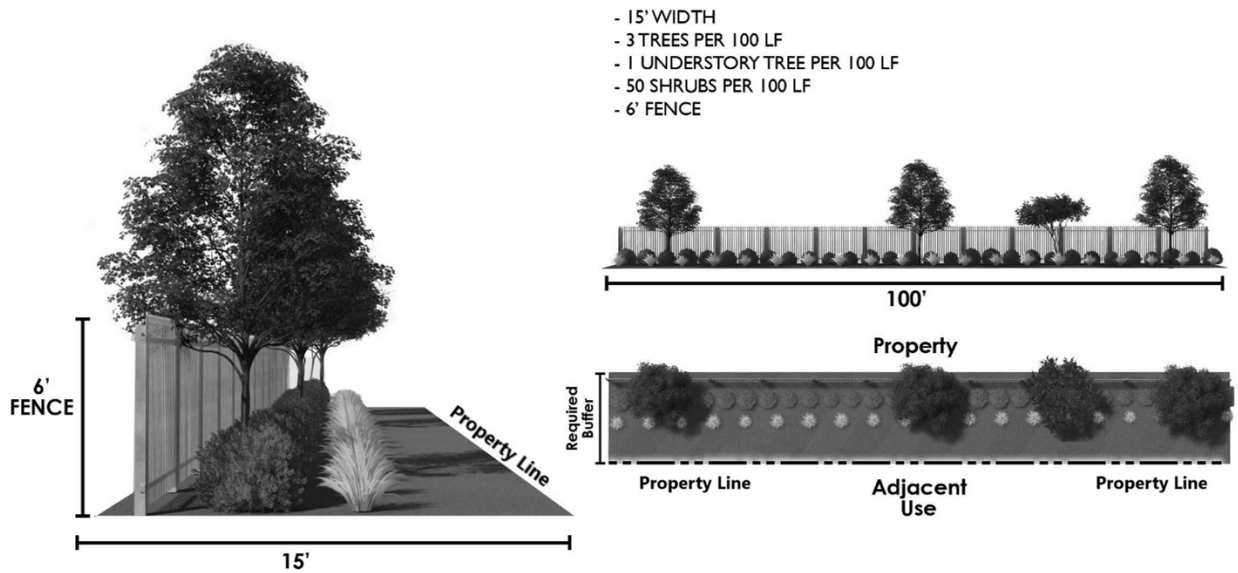
1. **Perimeter Buffer Type 1**



*(Edit illustration and/or add another illustration demonstrating opacity options.)*

- ~~a. Where shown in Table 6.2.2.2., Perimeter Buffer Type 1L denotes landscape materials only; a fence is not required.~~
- a. Type 1 Perimeter Buffers shall be designed to achieve a minimum fifty percent (50%) opacity from ground level to six feet (6') in height.
- b. At least fifty percent (50%) of the plant materials in a Perimeter Buffer shall be evergreen

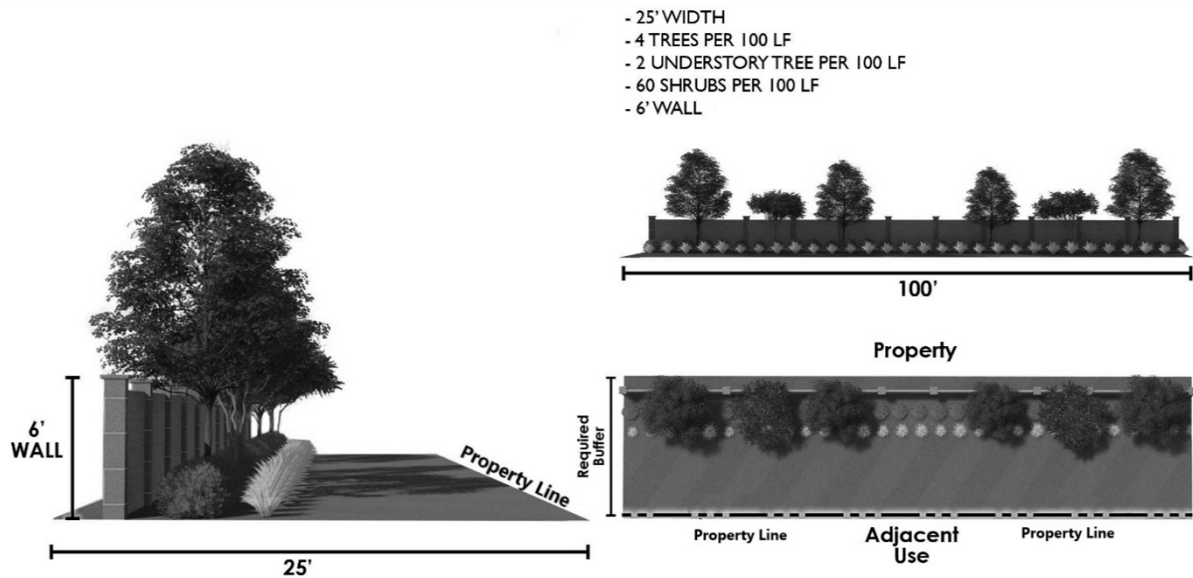
2. Perimeter Buffer Type 2



*(Edit illustration and/or add another illustration demonstrating opacity options.)*

- ~~a. Where shown in Table 6.2.2.2., Perimeter Buffer Type 2L denotes landscape materials only; a fence is not required.~~
- ~~b. Type 2L Perimeter Buffers must include twice the amount of landscape materials than Type 2 Buffers to achieve a minimum seventy-five percent (75%) level of opacity from ground level to six feet (6') in height.~~
- ~~c. Type 2L Perimeter Buffers must include at least four (4) evergreen trees per one hundred (100) linear feet, either tree or understory tree. In addition, at least fifty percent (50%) of the plant materials in a Perimeter Buffer shall be evergreen.~~
- a. Type 2 Perimeter Buffers shall be designed to achieve a minimum seventy-five percent (75%) opacity from ground level to six feet (6') in height.
- b. At least fifty percent (50%) of the plant materials in a Perimeter Buffer shall be evergreen.

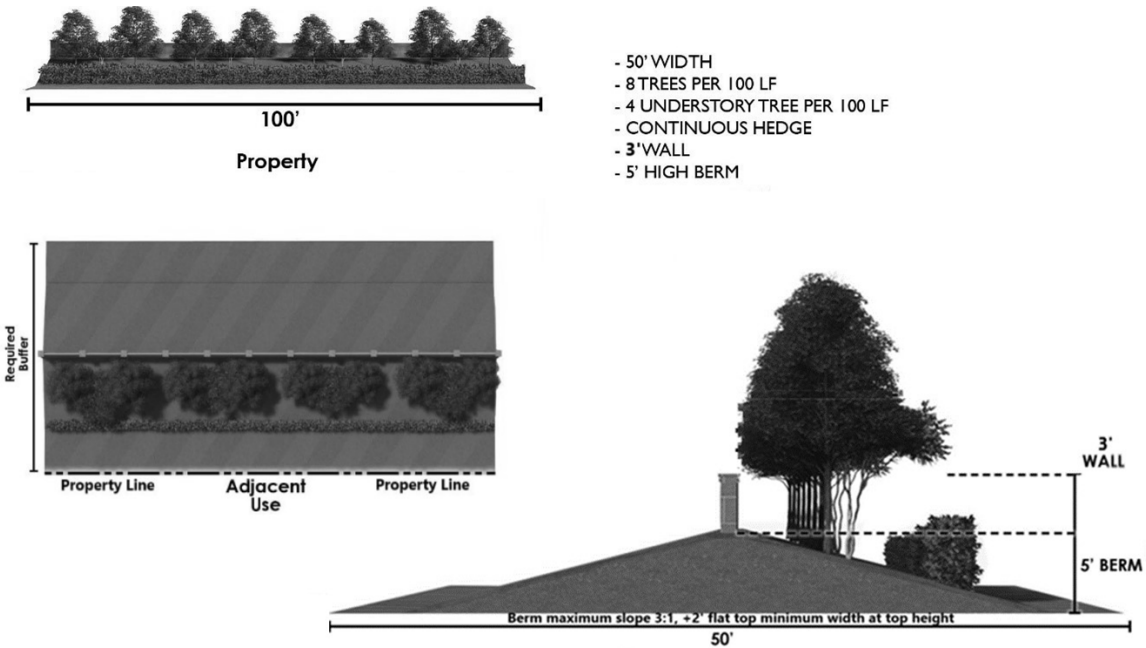
3. Perimeter Buffer Type 3



*(Edit illustration and/or add another illustration demonstrating opacity options.)*

- ~~a. Where shown in Table 6.2.2.2., Perimeter Buffer Type 3L denotes landscape materials only; a wall is not required.~~
- ~~b. Type 3L Perimeter Buffers must include twice the amount of landscape materials than Type 3 Buffers to achieve a minimum seventy-five percent (75%) level of opacity from ground level to six feet (6') in height.~~
- ~~c. Type 3L Perimeter Buffers must include at least four (4) evergreen trees per one hundred (100) linear feet, either tree or understory tree. In addition, at least fifty percent (50%) of the plant materials in a Perimeter Buffer shall be evergreen.~~
- b. Type 3 Perimeter Buffers shall be designed to achieve a minimum seventy-five percent (75%) opacity from ground level to six feet (6') in height.**
- c. At least fifty percent (50%) of the plant materials in a Perimeter Buffer shall be evergreen.**

4. Perimeter Buffer Type 4



*(Edit illustration and/or add another illustration demonstrating opacity options.)*

- a. Type 4 Perimeter Buffers shall be designed to achieve a minimum seventy-five percent (75%) opacity from ground level to eight feet (8') in height.
- b. At least fifty percent (50%) of the plant materials in a Perimeter Buffer shall be evergreen.

**G. Required Perimeter Buffer by District**

1. **Required Perimeter Buffer.** Table 6.2.2.2: Required Perimeter Buffer by District, shall control the required perimeter buffer type required between zoning districts. While Table 6.2.2.2 is intended to provide for buffers based on zoning district, the Land Development Administrator may take into consideration existing and proposed uses to achieve the intent of this section.
2. **Determination of Required Perimeter Buffer.** To determine the perimeter buffer type required, identify the zoning district of the land in which a development is proposed. Using Table 6.2.2.2, the intersection of the row associated with the district of the proposed development and the column associated with the adjacent zoning district shows the buffer type required.
3. **Standards.** Buffer types required shall comply with the standards defined in Table 6.2.2.1: Perimeter Buffer Types Table.

Table 6.2.2.2. Required Perimeter Buffer by District

Zoning District of Adjacent Property	RL	RM	RH	MH	GC	CH	OP	BT	GI
RL	1 <del>L</del>	2 <del>L</del>	3 <del>L</del>	3	3	3	3	3	4
RM	2 <del>L</del>	1 <del>L</del>	3 <del>L</del>	3	3	3	3	3	4
RH	3 <del>L</del>	3 <del>L</del>	1 <del>L</del>	2	2	2	2	2	4
MH	3	3	2	1 <del>L</del>	2	2	2	2	4
GC	3	3	2	2	N/A	1 <del>L</del>	1 <del>L</del>	1 <del>L</del>	4
CH	3	3	2	2	1 <del>L</del>	N/A	1 <del>L</del>	1 <del>L</del>	4
OP	3	3	2	2	1 <del>L</del>	1 <del>L</del>	N/A	3	4
BT	3	3	2	2	1 <del>L</del>	1 <del>L</del>	3	N/A	3
GI	4	4	4	4	4	4	4	3	N/A

- H. Mixed-Use Perimeter Buffers.** Mixed-use districts, as identified in Section 3.4: Mixed-Use Districts, shall comply with the standards in 6.2.3: Mixed-Use Perimeter Compatibility, for compatibility along perimeters of a mixed-use district.

## 6.8. DESIGN STANDARDS

### 6.8.1 PURPOSE, INTENT AND APPLICABILITY

- A. **Purpose and Intent.** The purpose and intent of this section is to provide minimum requirements for the design and configuration of single family (detached and attached) and duplex, multifamily, and industrial buildings, and developments. These standards are intended to provide the town's expectations for the quality and appearance of new development through the use of architectural designs, building features, exterior materials and colors, desirable design elements, and detailing. All provided figures, images, and rendered photographs are for illustrative purposes only; the text, dimensions and/or standards shall apply in all cases where there is a conflict.
- B. **Applicability.** All new development shall comply with the standards of this section. Development existing prior to the adopted date of this LDO, as well as redevelopment of buildings established prior to the adopted date of this LDO, are encouraged but not required to comply with these standards. The following standards shall apply in instances of repairs, renovations and/or additions:
1. A building may be repaired or renovated without complying with the requirements of this section, provided there is no increase in gross floor area.
  2. When a building or site is increased in gross floor area or improved site area by greater than twenty-five (25) percent, both the additional area and existing area must conform to the standards of this section. Notwithstanding any standards of this section to the contrary, any additions to a building which is constructed in compliance with the standards of this section may continue the design of the existing building, including building materials, colors, textures, architecture, roofs, façades, and other detailing.
- C. **Exemptions.** The standards of this section shall not apply to the following:
1. Development located in the Industrial zoning district (see Section 6.8.7: Industrial Design Standards).
  2. Conversion of a building from one (1) permitted principal use to another permitted principal use.

- D. **Mixed-Use Zoning Districts.** Mixed-Use zoning district standards, as defined in Section 3.4: Mixed-Use Zoning Districts, may have unique and/or stricter design standards and requirements. Where a conflict arises in design or architectural standards, the stricter provision shall apply.
- E. **Review.** All building and development subject to the standards of this section shall be reviewed for compliance during the site plan process. Artistic renderings and/or elevation drawings shall be provided to ensure compliance.

#### 6.8.2 NONRESIDENTIAL BUILDING DESIGN STANDARDS

- A. **Purpose.** The standards of this section establish criteria related to the appearance of buildings within the town. Buildings are an integral component of development form and set mass, scale and help define patterns of development. The standards of this section shall require applicable buildings to utilize high quality visual design elements and prohibit monotonous visual design. To further the welfare of the town, and the economic development interests of all residents and businesses, building design standards shall:
  - 1. Limit undesirable design elements;
  - 2. Require design elements intended to provide high quality building design; and
  - 3. Promote and enhance pedestrian scale.
- B. **Applicability.** Building design standards required per this section shall be required on all walls of a building that face a public street or right-of-way (including highways) and/or are adjacent to residentially zoned properties.
- C. **Prohibited Building Design Elements.** Building design elements which do not meet the purpose and intent of the section consist of the following design elements:
  - 1. Large, monotonous, unarticulated blank wall surfaces (i.e. blank wall areas);
  - 2. Exposed and untreated, unarticulated walls;
  - 3. Mirror window glazing;
  - 4. False fronts;
  - 5. False entrances;

6. Faux windows;
7. Mansard roofs;
8. Franchise architecture designs which do not meet the standards of this section;
9. Lack of architectural features;
10. Lack of change in materials; and

~~11. Faux stucco.~~

D. **Standards.** All buildings shall comply with the following standards:

1. **Facades.** Building facades shall be designed with a consistent architectural style, detail, and trim. All sides of a building shall require architectural detailing and windows that complement the primary façade. Facades shall comply with the following standards:
  - a. **Vertical Mass.** The vertical mass of multistory buildings shall be visually broken at each story with architectural detail and articulation of at least one (1) foot in the vertical direction. Illustrated as “A” in Figure. 6.8.1.
  - b. **Roof Lines.** To limit box-like building forms, roofs shall include differing planes, pitches, forms, heights, or materials that are distinct from one another. Roof lines shall not exceed a linear distance of one-hundred (100) feet without the introduction of a physical articulation. Illustrated as “B” in Figure 6.8.1. Industrial Uses and Government Facility Uses are excluded from this requirement.
  - c. **Horizontal Mass.** Building facades shall not exceed a linear distance of thirty-five (35) feet without the introduction of a physical articulation no less than one (1) foot wide and extending in a horizontal direction along the façade. Illustrated as “C” in Figure 6.8.1.
  - d. **Wall Offsets.** Facades of 60 or greater feet in width shall incorporate wall offsets of at least one (1) foot of depth a minimum of every forty (40) feet. Illustrated as “D” in Figure 6.8.1.

- e. **Repeating Design Patterns.** Facades greater than one-hundred (100) feet in length shall require a repeating, consistent pattern of change in color, texture, and material.

Figure 6.8.1. Building Facades



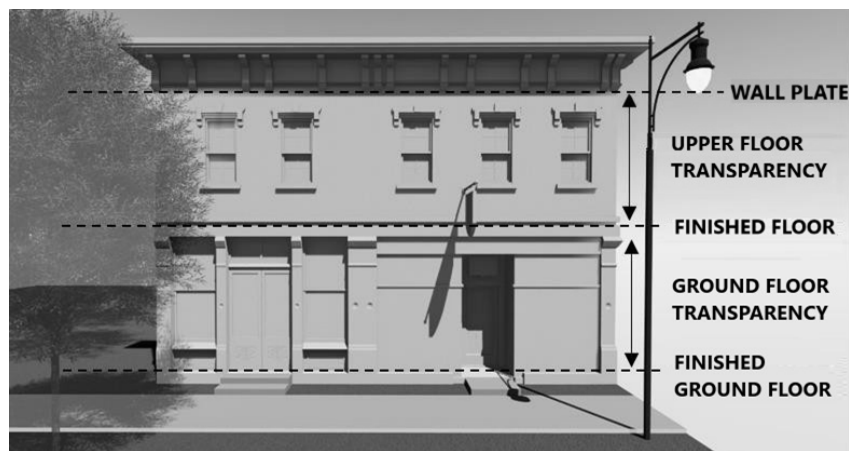
A-D	Façade Standards Illustrated
A	Vertical Mass
B	Roof Lines
C	Horizontal Mass
D	Wall Offsets

- 2. **Transparency.** Building shall be designed to have a minimum transparency, through the use of windows and doors, on ground and upper floors as illustrated in Figure 6.8.2. Transparency applies to all sides of ~~a~~ buildings facing ~~a~~ public ~~and/or private~~ streets. Transparency shall not be required for service areas, loading/unloading areas, or those areas not visible from ~~the public and/or private~~ streets. Public Safety uses included in Government Facility uses are exempt from this requirement.
  - a. **Ground Floor Transparency.** Ground floor transparency shall be calculated based on the total façade area located between the finished ground floor level and beginning of the upper floor. All ground floor

transparency shall be a minimum thirty (30) percent, unless stated otherwise in this LDO.

- b. **Upper Floor Transparency.** Upper floor transparency is calculated based on total façade area located between the surface of any floor to the surface of the floor above it. If there is no floor above, then the measurement shall be taken from the surface of the floor to the top of the wall plate. All upper floor transparency shall be a minimum twenty (20) percent unless stated otherwise in this LDO.

Figure 6.8.2. Transparency

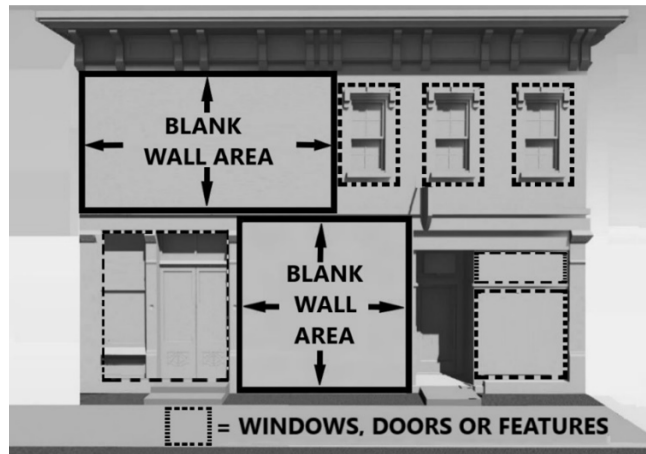


3. **Building Blank Wall Area.** Buildings shall limit blank wall area. Blank wall areas are portions of an exterior façade that does not include windows, doors, columns, pilasters, architectural features greater than one (1) foot in depth, or a substantial material change. Blank wall area shall be limited and comply with the following standards:
- Paint is not considered a substantial material change.
  - Blank wall area applies in both a vertical and horizontal direction and applies to ground floors and upper floors.
  - The maximum continuous blank wall area for any building in the General Commercial (GC) Zoning District shall be a maximum fifty (50) ~~square~~ linear feet without a break by windows, doors, architectural features greater than one (1) foot in depth, or a substantial material change, unless ~~explicitly~~ stated elsewhere in this LDO.
  - The maximum continuous blank wall area for any building in the Commercial Highway (CH), Office and Professional (OP), and Business,

Industry, and Technology (BT) Districts shall be a maximum of one hundred (100) linear feet without a break by windows, doors, architectural features greater than one (1) foot in depth, or a substantial material change, unless stated elsewhere in this LDO.

- e. When necessary to meet Fire Code requirements, blank wall area requirements may be waived by the Land Development Administrator.
- f. Except as otherwise regulated, the maximum permitted blank wall length for the rear of buildings shall be one-hundred (100) feet, or twenty-five (25) percent of the building length, whichever is less. Alternatively, where the facade faces adjacent residential uses or the Rolesville Expressway Bypass, an earthen berm shall be installed. The berm shall be no less than six (6) feet in height, containing at a minimum a double row of evergreen or deciduous trees, planted at intervals of fifteen (15) feet on center. This alternative is not intended for installation along frontage roads.

Figure 6.8.3. Blank Wall Area



4. **Materials and Colors.** Buildings shall have consistent materials and colors and comply with the following standards:
  - a. **Materials.**
    - i. Building materials shall be similar to materials used within the development and may only consist of brick, stone, stucco, ~~synthetic stucco~~ exterior insulation and finish system (EIFS), fiber cement, treated wood, or similar materials. At least sixty (60)

percent of the façade facing a public or private street shall be natural or man-made brick or stone (or a combination) with the remainder to allow for accent elements and design features. The requirements of this section apply to any façade facing a street right-of-way or drive aisle that serves as a connection.

- ii. The Town Center (TC) district shall require brick exterior wall construction, either natural or man-made brick or stone (or a combination), for any nonresidential structure that is approved after the effective date of the adoption of this LDO. The primary facade material used in construction shall compose, as a minimum, sixty (60) percent of the non-glass wall surface. For the purpose of this section, primary façade shall be defined as any façade facing a street right-of-way or drive aisle that serves as a connection; secondary facades shall be defined as any façade which does not face a street right-of-way or drive aisle that serves as a connection. The TC district shall prohibit wood or concrete shake siding, vinyl siding, painted brick, and split or smooth faced concrete block. Metal siding may be permitted up to a maximum five (5) percent of the non-glass wall surface, trim, and accents. Exterior insulation finishing system (EIFS) may be permitted on secondary facades.
- iii. Dissimilar materials may be permitted if an applicant can provide a narrative and illustrations explaining how other characteristics of design, such as scale, detailing, color, and/or texture will be utilized to ensure enough similarities exist within the existing development.
- iv. If two (2) or more materials are actively utilized on a building's design, the heavier material shall be located below the lighter material (i.e. stone material shall be placed below stucco material), along corners, at storefront divisions, or utilized as a material change to limit blank walls.
- v. Vinyl siding, smooth untreated concrete block, metal siding, faux stucco, and plastic materials are prohibited building materials.

detail, and trim features. Facades which face a street, shall provide at minimum four (4) of the following elements:

1. A change in plane, such as an offset, reveal or projecting rib. Such plane projections or recesses shall have a width of no less than six (6) inches (columns, planters, arches, voids, etc.);
  2. Architectural details such as raised bands and cornices;
  3. Integrated planters that utilize landscaped areas for decorative details;
  4. Awnings and or arcade;
  5. Covered porches, terraces, lanais or balconies intended for private use by residents of the multifamily structure;
  6. Shutters;
  7. Pillars or posts;
  8. Bay windows;
  9. Roof eaves of at least three (3) inch wide trim
  10. Complementary change in color; and/or
  11. Complementary change in material/texture.
- G. **Transparency.** Building facades shall be designed to have a minimum transparency, through the use of windows and doors, on ground floor and upper floors. Transparency standards shall apply to all sides of a buildings facing a public and/or private street. Transparency shall not be required for service areas, loading/unloading areas, or those areas not visible from the public and/or private street. The minimum transparency for multifamily buildings is twenty-five (25) percent, unless stated otherwise in this LDO.
- H. **Blank Wall/Articulation Standards.** Blank wall area is understood to be an undesirable design feature and shall be limited as follows. Blank wall area standards shall apply to the front and sides of buildings or any portion of a building fronting a residential area or public or private street, and shall comply with the standards below:
1. *Blank wall area* shall be understood to refer to portions of an exterior façade

that does not include windows, doors, columns, pilasters, architectural features greater than one (1) foot in depth, or a substantial material change.

2. Paint shall not be considered a substantial material change.
  3. Blank wall area applies in both a vertical and horizontal direction of the building façade and applies to ground floors and upper floors.
  4. The maximum continuous blank wall area shall be a maximum thirty-five (35) ~~square~~linear feet without a break by windows, doors, architectural features greater than one (1) foot in depth, or a substantial material change.
  5. Except as otherwise regulated, the maximum permitted blank wall length for the rear of buildings shall be one-hundred (100) feet, or twenty-five (25) percent of the building length, whichever is less.
- I. **Entrances.** The entrances of a residence along the front façade of a multifamily building are the most highly designed side of a building. A primary facade and main building entry shall face the right-of-way, and additional entrances are encouraged facing local streets, parking lots, plazas and adjacent buildings. Buildings adjacent to public rights-of-way shall have at least one (1) entrance providing access to the right-of-way. This entrance shall remain in operation and not be closed off to residents. Separate entrances to upperstory units shall be prohibited from being visible street rights-of-way. All multifamily development and redevelopment shall provide no less than four (4) of the following items for building entrances:
1. A change in plane indicating a building entrance;
  2. Building wall projection;
  3. Recess of entry at least three (3) feet;
  4. Architectural features and fenestration;
  5. Variety in color, material, texture orienting pedestrians to the building entrance;
  6. Ornamental doors;
  7. Covered entries including awnings, arcade or eave;
  8. Windows;

9. Porches;
10. Arches, columns, stoops, cornices.

**J. Porches/Balconies.**

1. Porches, including covered porches, stoops, awnings, and bay windows and wings may only extend into the front yard up to five (5) feet. Encroachments may be permitted up to fifty (50) percent of the total length of the respective façade.
2. Balconies shall project or recess a minimum of two (2) feet from the façade.

**K. Accessory Structures.** All accessory structures for multifamily buildings and/or developments shall comply with the following standards:

1. Garages, carports, or covered parking areas shall be provided from local streets or alleys. Entrances to parking garages are exempt from this standard and may be accessed from street rights-of-way, alleys or internal courtyards or accesses.
2. Accessory structures shall have similar exterior materials, colors and roof forms as the principal structure.

**L. Miscellaneous Requirements.**

1. All utility equipment (including meters and conduits) attached to a building shall be painted to match the primary surface color of the wall on which it is attached, painted to match accent colors used on the façade, or be blocked from view (where practicable) through the use of landscaping or screens.
2. Downspouts shall be painted to match the primary surface color of the wall on which it is attached, be painted to match accent colors used on the façade, or be constructed of materials that complement the architectural style of the structure.
3. Refuse collection areas shall be distributed evenly throughout multiple building multifamily developments.
4. Roofing materials should complement the color and texture of the building façade.

### 6.8.7. INDUSTRIAL DESIGN STANDARDS

A. **Design Standards.** Due to the nature of industrial uses, limited design standards are required for buildings housing industrial uses. The following design standards are required for buildings used for industrial uses, as defined in this LDO:

1. **Industrial Building Facades.** Industrial building facades shall:
  - a. Include windows and pedestrian features such as roof overhangs over identifiable public entrances to the building.
  - b. Include well defined public utilizing projections, overhangs or canopies, and similar design elements.
  - c. Be faced in a compatible and consistent manner for all elevations facing a street right-of-way or where visible from an existing right-of-way.
2. **Blank Wall Length.** Maximum permitted blank wall length for industrial buildings shall be one-hundred (100) feet, or twenty-five (25) percent of the building length, whichever is greater. Blank wall lengths greater than one-hundred (100) feet or twenty-five (25) percent of the building length, whichever is greater, shall require the introduction of physical articulations or material change.
3. **Lighting.** Industrial use buildings and required parking areas shall not exceed a maximum thirty (30) feet fixture height and 0.5 foot-candle intensity at the perimeter boundary.
4. **Equipment and Loading Areas.** Equipment and loading areas shall comply with the following standards:
  - ~~a. All building roofs are to be uncluttered.~~
  - b. Cooling towers, HVAC and ventilation fans, mechanical units, etc., shall be either screened using a pitched roof façade, or parapets or constructed adjacent to the building and properly screened from view by either landscaping or the use of similar building materials.
  - c. Ground-mounted equipment and mechanical equipment visible from a public right-of-way shall be screened from view by an

## 9. SUBDIVISION REGULATIONS

### 9.1 INTRODUCTORY AND LEGAL PROVISIONS

#### 9.1.1 AUTHORITY AND APPLICABILITY

- A. **Authority.** This section is adopted under the authority of N.C. Gen. Stat. § 160 D, Article 8, Subdivision Regulation.
- B. **Applicability.** Consistent with N.C. Gen. Stat. § 160D-802, subdivision regulations shall be applicable to all divisions of a tract or parcel of land into two (2) or more lots, building sites, or other divisions, in any zoning district, when any one or more of those divisions is created for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets. The following shall not be included within this definition nor be subject to the regulations authorized by this section:
1. The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the Town of Rolesville LDO.
  2. The division of land into parcels greater than ten (10) acres where no street right-of-way dedication is involved.
  3. The public acquisition by purchase of strips of land for the widening or opening of streets or for public transportation system corridors.
  4. The division of a tract in single ownership whose entire area is no greater than two (2) acres into not more than three (3) lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the Town of Rolesville LDO.
  5. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with interstate succession under Chapter 29 of the [N.C.](#) General Statutes.

the security required herein is provided, the final plat may be approved, if all other requirements of this LDO are met.

## **9.2 DESIGN STANDARDS**

### **9.2.1. STREETS AND SIDEWALKS**

- A. **Generally.** All streets and related infrastructure in the town’s jurisdiction shall be built and maintained in accordance with the principles, goals and/or objectives of the adopted comprehensive plan, community transportation plan, other officially adopted plans and policies of the town, and any applicable North Carolina Department of Transportation (NCDOT) requirements. All streets and rights-of-way shall be constructed in accordance to the standards below, unless a more restrictive standard is required by NCDOT, in which the street shall meet the more restrictive standard.
1. All subdivision lots shall abut, at least twenty (20) feet in width, on a public street, except that Lots for ‘Dwelling, Single Family, Attached’ uses may provide the required minimum twenty (20) feet of frontage width on a Private Access Easement per Section 5.1.2.B. Use Standards. Minimum lot frontage width is dictated by the Zoning District of the property; see LDO Section 3. **For multiple lot developments, such as a campus setting, in the Office and Professional (OP), Business, Industrial, and Technology (BT), and the General Industrial (GI) districts, lots may access to and abut Private Access Easements.**
  2. All public streets shall be dedicated to the Town of Rolesville, the State of North Carolina or the public as determined appropriate by the Board of Commissioners of the Town of Rolesville.
  3. Public streets not dedicated to the town which are eligible for acceptance into the State Highway System shall be constructed to the standards necessary to be put on the State Highway System or the standards in this LDO, whichever is stricter, in regard to each particular item and shall be put on such system.
  4. Streets not dedicated to the town which are not eligible to be put on the State Highway System because there are too few lots or residences shall, nevertheless, be dedicated to the public and shall be in accordance with the standards in this LDO or the standards necessary to be put on the State Highway System,

- v. All alleys shall be designed in accordance with N.C. Department of Transportation Standards.
  - b. **Residential.** Alleys may be appropriate in residential developments to provide rear access to houses.
    - i. Where lots front arterials, collectors, thoroughfares, or freeways without driveway access, then a public alley is required.
    - ii. Parking for visitors shall be served by an alternate adjacent street or parking area.
8. **Addresses, Street Names, and Street Signs.** Addresses and sStreet names shall comply with the following standards:
- a. Addresses and sStreet names shall be coordinated with ~~the town Planning Department and~~ Wake County Geographic Information Services (GIS). Addresses and street names are required prior to the submittal of Construction Infrastructure Drawings (CID) and/or Site Development Plans.
  - ~~b. Proposed streets which are obviously in alignment with existing streets shall be given the same name.~~
  - ~~c. In assigning new names, duplication of existing names shall be avoided and in no case shall the proposed name be phonetically similar to existing names in the county irrespective of the use of a suffix such as street, road, drive, place, court, etc.~~
  - ~~d. Street names shall be subject to the approval of the Board of Commissioners of the Town of Rolesville.~~
  - e. Street name signs shall be required. The subdivider shall provide and erect street name signs to town standards at all intersections with in the subdivision.
9. **Permits for Connection to State Roads.** An approved permit is required for connection to any existing state system road. This permit is required prior to any

- C. **Compliance with Development Standards.** The subdivider shall refer to the various development standards of the LDO and shall apply them in the layout of subdivisions to avoid creating irregular lots that make compliance with development standards difficult or impracticable.
- D. **Access.** Every lot shall provide access to and abut a public right-of-way. For the Dwelling, Single Family, Attached use, Lots may access to and abut Private Access Easements rather than public rights-of-way.
- E. **Flag Lots.**
1. The LDO prohibits the creation of flag lots in subdivisions except in the following circumstances:
    - a. To reasonably utilize irregularly shaped land;
    - b. To reasonably utilize land with unusual topography rendering a majority of the lot unbuildable;
    - c. To reasonably utilize land with limited sites suitable for septic tank requirements; and/or
    - d. To provide for the protection of significant natural resources.
  2. Flag lots shall not be permitted if it increases the number of access points onto a major thoroughfare.
  3. In no instance may a subdivision approved after the effective date of this LDO be resubdivided to create flag lots.
  4. Use of a single driveway easement, to serve adjoining flag lots is permitted and encouraged to reduce access points on public streets.

#### 9.2.4 EASEMENTS

- A. **Utility Easements.** Easements for underground or above ground utilities shall be provided, where necessary, across lots or centered on rear or side lot lines and shall be at least twenty (20) feet wide for water and sanitary sewer lines and as required by the companies involved, for telephone, gas, and power lines.

1. The ~~Board of Commissioners~~ Technical Review Committee (TRC) will determine whether one (1) easement is sufficient or whether several easements are necessary to accommodate the various facilities and the subdivider shall provide the required easements.
  2. Easements may also be upsized by the ~~Board of Commissioners~~ Technical Review Committee (TRC) based upon the size of lines, projected demand of facility, or need to remain clear of other utilities and easements.
- B. **Drainage Easements.** Where a subdivision is traversed by a stream or drainage way, an easement shall be provided conforming with the lines of such stream and of sufficient width as will be adequate for the purpose.
- C. **Drainageway Buffer Easements.** In watershed overlays, drainage way buffers shall be provided as required by the LDO and shall be recorded as easements.

#### 9.2.5. SUBDIVISION ACCESS STANDARDS

- A. **Open Access.** Subdivisions shall provide roadways that are permanently open to the public and provide community-wide access as part of a connected street network.
- B. **Connectivity.** Streets shall be interconnected and connect with adjacent streets external to the subdivision to provide multiple routes for pedestrian and vehicle trips. Implementation of any access points or associated improvements recommended by a traffic impact analysis (TIA) are required. In addition, connections must be made to existing and planned street stubs.
- C. **Number of Access Points.** Subdivisions shall provide access consistent with the North Carolina State Building Code: Fire Prevention Code.

#### 9.2.6. UTILITIES

- A. **Residential.** Residentially zoned lots shall comply with the following standards:
1. **New Construction.** Within the Town of Rolesville's jurisdiction, every residentially zoned lot being improved with a new dwelling that is within the distance defined in Table 9.2.6 shall be required to connect, at the expense of the owner or developer, to that public water or sewer system.

# 11. ADMINISTRATION AND DEFINITIONS

## 11.1. INTRODUCTION

- A. This section contains general administration provisions, interpretation provisions, and general definitions used throughout this LDO.

## 11.2. INTERPRETATION

- A. Whenever the context in which words are used in the LDO indicates that such is the intent. All references to “herein”, “hereunder” and words of like import shall refer, unless the context clearly requires otherwise, to this LDO, as distinct from the paragraph or section within which such term is located.
- B. The terms “shall”, “should”, “will”, and “may” are included within the LDO and are understood to be used in the following manner:
  - Shall: Provisions or items that are mandatory
  - Will: Declares a purpose to accomplish an item in the future
  - Should/May: Items that are more flexible in nature and are non-mandatory but encouraged
- C. Any term not herein defined shall be as defined elsewhere in the LDO or Town Code or, if not defined elsewhere in the LDO or Town Code, as defined in Webster's New International Dictionary, most recent edition, unless the result does not effectuate the intent of the governing bodies, leads to absurd or illogical results, or is inconsistent with the surrounding textual context.
- D. Any reference to “town” shall mean “Town of Rolesville”.
- E. Any reference to “Comprehensive Plan” shall mean the most current version of the “Rolesville Comprehensive Plan.”
- F. Minimum And Maximum. All regulations, standards and provisions defined in this LDO are considered as minimum or maximum requirements, as specified in each section. No

9. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.
10. In instances where none of the above methods are sufficient to resolve the boundary location, the reasonable maintenance of a regular boundary will be used to establish the boundary location.
11. Interpretation of information on the zoning maps will be made by the Land Development Administrator. Appeals of the Land Development Administrator's interpretation may be made to the Board of Adjustment.

## 11.7. DEFINITIONS

- A. In compliance with N.C. Gen. Stat. § 160D-706, all definitions of building, dwelling, dwelling unit, bedroom, or sleeping unit shall be consistent with the definition of those terms in another statute or in a rule adopted by a state agency, including the State Building Code Council. Where inconsistencies exist, the definitions of those terms in another statute or in a rule adopted by a state agency shall control.
- B. Except where specific definitions are used within a specific section of the LDO for the purpose of such sections, the following terms, phrases, words, and their derivations shall have the meaning given herein when not inconsistent with the context. Principal uses, which correspond with the Permitted Principal Use Table, are defined in Section 5: Uses, of this LDO.

### **A**

*Abandonment* : The termination or relinquishment of property or use for a continuous period.

*Abutting* : means that the property directly touches another piece of property.

*Access* : The right or ability of pedestrians and vehicles to enter and leave a lot or development.

*Accessory building, structure, or use* : A building, structure, or use on the same lot with, or of a nature customarily incidental or subordinate to, and of a character related to the principal use or structure. Garages, carports, and storage sheds are common urban accessory structures.

*Right-of-way, street* : A strip of land, owned publicly or privately, which affords the principal means of access to abutting property.

*Road* : See "Street".

*Roof line* : The top edge of the roof or the top edges of the parapet, whichever forms the top line of the building silhouette, but not including penthouses or equipment structures.

## S

*Save Area* : Any area of undisturbed land that has been designed to remain undisturbed within the development plan. These undisturbed areas shall contain small to significant vegetation that will be used to meet buffer requirements.

*Screen* : A method of reducing the impact of noise, visual intrusions, and invasion of privacy with such elements as plants, berms, fences, walls, or any appropriate combination thereof.

*Service station* : A building or lot dedicated to the rendering of services such as the sale of gasoline, oil, grease, and accessories and the minor repaint of automobiles, excluding body working, overhauling, and painting.

~~*Setbacks* : Required setbacks shall be measured from the closest base of the wall of the structure to the lot line or nearest street right-of-way line. Allowable exceptions to setbacks shall not be utilized for measurement of setbacks. Setbacks shall be established at the time of approval of a Site Plan or Final Plat. Setbacks so established shall continue to apply to the area within the Site Plan or Final Plat despite subsequent changes to the setback regulations. Setbacks are designated by a front setback requirement, side setback requirement, and rear setback requirement. Mechanical, electrical, and plumbing equipment (including air conditioning and pool equipment) are exempt from side and rear yard requirements but shall not be located any closer than three (3) feet from the property line. Uncovered stairs, landings, terraces, porches, balconies, and fire escapes may project into any yard, but such projection may not exceed six (6) feet, and such projection may not be closer than ten feet to any lot line. Architectural projections, such as chimneys, flues, sills, eaves, belt courses, and ornaments, may project into any required yard, but such projection shall not exceed three (3) feet.~~

*Setback (Corner)* : A corner setback extends the full width of a site on the corner side, the depth of which is the minimum horizontal distance between the corner side property line and a line parallel thereto on the site.

*Setback (Front)* : A front setback extends across the full width of a site, the depth of which is the minimum horizontal distance between the front property line and a line parallel thereto on the site. A lot which abuts a cul-de-sac street design, featuring a radial primary street yard, shall measure its primary street setback at the point in which the side and front lot lines would have met without rounding.

*Setback (Rear)* : A rear setback extends across the full width of a site, the depth of which is the minimum horizontal distance between the rear property line and a line parallel thereto on the site, except that on a corner lot the rear setback shall extend only to the side setback abutting the street.

*Setback (Side)* : A side setback extends from the rear line of the required front setback, or the front property line of the site where no front setback is required, to the front line of the required rear setback, or the rear property line of the site where no rear setback is required, the width of which is the horizontal distance between the side property line and a line parallel thereto on the site, except that the corner side setback shall extend to the rear lot line.

*Setback lines* : The line on the front, rear, and sides of a lot which delineates the area within which a structure may be built and maintained, according to the district regulations.

*Shopping center* : Two or more commercial establishments planned, and constructed, as a single unit with off-street parking and loading facilities provided on the property.

*Sign* : Any outdoor letter, symbol, number, trademark, or other form of publicity or combination of these as well as the surface on which they are painted or to which they are attached, or any of the above when placed inside a window facing out, and any background material, coloring, shapes, or other trim shall be considered a sign, unless entirely enclosed by a fence or a wall such that the above items and any structure or lighting attached to or accessory to them cannot be seen off the premises on which they are located. Works of fine art which in no way identify or advertise a product or business shall be excluded from this definition.