

**PROPOSAL TO AMEND  
THE CODE OF ORDINANCES,  
TOWN OF ROLESVILLE, NORTH CAROLINA  
Case Number UDO TA 20-01 Version 2**

WHEREAS, North Carolina General Statute Section NC Chapter 160A; Article 19, Part, Zoning; Section 160A-381, Grant of power; authorizes local governments by ordinance to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, courts and other open space, the density of population, the location and use of buildings, structures and land’

WHEREAS, the Town of Rolesville Board of Commissioners firmly believes that it is in the public interest to amend the Town’s Unified Development Ordinance described herein below.

1. **Section 5.1 Table of Permitted Uses** is hereby amended by having the following alterations by additions are noted as *italic text* and deletions are noted as ~~struck through text~~ with alterations since Version 1 in red as follows:

**“Section 5.1 Table of Permitted Uses”**

	<i>R80 W</i>	<i>R40 W</i>	<i>R 1</i>	<i>R1- S</i>	<i>R1- D</i>	<i>R 2</i>	<i>R2- D</i>	<i>R 3</i>		<i>RM H</i>	<i>RuM H</i>	<i>UM H</i>	<i>C</i>	<i>C O</i>	<i>C H</i>	<i>O P</i>	<i>I</i>
Dwelling – single-family detached	x	x	x	x	x	x	x	<b>X</b>		x	x	x		s		s	
Public recreational parks & centers	x	x	x	x	x	x	x	<b>X</b> <del>S</del>		x	x	x					
Private recreation facilities part of subdivision or HOA	x	x	x	x	x	x	x	<b>X</b>		x	x	x					

2. **Section 5.2 Dimensional Requirements** is hereby amended by having the following alterations by additions are noted as *italic text* and deletions are noted as ~~struck through text~~ as follows:

**“Section 5.2 Dimensional Requirements**

**5.2.1 Table of Dimensional Requirements”**

Zoning District	Minimum Lot Area (in square feet)	Minimum Lot Width (in feet)	Front Yard Setback (from ROW in feet)	Side Yard Setback (in feet)	Corner Yard Setback (in feet)	Rear Yard Setback (in feet)
R1	20,000	100	30	12	22	25
R1-S	20,000	100	30	12	22	25
R1-D	20,000	100	30	12	22	25
R2	15,000	85	30	12	22	25
R2-D	20,000	100	30	12	22	25
<b>R3 – Single Family</b>	<del>6,000</del> <b>8,000</b>	<del>50</del> <b>54</b>	<b>25</b>	<del>5</del> <b>7</b>	<b>15</b>	<b>25</b>
R3 – Multi	20,000	100	15	15	10	15
R3 - Townhomes	N/A	20	15	<i>0 with 30' minimum between structures</i>	10	15
RMH	20,000	85	30	12	22	25
RuMH	10,000	50	25	10	20	15
UMH	7,260	50	25 on paved street	10	20	15
C	None except for those required by Health Department	None except for those required by Health Department	None except for those required by Health Department	None or 5 feet if abutting residential use	None or 5 feet if abutting residential use	35
CO	20,000	100	20	15	25	35
CH	20,000	100	20	15	25	35
OP	20,000	75	30	15	25	35
I	20,000	100	30	15	25	35

3. Section 6.5 RIII – Residential III District is hereby amended by having the following alterations by additions are noted as **italic text** and deletions are noted as **struck through text** with additions since Version 1 in **red** as follows:

**“Section 6.5: - R-III - Residential III District**

The R-III Residential III District (**“R-III” or “R3”**) is established as a district in which the principal use of the land is for high density, pedestrian-friendly 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.

A homeowners association shall be established to maintain appearance and other standards and to oversee the use of open space and community recreational facilities. For rental apartments, property management shall be responsible for the same.

~~An R-III development shall total no more than 20 acres in size. Similar residential densities for developments greater than 20 acres can be found in the R&PUD district (Section 6.2).~~

The requirements set forth in this section (6.5) are established by the Town Board of Commissioners as standards that presumptively will result in the variety of well-planned, attractive housing options contemplated by this section and by the Comprehensive Land Use Plan. The Board recognizes, however, that due to the nature of a tract of land, or the nature of the facilities proposed for installation, or other factors, the underlying objectives of this section (6.5) may be achieved even though the standards are not adhered to with mathematical precision. Therefore, deviations from these standards may be permitted whenever it is determined that the underlying standards can be met without strict adherence to them and because peculiarities in the developer's tract of land or the facilities proposed would make it unreasonable to require strict adherence to these standards.

**Whenever some deviation from the standards set forth in this article pursuant to the paragraph immediately above is authorized, the official record of the action taken on the development application shall contain a statement of the reasons for allowing the deviation.**

Following approval of the final site or subdivision plan, variances to individual lot dimensions and setbacks of up to ten percent may be approved by the Planning Director.

**Special Requirements:**

**Development of the R-III district must adhere to the appropriate land use requirements discussed elsewhere in the Code of Ordinances. There are, however, special development requirements for the R-III district applicable to the entire R-III, which are listed below, and development requirements that are applicable to each type section identified above and which are discussed in each section's specifications.**

- (a) **Sidewalks:** Sidewalks are required on both sides of all public and private streets, except for cul-de-sacs of 250 feet in length or shorter, and alleys. Residential sidewalks shall be a minimum of five feet wide. The widths of all non-residential sidewalks shall be a minimum of five feet, but may be wider, as determined in the approved site or subdivision plan.
- (b) **Planting strips:** Planting strips between six to seven feet in width shall be established between sidewalks and curbing in all residential areas. The width of the planting strips may be reduced to no less than a minimum of four feet as allowed by the available right-of-way.

- (c) **Curb and gutter:** Required for drainage for all public streets.
- (d) **Cul-de-sacs:** Cul-de-sacs shall not exceed 250 feet in length from the nearest intersection with a street providing through access (not a cul-de-sac) unless necessitated by topography or property accessibility. Cul-de-sac lengths longer than 250 feet will be reviewed for approval on a case-by-case basis. Cul-de-sacs are permitted where topography makes a street connection impracticable.
- (e) **Bike paths:** Bike paths a minimum of four feet wide shall be installed along both sides of minor and major thoroughfares (minor and major arterials). Alternatively, an eight-foot-wide bike path may be installed paralleling the minor or major thoroughfare. In this instance, the bike path can replace the sidewalk normally required on the same side of the roadway.

**Density Requirements:**

Maximum overall density for an R-III development shall not exceed ~~eight (8)~~ **five (5)** units per acre for single-family dwellings and or eight (8) units per acre for townhouse units or **twelve (12)** units per gross acre for apartment units.

6.5.1 - Townhouses and Apartments

6.5.1.1 **Lot Specifications:**

- (a) Minimum lot width: 100 feet for multifamily, 20 feet for townhomes  
 Minimum front setback: 15 feet from the right-of-way  
 Minimum rear setback: 15 feet from rear property line
- (b) Townhouses are limited to eight units per structure
- (c) Parking for townhouses shall meet Section 10.1.10 and Section 9.16. Parking requirements set forth by Section 9.16, Cluster Mailbox Units, cannot be included for compliance to Section 10.1.10 and shall have signage designating them as "Mailbox Parking Only." Parking for townhouses may be a combination of on-street parking, (located on either public or private streets constructed to Town standards and specifications for streets), off-street parking lots or garage parking within the unit where the garage constitutes the first floor of a townhouse. Front-facing garages shall have at least 20 feet separating neighboring driveways or no more than five feet separating neighboring driveways. If the separation measures five feet or less, the next separation must be at least 20 feet. Rear-facing garages may be accessed by a private alley with no separation requirements.
- (d) Parking space requirements for apartments shall meet Section 10.1.10 and Section 9.16. Parking requirements set forth by Section 9.16, Cluster Mailbox Units, cannot be included for compliance to Section 10.1.10 and shall have signage designating them as "Mailbox Parking Only." Parking areas for apartment units, in general, must be to the side of, or behind, the apartment structures and fully contained onsite. Parking areas for apartment

units that abut public streets must be buffered with landscaping, landscaped berms, fences or other opaque screening, as approved in the final site plan.

- (e) The separation between apartment structures shall be a minimum of 30 feet.
- (f) Recreation Land Dedication. A townhouse development shall comply with the requirements of Section 15.4.8.2 Recreation and Open Space.
- (g) Improved Recreation Space and Unimproved Open Space Required. All townhouse and apartments that consist of development sites of over four acres shall provide on-site of the development at least 15 percent of the gross acreage as open space area. Plans for all required 15 percent of the gross acreage as open space shall consist of a minimum of 35 percent as improved recreation space area for specific recreation activity shown on the site plan or preliminary subdivision plan with the remaining 65 percent as unimproved open space area. Required landscaped buffer with fencing and stormwater facilities will be considered as unimproved open space area.

**6.5.2 Single-Family Dwellings**

**6.5.2.1 Lot Specifications:**

*See Section 5.2 Table of Dimensional Requirements for the R-III (R3) District lot specifications.*

**4. Effective Date.** This ordinance shall become effective on the date of its adoption by the Board of Commissioners.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2020 by the Town of Rolesville Board of Commissioners.

\_\_\_\_\_  
Ronnie I. Currin  
Town of Rolesville Mayor

**CERTIFICATION**

I, \_\_\_\_\_, Town Clerk for the Town of Rolesville, North Carolina, do hereby certify the foregoing to be a true copy of an ordinance duly adopted at the meeting of the Town Board of Commissioners held on this \_\_\_\_ day of \_\_\_\_\_, 2019.

In witness whereof, I have hereunto set my hand and caused the seal of the Town of Rolesville to be affixed this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_

(seal)

Robin Peyton  
Town Clerk