

**AMENDMENT TO THE  
UNIFIED DEVELOPMENT ORDINANCE  
TOWN OF ROLESVILLE, NORTH CAROLINA  
Case Number UDO TA 21-01**

ORDINANCE TO ALIGN THE LANGUAGE OF THE UNIFIED DEVELOPMENT ORDINANCE WITH NEWLY ADOPTED PROVISIONS OF NORTH CAROLINA GENERAL STATUTES CHAPTER 160D.

WHEREAS, North Carolina General Statutes 160A-381 and 160D-702 authorize 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; and

WHEREAS, North Carolina Session Law 2019-111, Section 2.9(b) provides that existing special use districts or conditional use districts shall be deemed converted to conditional zoning districts; and

WHEREAS, North Carolina Session Law 2019-111, Section 2.9(b) further provides that any existing conditional use permit issued together as part of a special use district or conditional use district shall be deemed a “special use permit”; and

WHEREAS, The Town of Rolesville desires to amend the the language of the Town’s Unified Development Ordinance, specifically its district labels, to align with the provisions of Session Bill 2019-111, Section 2.9(b); and

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

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF  
COMMISSIONERS OF THE TOWN OF ROLESVILLE, NORTH CAROLINA:**

**SECTION 1. That the Town of Rolesville Official Zoning Map be amended to rename or relabel all Special Use Districts (SUD) to Conditional Zoning Districts (CZ) as follows:**

**Special Use District (SUD) Change to Conditional Zoning District (CZ)**

R-40W-SUD	R-40W-CZ
R-IS-SUD	R-IS-CZ
R-I-SUD	R-I-CZ
R-ID-SUD	R-ID-CZ
R-II-SUD	R-II-CZ

**Special Use District (SUD) Change to Conditional Zoning District (CZ)**

R-IID-SUD	R-IID-CZ
R-III-SUD	R-III-CZ
R-MH-SUD	R-MH-CZ
R-MH-SUD	R-MH-CZ
RuMH-SUD	RuMH-CZ
UMH-SUD	UMH-CZ
R&PUD-SUD	R&PUD-CZ
O&P-SUD	O&P-CZ
C-SUD	C-CZ
CH-SUD	CH-CZ
CO-SUD	CO-CZ
C-W-SUD	CW-CZ
I-SUD	I-CZ
I-W-SUD	IW-CZ

**SECTION 2. That Article 4, Zoning District; Section 4.1 Establishment and Purpose of Districts; Special Use Districts, be amended to remove the following language from Section 4.1:**

- Addition
- Alteration (additions are *italicized* and deletions are ~~struck through~~)
- Deletion

**“Special Use Districts:**

The purpose of these districts is to promote greater land use compatibility by allowing landowners to voluntarily place their property into classifications in which a special use permit is required as a prerequisite to any use or development. More specifically, the purpose of these districts is identical to that of the corresponding general use districts as indicated below, except that a special use permit is required as a prerequisite to any use or development, as provided in this ordinance.

**Special Use District                      Corresponding General Use District**

R-40W-SUD	R-40W
R-IS-SUD	R-IS
R-I-SUD	R-I
R-ID-SUD	R-ID
R-II-SUD	R-II
R-IID-SUD	R-IID
R-III-SUD	R-III

R-MH-SUD	R-MH
R&PUD-SUD	R&PUD
NC Overlay	N/A
O&P-SUD	O&P
C-SUD	C
CH-SUD	C-H
CO-SUD	C-O
CH-W-SUD	CH-W
C-W-SUD	C-W
I-SUD	I
I-W-SUD	I-W”

**SECTION 3. That Article 5, Use and Dimensional Standards. Section 5.3 Special Use Districts, be amended to be removed entirely and retitled as “Section 5.3 Reserved”**

- Addition
- Alteration (additions are *italicized* and deletions are ~~struck through~~)
- Deletion

**“Section 5.3 Special Use Districts**

A Special Use District corresponds to each of the other districts authorized in this ordinance. It is recognized that certain types of zoning districts would be inappropriate at particular locations in the absence of special conditions. Where the applicant desires property to be rezoned to such a district in such situations, the Special Use District is a means by which such special conditions can be imposed in the furtherance of the purposes of this ordinance. The Special Use District classification will be considered in response to a petition by the owners of all of the property to be included. If, for any reason, any condition imposed pursuant to these regulations is found to be illegal or invalid, or if the applicant should fail to accept any condition, it is the intent of this ordinance that the authorization of such Special Use Permit shall be null and void and of no effect and that proceedings be instituted to rezone the property to its previous zoning classification.

Within a Special Use District, only those uses authorized by this ordinance as permitted or special uses within the zoning district with which the Special Use District corresponds shall be permitted, and all other requirements of the corresponding district and other requirements of this ordinance shall be met. If the use would be a special use in the corresponding district, all of the requirements in Article 8 for all special uses and the applicable special use shall be met. In addition, within a Special Use District, no use shall be permitted except pursuant to a Special

Use Permit authorized by the Town Board of Commissioners which shall specify the use or uses authorized. The Special Use Permit may further specify conditions based on the issues raised concerning Special Uses in Article 8 of this ordinance and any other reasonable and appropriate conditions.”

**SECTION 4.**

Any valid Special Use Permit issued under “Article 4, Zoning District; Section 4.1 Establishment and Purpose of Districts; Special Use Districts” or “Article 5, Use and Dimensional Standards. Section 5.3 Special Use Districts” shall now be deemed a special use permit applicable to the property as well as a condition to its particular Conditional Zoning District.

**SECTION 5. Effective Date.** This ordinance shall become effective on the date of its adoption by the Board of Commissioners.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2021 by the Town of Rolesville Board of Commissioners.

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

**CERTIFICATION**

I, Robin Peyton, 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 \_\_\_\_\_, 2021.

In witness whereof, I have hereunto set my hand and caused the seal of the Town of Rolesville to be affixed this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Robin Peyton  
Town Clerk

(seal)