



2 DISTRICTS

2.1 BASE DISTRICTS

- A. **Base Districts Established.** The properties within the Corporate Limits and Extraterritorial Jurisdiction (ETJ) of the Town are divided into Zoning Districts (i) to apply the goals, objectives, and policies of the Town's Comprehensive Plan and (ii) to recognize, promote, and protect the planned land Uses and character of specific areas, corridors, and neighborhoods. The districts and their boundaries are depicted on the Town's Zoning Map (See Section 1.7).
- B. **Base Districts by Use Categories.** The Town's Base Zoning Districts are established and characterized by individual Use categories including Residential Use, Commercial & Mixed-Use, and Employment/Campus Use. Each Use category includes multiple Base Districts that allow for land Use and property development at various scales and intensities – these are controlled through the allowable land Uses, Development Standards, and density limitations.
- C. **Base District Descriptions.** The following subsections establish the descriptions including the intended land Use and character for each Base District.
- D. **Land Use Allowance and District Standards for Base Districts.** Chapter 3 – Table 3.2 – Table of Permitted Uses lists the allowable land Uses and activities that may occur within each Base District. Section 2.2. establishes the Development Standards for each Base District in terms of Maximum Building Height, minimum (and maximum) Building Setbacks, and minimum Lot configurations.
- E. **Base Districts Corresponding to Land Use Designations.** Each Base District corresponds to particular character area designation(s) on the Future Land Use Map as shown in Table 2.1. The Future Land Use Map provides guidance on where a particular Base Zoning District may be appropriate in the Town.

CONTENTS

2.1	BASE DISTRICTS	2-1
2.2	DISTRICT STANDARDS	2-6
2.3	APPLICATION AND INTERPRETATION OF DEVELOPMENT STANDARDS	2-14
2.4	CONDITIONAL ZONING DISTRICTS (CD)	2-19

TABLE 2.1 ZONING - FUTURE LAND USE DESIGNATIONS (N1)

ZONING DISTRICT		CHARACTER AREA & FUTURE LAND USE MAP DESIGNATIONS										
		Natural Area (N2)	Conservation Neighborhood (N3)	Residential Neighborhood	Mixed Residential Neighborhood	Neighborhood Center	N. Main Street District	Downtown Village District	Mixed-Use Center	Regional Center	Innovation Village	Business & Industrial
	RR - Rural Residential	X	X									
	SR - Suburban Residential	X	X									
	NR - Neighborhood Residential	X	X	X								
	NCR - Neighborhood Center Res.			X	X	X						
	MXR - Mixed-Use Residential				X	X						
	NMX - Neighborhood Mixed-Use				X	X		X				
	DMX - Downtown Mixed-Use							X				
	RMX - Regional Mixed-Use								X	X		
	CB - Community Business					X			X			
	SP - Special District									X	X	X
	IVMX - Innovation Village Mixed-Use									X		
	BRT - Business & Research Technology										X	
	HI - Heavy Industrial										X	X

TABLE 2.1 - NOTES

N1	The Future Land Use Map provides general guidance on where particular Base Zoning Districts are appropriate in the Town, however in some cases Base Zoning Districts may differ from the character area designation identified in this table.
N2	All Districts may have natural areas, but they are not required.
N3	Subdivisions in the SR and NR Districts when using Conservation Subdivision option.

2.1.1 RESIDENTIAL USE DISTRICTS

Each of the Residential Use Districts described below are created to implement the character areas in the Comprehensive Plan.

RR RURAL RESIDENTIAL

The Rural Residential District is established to allow agricultural Uses; rural residential Uses; preserve prime agriculture land; and, protect open areas and other rural areas from the encroachment of scattered urban-type Uses that may inhibit the overall development of the community in accordance with the Comprehensive Plan. The RR District is not expected to be supported with public water and sewer in the short-term and may accommodate very low-density residential land Use including conservation subdivisions and limited public and institutional Uses. The RR District should be located near the periphery of the jurisdictional boundary and is not expected to develop in the short term, as locations appropriate for this district are located in the Town's Extraterritorial Jurisdiction.

SR SUBURBAN RESIDENTIAL

The Suburban Residential District is established to protect, promote and maintain the development of low-to-medium density Detached Dwellings on different Lot sizes that vary enough to provide a range of home choices in the same neighborhood and to provide for limited public and institutional Uses that are compatible with those neighborhoods. For those properties in walking and biking distance to Commercial & Mixed-Use Districts, this district is expected to be compact in form with densities that support the development of traditional style neighborhoods.

NR NEIGHBORHOOD RESIDENTIAL

The Neighborhood Residential District is established to protect, promote, and maintain the development of Detached and Attached Dwellings on different Lot sizes that vary enough to provide a range of home choices in the same neighborhood and to provide for limited public and institutional Uses that are compatible with a medium density residential neighborhood. These districts are expected to be compact in form and utilize a connected Street and Open Space network and a variety of Lot and house sizes within the block. For those properties in walking and biking distance to Commercial & Mixed-

Use Districts, this district is expected to orient its highest densities towards those areas.

NCR NEIGHBORHOOD CENTER RESIDENTIAL

The Neighborhood Center Residential District encourages the creation of highly walkable neighborhoods in proximity to Commercial & Mixed-Use Districts with a range of predominately residential types including Detached and Attached Dwellings, small-scale Apartment Dwellings, and limited public and institutional Uses. When adjacent to lower density neighborhoods the intensity of development should be compatible with the edge conditions. The Neighborhood Center Residential District also supports infill Dwellings on small pockets of previously undeveloped land adjacent to existing development. In these cases, the types of housing introduced should be compatible with the adjacent neighborhoods, and appropriate transitions should be provided between different housing types. These districts are expected to be compact in form and utilize a connected Street and Open Space network and provide a variety of housing options.

MXR MIXED-USE RESIDENTIAL

The Mixed-Use Residential District encourages the creation of highly walkable neighborhoods in proximity to Commercial & Mixed-Use Districts with a range of predominately residential Uses including Detached and Attached Dwellings, small-scale Apartment Dwellings, larger scale Apartment Dwellings, limited public and institutional Uses, and limited commercial Uses. When adjacent to lower density neighborhoods the intensity of development should be compatible with the edge conditions. These districts are expected to be compact in form and utilize a connected Street and Open Space network.

2.1.2 COMMERCIAL & MIXED-USE DISTRICTS

Each of the Commercial & Mixed-Use Districts described below are created to implement the character areas in the Comprehensive Plan.

NMX NEIGHBORHOOD MIXED-USE

The Neighborhood Mixed-Use District is established to promote a pedestrian-friendly environment for the provision of a full range of convenience goods and services, which are necessary to meet the daily needs of nearby neighborhoods. Their proximity requires that operations be low-intensity, unobtrusive, and at a scale and design compatible with nearby residential development. Housing is encouraged in mixed-use Buildings and on adjacent blocks and circulation should encourage connectivity while minimizing the impact of cut-through traffic.

DMX DOWNTOWN MIXED-USE

The Downtown Mixed-Use District serves as the central core of Holly Springs and includes the traditional downtown area along Main Street. This district supports a compact, pedestrian-friendly development pattern with a mix of land Uses (horizontal and vertical), compatible architecture, Plazas and public spaces, and civic spaces that promote social interaction and celebrate the Holly Springs community. Buildings are located on small blocks with pedestrian-oriented Streets and housing is encouraged in mixed-use Buildings and on adjacent blocks.

RMX REGIONAL MIXED-USE

The Regional Mixed-Use District offers the opportunity to serve broader economic, entertainment, and housing needs in the community within or near areas designated as Regional Center on the Future Land Use Map. The compact, walkable environment and mix of residential and non-residential Uses in the District supports multiple modes of transportation, including the potential for future transit-supportive development. In addition to new Projects, RMX Districts also allow for the transformation of existing suburban, single-Use, auto-oriented centers into mixed-use Districts that encompass a wide array of Uses including shopping, Office, entertainment, lodging and housing on an interconnected network of walkable Streets and high-quality Open Spaces.

CB COMMUNITY BUSINESS

The Community Business District accommodates locations along major corridors for moderate to high volume and intensity commercial and mixed-use centers. Activities in this District may include large format retail stores and centers with limited amounts of outdoor sales or outdoor operations. Developments within the CB District shall be coordinated to facilitate pedestrian, bicycle, and vehicular access from nearby Residential Use Districts. In addition to new Projects, CB Districts also allow for the transformation of existing suburban, single-Use, auto-oriented centers into mixed-use Districts that encompass a wide array of Uses including shopping, Office, entertainment, lodging and housing on an interconnected network of walkable Streets and high-quality Open Spaces.

2.1.3 EMPLOYMENT/CAMPUS USE DISTRICTS

Each of the Employment/Campus Use Districts described below are created to implement the character areas in the Comprehensive Plan.

SP SPECIAL DISTRICT (CONDITIONAL ZONING DISTRICT ONLY)

Special Districts are established to promote the development of major community employment centers and other large-scale, non-retail facilities, including medical facilities; major office Campuses; compatible office type businesses, limited public and semi-public Uses; schools and institutional Campuses; and research facilities, testing facilities, and development laboratories which are generally compatible in physical appearance and service requirements to Office Uses. The SP District is intended for areas with easy access and high visibility from primary transportation routes and represents the development of a major regional focal point and may include high-rise Buildings as a secondary Use. Special Districts may only be established or expanded using the Conditional Zoning District (CD) process.

IVMX INNOVATION VILLAGE MIXED-USE

The Innovation Village Mixed-Use District is the next generation business park for business owners, entrepreneurs, artists and manufacturers. The design, scale, character, and intensity of development in the IVMX emphasizes technology, creativity, and innovation. It combines elements of the innovation economy including light manufacturing and creative offices with housing and a mixed-use core on a network of walkable Streets and connected Open Spaces that transition seamlessly into surrounding neighborhoods. The design, scale, character, and intensity of development in the district emphasizes technology, creativity, and innovation, and may support a corporate headquarters, research and development Campus, manufacturing center, or other similar facilities along with nearby retail businesses and housing options.

BRT BUSINESS AND RESEARCH TECHNOLOGY

The Business and Research Technology District provides opportunities to concentrate employment clusters throughout the town. They support both large-scale, single tenant office and industrial Buildings, warehousing and distribution, smaller, multi-tenant flex Buildings, and some outside operations and storage which are otherwise compatible with nearby neighborhoods. These districts are

separated from adjacent Uses by large Tree Preservation Areas or planted buffers but maintain great flexibility in internal operations within the district.

HI HEAVY INDUSTRIAL (CONDITIONAL ZONING DISTRICT ONLY)

Heavy Industrial Districts may only be established or expanded using the Conditional Zoning District (CD) process. The Heavy Industrial District accommodates the development of manufacturing and processing facilities or facilities which may require substantial amounts of outdoor storage or outdoor operations including both large-scale, single tenant office and industrial Buildings and smaller, multi-tenant office and industrial Buildings. Permitted Uses in this district tend to generate heavy traffic and require extensive community facilities. These districts are heavily separated from adjacent Uses by large Tree Preservation Areas or planted buffers but maintain great flexibility in internal operations within the district.

2.2 DISTRICT STANDARDS

2.2.1 DEVELOPMENT STANDARDS FOR RESIDENTIAL USE DISTRICTS

A. Applicability. All development and land Use activity on properties within the Residential Use Districts is subject to the Development Standards outlined in Table 2.2.1-A below. Exceptions may apply where the property obtained separate Town approvals related to Planned Unit Developments (PUDs) or Conditional Zoning Districts (CD) – in those instances, the associated approvals/permits may establish the Development Standards

for said properties (Refer to Chapter 1 relating to those instances).

The numbers shown in the tables are minimums or maximums depending on the item (row). In the case of maximums, developments can be compliant with a lower number; with minimums, developments can be compliant with a higher number. In the chart “--” means the Use is not permitted in the district and “n/a” means the Development Standard does not apply in the District.

TABLE 2.2.1-A - DEVELOPMENT STANDARDS FOR RESIDENTIAL USE DISTRICTS

	RR	SR	NR	NCR	MXR
Development Intensity					
Development Density (N1)					
Maximum Gross Density (units/acre)	0.5	3	5	8	15
Maximum Gross Density (Conservation Subdivision) (units/acre) (N2)	0.5	3	5	--	--
Maximum Gross Density with Conditional Zoning District (CD) (units/acres)	1	4	8	12	N3
Open Space and Conservation Area (N4)	See Chapter 4				
Attached Dwelling Unit and Apartment Dwelling Unit Allocation (N5)					
Minimum Dwelling Units	--	--	10%	10%	10%
Maximum Dwelling Units	--	--	50%	100%	100%
Non-Residential Use Allocation (in New Subdivisions Only by Total Project Area) (N5)					
< 300 acres (maximum total area)	--	--	5%	5%	5%
< 300 acres (maximum contiguous area)	--	--	3 acres	3 acres	3 acres
≥ 300 acres (minimum total area)	--	--	3 acres	3 acres	3 acres
Lot Configuration					
Minimum Lot Area (sf)					
Detached Dwellings (Standard Subdivision) (N2)	2 acres	15,000	10,000	5,000	none
Detached Dwellings (Conservation Subdivision) (N2)	none	none	none	--	--
Detached Dwellings with Conditional Zoning District (CD)	1 acre	7,500 and average ≥ 10,000	average ≥ 5,000	none	none
Attached Dwellings (N5)	--	--	none	none	none

TABLE 2.2.1-A - DEVELOPMENT STANDARDS FOR RESIDENTIAL USE DISTRICTS

	RR	SR	NR	NCR	MXR
<i>Apartment Dwellings (N5)</i>	--	--	--	none	none
<i>Manufactured Dwellings (N5)</i>	2 acres	--	--	--	--
<i>Other Buildings/Uses</i>	2 acres	15,000	10,000	5,000	none
Minimum Lot Width at the Setback Line (ft)					
<i>Detached Dwellings</i>	100	60	26	26	26
<i>Attached Dwellings</i>	--	--	18	18	18
<i>Apartment Dwellings</i>	--	--	--	50	50
<i>Manufactured Dwellings</i>	100	--	--	--	--
<i>Other Buildings/Uses</i>	100	60	60	60	60
Minimum Lot Frontage (ft) (N6)					
<i>All Buildings/Uses</i>	50	20	18	18	18
<i>All Buildings/Uses (Conservation Subdivision) (N7)</i>	20	20	20	--	--
Minimum Lot Frontage for a Driveway (ft)					
<i>Detached/Attached Dwellings Permitted by Right (N8)</i>	60	60	60	60	60
Building Placement (N9)					
Thoroughfare Setbacks (ft)					
<i>Freeway - NC 540/US 1</i>	100	100	100	100	100
<i>Freeway - NC 55</i>	100	100	100	100	100
<i>Thoroughfare</i>	50	50	25	25	25
Primary Building Setbacks (ft) (N10)					
<i>Front Setback (minimum)</i>	20	20	5	5	5
<i>Front Setback (maximum) (N11)</i>	n/a	n/a	20	15	15
<i>Side - Corner Setback (minimum)</i>	20	20	5	5	5
<i>Side - Interior Setback (minimum) (N12)</i>	10	10	5	5	5
<i>Rear Setback (minimum)</i>	25	25	20	20	30
<i>Rear Setback from Alley Right-of-Way (minimum) (N13)</i>	15	15	15	15	15
Accessory Building/Structure Setbacks (ft)					
<i>Accessory Building/Structure(s) < 144 sf</i>	5	5	3	3	3
<i>Accessory Building/Structure(s) ≥ 144 sf</i>	10	6	5	5	5
<i>Accessory Building/Structure(s) ≥ 144 sf Setback from Alley Right of Way (minimum) (N13)</i>	5	5	5	5	5

TABLE 2.2.1-A - DEVELOPMENT STANDARDS FOR RESIDENTIAL USE DISTRICTS

	RR	SR	NR	NCR	MXR
Building Height (ft)					
Primary Building(s) (maximum)	35	35	35	35	35
Primary Building(s) (maximum with Conditional Zoning District (CD))	50	50	50	50	60
Accessory Building/Structure(s) (maximum) (N14)	25	25	25	25	30
Residential Primary Building(s) Finished Floor Elevation Above Sidewalk Grade (ft)	n/a	n/a	1.5	1.5	1.5

TABLE 2.2.1-A - NOTES

N1	For individual Lots or Projects containing multiple Districts, calculated based on the District in which a majority (50% of buildable area or greater) of the buildable area of a Lot is located. The Total Allowable Units shall be equal to the Gross Site Area X Maximum Units Per Acre.
N2	Reference Chapter 8 Building, Site & Subdivision Lot Design Standards.
N3	Maximum Gross Density shall be established with a Conditional Zoning District (CD). Maximum Gross Density that exceeds 15 units/acre may be considered if the Project is: <ol style="list-style-type: none"> 1. Designated on the Future Land Use Map as N. Main Street District, Downtown Village District, Mixed-Use Center, or Regional Center, or, within the boundary of the Northeast Gateway Master Plan; and, 2. The Project includes either a Parking Garage, or, a minimum of 40% of Dwelling Units located within a vertically integrated mixed-use Building with Office and Service Uses or Retail, Dining, and Entertainment Uses located on the ground floor story.
N4	Common Open Space and/or conversation areas are required for all Residential Major Subdivisions where the resulting plat/Subdivision action results in 5 or more Lots and Site Plans that include Apartment Dwellings and Attached Dwellings.
N5	Reference Uses in Chapter 3.
N6	The Lot Frontage is measured along the Front Lot Line abutting a Public Street. Where no Public Street exists and the Lot fronts a Private Street or common Open Space, the Frontage shall be measured along the Lot Line abutting the Private Street or Alley and each Lot shall gain access to and from a Public Street across a perpetual recorded public access easement.
N7	The minimum shared easement width as measured at Right-of-Way.
N8	For Lots existing prior to the effective date of this UDO, the UDO Permit review process may consider alternate methods of providing Lot access if the provision of an alley or rear lane is not feasible in the following priority order: shared driveway between 2 or more Lots; 1 single driveway a maximum of 12 feet in width. For new Lots or for Lots existing prior to the effective date of this UDO, flexibility is available through the Conditional Zoning District (CD) process.
N9	The Building Placement standards shall apply to all Buildings and Structures, unless specifically permitted otherwise. Refer to Sections 2.3.4 Setbacks for Infill Lots, 2.3.6 Setback Encroachment Allowances, 3.3 Additional Use Provisions, and 3.4 Accessory Uses, Buildings, and Structures for additional standards.
N10	Residential Uses in certain locations may be eligible for modified Setbacks. See Section 2.3.4 for allowances.
N11	Not applicable to Detached Dwellings with front-loaded driveways. Exceptions may be granted by the Administrator to accommodate Tree Preservation Area, steep topographic conditions, or similar environmental features.
N12	Attached Dwelling Units are allowed a 0-ft Side Setback where the unit shares a common wall with another Dwelling Unit.
N13	A minimum Driveway length of 25 ft shall be provided between any Building or Structure and the Right-of-Way line of the Alley.
N14	Accessory Buildings/Structures shall not exceed the height of the primary Building on the Lot/property.

2.2.2 DEVELOPMENT STANDARDS FOR COMMERCIAL & MIXED-USE DISTRICTS

A. Applicability. All development and land Use activity on properties within the Commercial & Mixed-Use Districts is subject to the Development Standards outlined in Table 2.2.2-A below. Exceptions may apply where the property obtained separate Town approvals related to Planned Unit Developments (PUDs) or Conditional Zoning Districts (CD) – in those instances, the associated approvals/permits may establish the Development Standards for said

properties (Refer to Chapter 1 relating to those instances).

The numbers shown in the tables are minimums or maximums depending on the item (row). In the case of maximums, developments can be compliant with a lower number; with minimums, developments can be compliant with a higher number. In the chart “--” means the Use is not permitted in the District and “n/a” means the Development Standard does not apply in the District.

TABLE 2.2.2-A - COMMERCIAL & MIXED-USE DISTRICTS DEVELOPMENT STANDARDS

	NMX	DMX	RMX	CB
Development Intensity				
Minimum Development Area (acres) (N1)	0	0	10	0
Development Density (N2)				
Maximum Gross Density (units/acre)	8	15	15	15
Maximum Gross Density with Conditional Zoning District (CD) (units/acre)	15	N3	N3	N3
Maximum Gross Main Floor Area (sf) per Building				
Single Use Site	16,000	50,000	none	none
Integrated Center (N4)	24,000	none	none	none
Integrated Center (Maximum with Conditional Zoning District (CD)) (N4)	125,000	none	none	none
Open Space and Conservation Area (N5)	See Chapter 4			
Lot Configuration				
Minimum Lot Frontage (N6)	50	50	50	50
Minimum Frontage for a Driveway (ft)				
Detached/Attached Dwellings Permitted by Right (N7)	60	60	60	--
Building Placement (N8)				
Thoroughfare Setbacks (ft)				
Freeway - NC 540/US 1	100	100	100	100
Freeway - NC 55	50	50	50	50
Thoroughfare	25	--	25	25
Building Setbacks - All Buildings/Structures (ft)				
Front Setback (minimum)	5	0	5	30
Front Setback (maximum)	20	20	20	n/a
Side - Corner Setback (minimum)	5	0	5	30
All other setbacks (Side and Rear) (N9)	5	0	0	5
Setback to Adjacent RR/SR/NR Districts (minimum)	20	10	50	50

TABLE 2.2.2-A - COMMERCIAL & MIXED-USE DISTRICTS DEVELOPMENT STANDARDS

	NMX	DMX	RMX	CB
Building Height (ft)				
Primary Building(s) (minimum) (N10)	20	25 and 2 stories	25 and 2 stories	25
Primary Building(s) (minimum -ground floor story nonresidential)	n/a	14	14	14
All Building/Structure(s) (maximum)	45 and 3 stories	45 and 3 stories	55 and 5 stories	60
All Building/Structure(s) additional story maximum with recess (12-20 ft) (N11)	4 stories	--	6 stories	--
All Building/Structure(s) (maximum subject to Conditional Zoning District (CD))	--	60 and 4 stories (N12)	110 and 10 stories	--
Residential Primary Building(s) Finished Floor Elevation Above Sidewalk Grade	1.5	1.5	1.5	1.5

TABLE 2.2.2-A - NOTES

N1	Applicable to sites that are greater than 5 acres.
N2	For individual Lots or Projects containing multiple Districts, calculated based on the District in which a majority (50% of buildable area or greater) of the buildable area of a Lot is located. The Total Allowable Units shall be equal to the Gross Site Area X Maximum Units Per Acre.
N3	Maximum Gross Density shall be established with a Conditional Zoning District (CD). Maximum Gross Density that exceeds 15 units/acre may be considered if the Project is: <ol style="list-style-type: none"> 1. Designated on the Future Land Use Map as N. Main Street District, Downtown Village District, Mixed-Use Center, or Regional Center, or, within the boundary of the Northeast Gateway Master Plan; and, 2. The Project includes either a Parking Garage, or, a minimum of 40% of Dwelling Units located within a vertically integrated mixed-use Building with Office and Service Uses or Retail, Dining, and Entertainment Uses located on the ground floor story.
N4	Integrated Centers include multiple Buildings or multiple Uses within one Building.
N5	Common Open Space and/or conservation areas are required for all Residential Major Subdivisions where the resulting plat/subdivision action results in 5 or more Lots and Site Plans that include Apartment Dwellings and Attached Dwellings. Required Tree Preservation Areas may also be used to satisfy other requirements including conservation areas, floodplains, Perimeter Buffers, Open Space, etc.
N6	Each Single Use Site, Subdivision, or Integrated Center, Business Park or Industrial Park shall have the minimum Lot Frontage on a Public Street, measured along the front property lot line abutting the Public Street. Where an Outlot fronts a Private Street or common Open Space, the Frontage shall be measured along the Outlot Lot Line abutting the Private Street or Alley and each Outlot shall gain access to and from a Public Street across a perpetual recorded public access easement.
N7	For Lots existing prior to the effective date of this UDO, the UDO Permit review process may consider alternate methods of providing Lot access if the provision of an alley or rear lane is not feasible in the following priority order: shared driveway between 2 or more Lots; 1 single driveway a maximum of 12 feet in width. For new Lots or for Lots existing prior to the effective date of this UDO, flexibility is available through the Conditional Zoning District (CD) process.
N8	The Building Placement standards shall apply to all Buildings and Structures, unless specifically permitted otherwise. Refer to Sections 2.3.6 Setback Encroachment Allowances, 3.3 Additional Use Provisions, and 3.4 Accessory Uses, Buildings, and Structures for additional standards.
N9	Attached Dwelling Units are allowed a 0-ft Side Setback where the unit shared a common wall with another Dwelling Unit - end units shall provide a 5-ft Side Setback for the side that does not share a common wall or a minimum of 10 feet between Buildings.
N10	Accessory Building/Structures have no minimum.

TABLE 2.2.2-A - NOTES

N11	<p>Example of upper story recess / Building step-back.</p> 
N12	<p>For Lots with multiple Street Frontages, maximum Stories greater than 4 may be considered provided that the Building does not exceed 4 stories as measured from the proposed finished Grade at the Front of the Building along Main Street.</p>

2.2.3 DEVELOPMENT STANDARDS FOR EMPLOYMENT/CAMPUS USE DISTRICTS

A. Applicability. All development and land Use activity on properties within the Employment/Campus Use Districts is subject to the Development Standards outlined in Table 2.2.3-A below. Exceptions may apply where the property obtained separate Town approvals related to Planned Unit Developments (PUDs) or Conditional Zoning Districts (CD) – in those instances, the associated approvals/permits may establish the Development Standards for said properties (See other sections within Chapter 1 relating to those instances).

The numbers shown in the tables are minimums or maximums depending on the item (row). In the case of maximums, developments can be compliant with a lower number; with minimums, developments can be compliant with a higher number. In the chart “--” means the Use is not permitted in the District and “n/a” means the Development Standard does not apply in the District.

TABLE 2.2.3-A EMPLOYMENT/CAMPUS USE DISTRICTS DEVELOPMENT STANDARDS

	SP	IVMX	BRT	HI
Development Intensity				
Development Density (N1)				
Maximum Gross Density (units/acre)	--	15	--	--
Maximum Gross Density with Conditional Zoning District (CD) (units/acre)	--	N2	--	--
Open Space and Conservation Area (N3)		See Chapter 4		
Lot Configuration				
Minimum Lot Frontage (ft) (N4)	100	50	100	150
Minimum Lot Frontage for a Driveway (ft)				
Detached/Attached Dwellings Permitted by Right (N5)	--	60	--	--
Building Placement (N6)				
Thoroughfare Setbacks (ft)				
Freeway - NC 540/US 1	100	100	100	100
Freeway - NC 55	50	50	50	50
Thoroughfare	30	30	30	30
Building Setbacks - All Buildings/Structures (ft)				
Front Setback (minimum)	5	5	30	30
Front Setback (maximum)	n/a	20 (N7)	n/a	n/a
Side - Corner Setback (minimum)	5	5	30	30
All other setbacks (Side and Rear)	5	5	5	5
Perimeter Buffer (ft) (N8)				
Adjacent to Residential Use Districts	50	50	50	150
Adjacent to Commercial & Mixed-Use Districts	50	25	50	150
Adjacent to Employment/Campus Use Districts	50	0	0	100

TABLE 2.2.3-A EMPLOYMENT/CAMPUS USE DISTRICTS DEVELOPMENT STANDARDS

	SP	IVMX	BRT	HI
Building Height (ft)				
<i>All Building/Structure(s)</i>	N9	45	100	N9
<i>All Building/Structure(s) (maximum with Conditional Zoning District (CD))</i>	N9	100	--	N9
<i>Residential Primary Building(s) Finished Floor Elevation Above Grade (ft)</i>	n/a	1.5	n/a	n/a

TABLE 2.2.3-A - NOTES

N1	For individual Lots or Projects containing multiple Districts, Development Density is calculated based on the District in which a majority (50% of buildable area or greater) of the buildable area of a Lot is located. The Total Allowable Units shall be equal to the Gross Site Area X Maximum Units Per Acre.
N2	Maximum Gross Density shall be established with a Conditional Zoning District (CD). Maximum Gross Density that exceeds 15 units/acre may be considered if the Project is: <ol style="list-style-type: none"> 1. Designated on the Future Land Use Map as N. Main Street District, Downtown Village District, Mixed-Use Center, or Regional Center, or, within the boundary of the Northeast Gateway Master Plan; and, 2. The Project includes either a Parking Garage, or, a minimum of 40% of Dwelling Units located within a vertically integrated mixed-use Building with Office and Service Uses or Retail, Dining, and Entertainment Uses located on the ground floor story.
N3	Common Open Space and/or conservation areas are required for all Residential Major Subdivisions where the resulting plat/Subdivision action results in 5 or more Lots and Site Plans that include Apartment Dwellings and Attached Dwellings. Required Tree Preservation Areas may also be used to satisfy other requirements including conservation areas, floodplains, Perimeter Buffers, Open Space, etc.
N4	Each Single Use Site, Subdivision, or Integrated Center, Business Park or Industrial Park shall have the minimum Lot Frontage on a Public Street, measured along the Front Lot Line abutting the Public Street. Where an Outlot fronts a Private Street or common Open Space, the Frontage shall be measured along the Outlot Lot Line abutting the Private Street or alley and each Outlot shall gain access to and from a Public Street across a perpetual recorded public access easement.
N5	For Lots existing prior to the effective date of this UDO, the UDO Permit review process may consider alternate methods of providing Lot access if the provision of an alley or rear lane is not feasible in the following priority order: shared driveway between 2 or more Lots; 1 single driveway a maximum of 12 feet in width. For new Lots or for Lots existing prior to the effective date of this UDO, flexibility is available through the Conditional Zoning District (CD) process.
N6	The Building Placement standards shall apply to all Buildings and Structures, unless specifically permitted otherwise. Refer to Sections 2.3.6 Setback Encroachment Allowances, 3.3 Additional Use Provisions, and 3.4 Accessory Uses, Buildings, and Structures for additional standards.
N7	Maximum Setback not applicable to Agriculture, Manufacturing and Distribution Uses.
N8	External buffer around the entire development; Setbacks apply to internal Lots. Where existing vegetation exists, this Perimeter Buffer shall be left undisturbed and supplemented to meet the minimum landscape buffer opacity.
N9	Maximum Building Height shall be established with a Conditional Zoning District (CD).

2.3 APPLICATION AND INTERPRETATION OF DEVELOPMENT STANDARDS

2.3.1 OTHER TOWN, STATE, AND FEDERAL STANDARDS

- A. **Town Building and Fire Codes.** In addition to the provisions of this Chapter standards for Lots, Buildings, and other site components are subject to other provisions of this UDO and the Town's Building and fire codes.
- B. **State and Federal Requirements.** Applicable state and federal development and Use-related standards apply in addition to the provisions of this Chapter.

2.3.2 FRACTIONS OF MEASUREMENT CALCULATIONS

- A. **Unit Measurements.** Unless specifically stated otherwise elsewhere in this UDO, when any dimensional requirement (measurements of space or distance) results in a fraction of a measurement unit, a fraction of $\frac{1}{2}$ or more shall be considered a whole unit and a fraction of less than $\frac{1}{2}$ shall be disregarded. (e.g., 12.6-feet shall equal 13 feet, whereas 12.1 feet shall equal 12 feet).
- B. **Density Calculations.** When the determination of the number of Dwelling Units permitted on a Lot/property results in a fraction of a Dwelling Unit, any fractional component shall be disregarded and rounded down to the nearest whole number. (e.g., Where a Lot/property's density calculation results in 20.7, the maximum allowed units shall be 20).

2.3.3 LOT/BUILDING SETBACKS

- A. **Setback Reduction.** No Building shall hereafter be erected, altered or moved to create narrower or smaller Front Setback, Side Setback, Rear Setback or other Open Spaces than required by the Base District or associated permit (e.g., previously approved Planned Unit Development, Conditional Zoning District (CD), or Projects utilizing the Town's Development Options provisions).

- B. **Side Lot Lines.** Side Lot lines shall be perpendicular to straight Street lines and radial to curved Street lines beginning at the Front Setback Line (Front Building Line) and extending to the rear property line.
- C. **Irregular Lots.** The location of required Setbacks on irregularly shaped Lots shall be determined by the Administrator in accordance with the purpose and intent of this UDO.
- D. **Setbacks from Designated Corridors/Functional Classification of Streets.** Setbacks shall be measured from the future planned Right-of-Way line of the adjacent Street based on its Functional Classification pursuant to the Comprehensive Plan, adopted design documents, and/or an approved small area plan. Lots located along substandard Streets may be subject to Setback measurements from a future Right-of-Way line location based on its Functional Classification not the current Right-of-Way location.
- E. **Setbacks from Mid-block Pedestrian Ways.** Mid-block pedestrian pathways shall be treated as Side Yards for the purposes of determining the minimum (and maximum) required Setbacks.
- F. **Easements.** Structures, Buildings, and other site development components are subject to any associated easement restriction that may be present on or adjacent to the subject Lot/property. The applicant shall provide known easement documentation with all land Use and Building permit applications. In some cases, the easement location may extend beyond the required Setbacks and restricted from structural encroachments; the Town may restrict development within said easements.

2.3.4 SETBACKS FOR INFILL LOTS

- A. **Purpose and Applicability.** The Town recognizes that certain older and historic neighborhoods may have developed prior to the Lot and Development Standards of the UDO and zoning in general. Lots within said neighborhoods may have been developed with smaller Setbacks, thus establishing a unique character with regard to Building placement. The provisions of this subsection allow (but

do not require) the Administrator to approve reduced Setbacks for infill Buildings/ additions that align with neighborhood character and the Comprehensive Plan.

B. Infill Setback Allowance.

1. In any block in any Residential Use District contained in this UDO in which an existing Front Setback is established by existing, legally established Buildings or Structures on more than 60% of the total number of Lots within the same block face fronting on the same Street, the Minimum Front Setback for any new Building, Structure or addition may be the average of the established Front Setbacks if that dimension is less than the minimum Front Setback established by this UDO.
2. Any Lot within the SR Use District located within the Downtown Village District Future Land Use category from the Comprehensive Plan that does not meet the minimum Lot Width or minimum Lot Area established by this UDO may use the modified Building placement standards outlined in Table 2.3.4-A.

TABLE 2.3.4-A – DOWNTOWN VILLAGE DISTRICT INFILL SETBACK ALLOWANCE FOR RESIDENTIAL USES (N1)

	SR
Building Placement	
Thoroughfare Setbacks (ft)	
Thoroughfare	25
Primary Building Setbacks (ft)	
Front Setback (minimum)	15
Front Setback (maximum)	n/a
Side - Corner Setback (minimum)	10
Side - Interior Setback (minimum)	5
Rear Setback (minimum)	20
N1	Reference Uses in Chapter 3. Applicable only to Permitted Uses (P).

2.3.5 STANDARDS FOR OUTLOTS

- A. Outlots or multi-tenant Buildings within an Integrated Center may provide a Minimum Setback of 0 feet along all Lot Lines in common

with other Outlots or in common with the main portion of the Integrated Center.

- If any portion of an Outlot abuts the perimeter of the Project, that portion of the Outlot shall comply with the applicable Thoroughfare, Front, Side or Rear Setback requirements established in this Chapter.
- The main portion of the Integrated Center is not required to provide a Minimum Setback along the Lot Line in common with an Outlot.
- If an Outlot is for an individual tenant space within a multitenant Building, there shall be no minimum setbacks required.
- A Type A Perimeter Buffer is required for Outlots along all Lot lines in common with other Outlots or the main portion of the Integrated Center. Vehicle parking areas, loading areas, interior drives, or Interior Access Drives may be within Perimeter Buffers between Outlots if the landscape material that would have been required to be installed is provided elsewhere on each of the affected Outlots as either additional Foundation Landscaping are or additional interior Parking Area landscaping.

2.3.6 SETBACK AND RIGHT-OF-WAY ENCROACHMENT ALLOWANCES

- Encroachment Allowances.** Certain Structures and Building elements are permitted to encroach within the minimum required Setbacks or Rights-of-Way if permitted by the Right-of-Way Owner as specified below in Table 2.3.6-A. Additional standards may apply to the type of Structures or Building elements listed in the table.

2.3.7 BUILDING/STRUCTURE HEIGHT MEASUREMENT

- Measurement Method.** Building/Structure height shall be measured from the average elevation of the proposed finished Grade at the front of the Building or Structure to the uppermost Eave Line.
- Height Exemptions.** Appurtenances/features such as parapet walls, chimneys, spires, cupolas, steeples, Antenna attached to a Building or Structure shall not be included in the calculation of Building Height and compliance with the limitations of the Base District.

TABLE 2.3.6-A - PERMITTED SETBACK AND RIGHT-OF-WAY ENCROACHMENTS

Type of Encroachment	Standards	Additional Standards (N1)
Accessory ground-mounted solar energy system	No closer than 1/2 of the Setback that would otherwise apply from the Front, Side, or Rear Lot Line.	Section 3.3.9.A.2.
ADA Ramps and Fire Escapes	3 ft Setback from any Side/Rear Lot Line.	
Awnings, Canopies, and Marquees (without signage) (N2) (N3)	Up to a maximum of 8 ft from the Building into the Right-of-Way up to the back of the curb. Awnings may be made of fabric, but high gloss and plasticized fabrics are prohibited.	
Balconies (N2) (N3)	3 ft encroachment into Front Setback or Right-of-Way. May have roofs but cannot be screened or glassed.	
Bollards (N2)	Within the Right-of-Way but must be painted either black or match the color scheme of the Building.	
Building Stairs	5 ft into any Setback, or more in a Front Setback if needed to meet Building code requirements. May not encroach into the Right-of-Way.	
Colonnades/Arcades (N2) (N3)	Into the Right-of-Way. Support Structures must be at least 8 ft from the Building to allow for pedestrian Sidewalk clearance.	
Fences & Walls in Residential Use Districts	Up to Lot Line, unless restricted by additional standards.	Section 3.4.2.H
Fences & Walls in Commercial & Mixed-Use Districts and Employment/Campus Use Districts	Up to Lot line, unless restricted by additional standards.	Section 3.4.3.C.
Grade Level Improvements (e.g. walkways, driveways, uncovered patios and stoops) in Residential Use Districts	Up to the Lot line, unless restricted by additional standards.	Section 3.4.2.J.
Laterally-supported extensions (e.g., eaves, cornices, bay windows, roof overhangs)	Up to 3 ft into any required Setback.	
Mechanical Equipment (e.g., utility boxes, HVAC equipment, swimming pool filtration)	5 ft Setback from any Side/ Rear Lot Line.	
Outdoor Light Fixtures	Within a required Front, Side, or Rear Setback, or required Perimeter Buffer, provided that the outdoor light fixture is located adjacent to the interior edge of such Setback or Perimeter Buffer.	Section 8.4.E.2.
Swimming Pools in Residential Use Districts	5 ft Setback from any Side - Interior or Rear Lot Line. 5 ft Setback from any Side -Corner Lot Line between the Rear Building Line and Rear Lot Line.	Section 3.4.2.Q.
Porches	Within the Minimum Front Setback but shall not extend into the Right-of-Way.	
Temporary Outdoor Storage of Personal Property (short-term)	See additional standards.	Table 3.5-A.
Uncovered Residential Decks & Patios (maximum of 5 ft in height above finished Grade) and Pools	5 ft Setback from any Side or Rear Lot Line.	

NOTES:

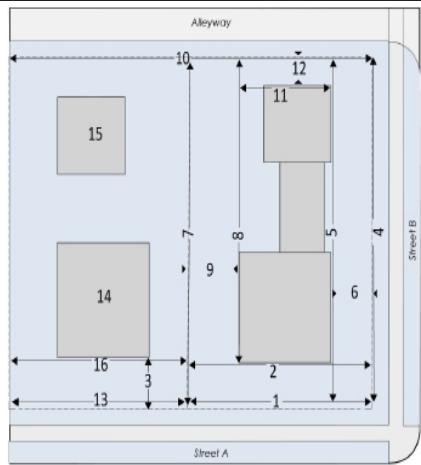
N1: Additional standards are found in the referenced section.

N2: Encroachment into the Right-of-Way requires an encroachment agreement with the jurisdiction.

N3: Minimum Vertical Clearances

a. Minimum 10 feet of vertical clearance must be maintained from Sidewalk Grade.

b. Minimum of 15 feet of vertical clearance must be provided over a Driveway, interior Access Drive, or alley.

FIGURE 2.A. BUILDING PLACEMENT AND SETBACKS

- 1. Front Lot Line
- 2. Front Building Line
- 3. Front Setback
- 4. Side-Corner Lot Line
- 5. Side-Corner Building Line
- 6. Side-Corner Setback
- 7. Side-Interior Lot Line
- 8. Side-Interior Building Line
- 9. Side-Interior Setback
- 10. Rear Lot Line
- 11. Rear Building Line
- 12. Rear Setback
- 13. Lot Frontage
- 14. Primary Structure
- 15. Accessory Structure
- 16. Lot Width

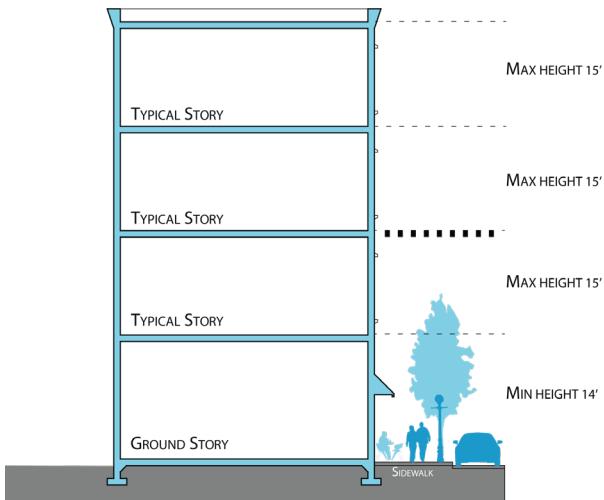
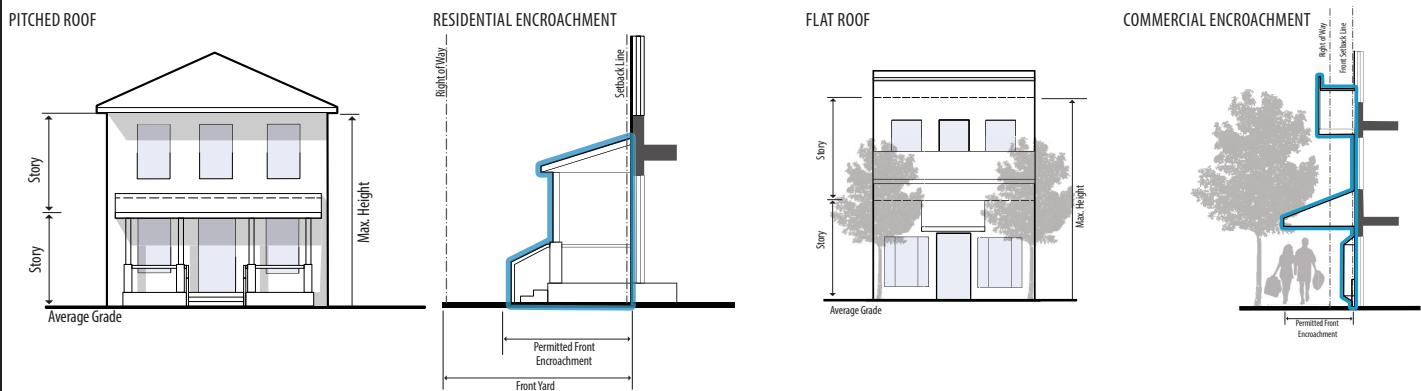
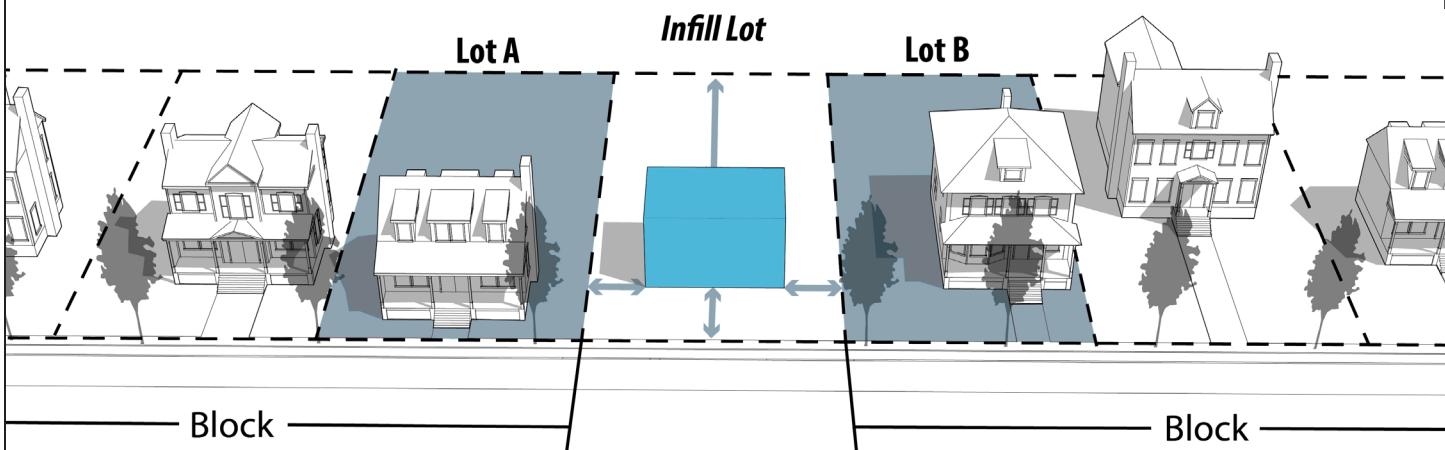
FIGURE 2.B. BUILDING/STRUCTURE HEIGHT**FIGURE 2.B. BUILDING/STRUCTURE HEIGHT CONT'D****FIGURE 2.C. INFILL LOT SETBACKS**

FIGURE 2.D. ENCROACHMENT - COLONNADE/ARCADE

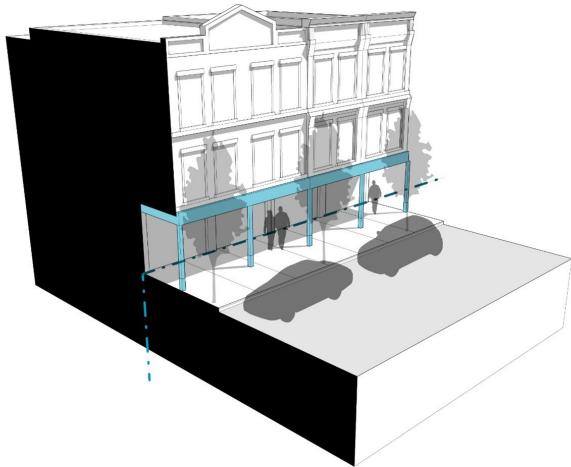


FIGURE 2.E. ENCROACHMENT - BALCONIES INTO THE RIGHT-OF-WAY

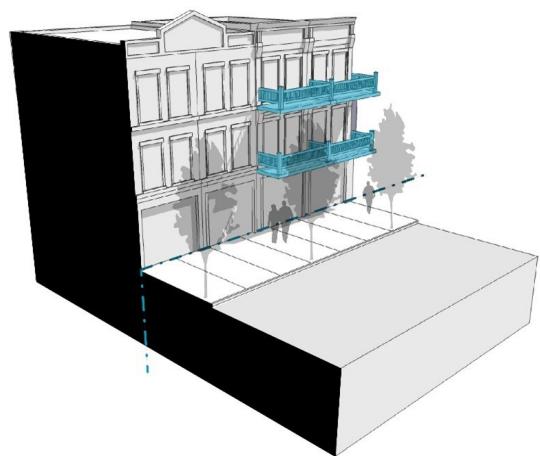
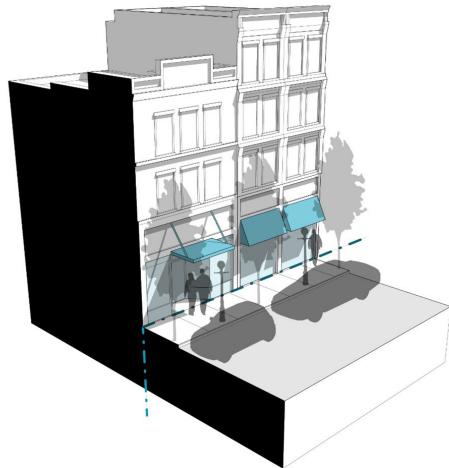


FIGURE 2.F. ENCROACHMENT – AWNINGS



2.4 CONDITIONAL ZONING DISTRICTS (CD)

2.4.1 CONDITIONAL ZONING DISTRICTS (CD)

- A. **Purpose and Intent.** There are certain development proposals which – because of their nature, scale, or location – have particular impacts on their immediate surrounding areas and the community as a whole. In some instances, such development proposals may not be adequately accommodated by the Base Districts. In accordance with NCGS 160D-703 (b) the provisions set forth in this section establish a one-step, legislative, Conditional Zoning District (CD) process to provide flexibility within the planning and development process, while creating additional standards to ensure quality development.
- B. Conditional Zoning Districts (CD) Districts may be established in any Base District for the following purposes:
 - 1. To implement the Character Areas of the Comprehensive Plan when Projects cannot be adequately accommodated by the Base District.
 - 2. To allow innovative planning or design ideas for development in any Base District.
 - 3. To afford flexibility, amend, expand, or restrict the Development Standards and land Use provisions of the Base Districts and other UDO provisions.
 - 4. To impose special limitations and/or conditions on the Use of the property.
- C. Conditional Zoning Districts (CD) are established on an individualized basis, at the request of all owners of the property included in the application. The application must be made by the owners of the property or their authorized agents.
- D. A Conditional Zoning District (CD) is not intended for securing early or speculative rezoning of property. It is expected that, in most cases, the standards of the Base Districts appropriately regulate the site-specific

impacts of Permitted Uses and Structures on surrounding areas.

E. Limitations.

- 1. All Development Standards or land Use provisions that apply to the corresponding Base District which are not modified as part of the Conditional Zoning District (CD) shall also apply to the Conditional Zoning District (CD).
- 2. Conditional Zoning Districts (CD) shall not allow Permitted Uses which are not expressly permitted in the underlying Base District.
- 3. Conditional Zoning Districts (CD) shall not propose modified Development Standards or land Use provisions, nor propose special limitations and/or conditions, which are less restrictive than the requirements of this UDO, other town requirements, or other applicable state or federal laws, unless otherwise expressly permitted by this Section. Development Standards, land Use provisions, special limitations, and/or conditions may be more restrictive than the requirements of this UDO.
- 4. Conditional Zoning Districts (CD) shall not propose Development Standards, land Use provisions, special limitations, and/or conditions that are a repetition of an already applicable requirement of this UDO.
- 5. Conditional Zoning Districts (CD) are not intended to relieve hardships that would otherwise be handled using a Variance procedure.

2.4.2 CONDITIONAL ZONING DISTRICT (CD) PROCEDURE

- A. An application for Conditional Zoning District (CD) shall be tied to a Development Plan or Subdivision Plan (Preliminary Plat), or master plan, and made in accordance with the procedures established in Chapter 11 of this UDO.

2.4.3 STANDARDS AND ALLOWANCES FOR CONDITIONAL ZONING DISTRICTS (CD)

A. Design Goals. The application for Conditional Zoning District (CD) shall demonstrate how the Project achieves the following design goals:

1. The incorporation of existing natural features such as wooded areas and slopes into the design of new development in such a manner as to preserve the site's natural character;
2. The preservation of significant view corridors; development of out-lying areas of the Town and its Extraterritorial Jurisdiction in a manner which retains elements of traditional historical land Use patterns;
3. Development of pedestrian oriented communities; development of traditional style neighborhoods;
4. Development of communities that are visually and functionally connected to one another;
5. Protection of significant watershed areas in order to preserve water quality;
6. Creativity and imagination in the process of development;
7. Unique architecture or sustainable design;
8. Efficient, aesthetic and desirable Use of Open Space;
9. Variety in housing types and physical development patterns; and,
10. Special considerations for property with a unique history or outstanding physical features.

B. Public Benefits. The application for Conditional Zoning District (CD) shall demonstrate that the proposed Project provides sufficient benefits to the general public. Public benefit may include:

1. Infrastructure improvements such as improvements to existing Streets, intersections, medians, Sidewalks, greenways, sidepaths, pedestrian crossings, and public utilities.
2. Publicly accessible Open Space such as Parks and Playgrounds, dog parks, Urban Civic Spaces, Plazas, Squares, public art, and similar outdoor amenities.

3. Sustainable design and/or architecture such as adaptive reuse of existing Buildings, preservation of significant on-site environmental features, on-site renewable energy generation, compliance with established standards such as Leadership in Energy and Environmental Design (LEED), Energy Star, Earthcraft, etc., or other actions that further sustainability of the Project.
4. Additional public benefits not listed above may be considered by the decision-making body.

C. Development Standards and Land Use

Provisions. Conditional Zoning Districts (CD) may modify the Development Standards and land Use provisions to be less restrictive than the Base District that apply to all future development within the Project boundaries subject to the allowances of Table 2.4.3-A. and the limitations identified in each Chapter.

TABLE 2.4.3-A – ELIGIBLE DEVELOPMENT STANDARDS AND LAND USE PROVISIONS

UDO Chapter	Eligible Base District Standard
Chapter 2 Development Standards	Maximum Gross Density. Minimum Lot Area. Minimum Lot Width. Minimum Lot Frontage for a Driveway. Building Placement. Perimeter Buffer. Building Height/Stories. Maximum Gross Floor Area.
Chapter 3 Use Provisions	Permitted Uses when designated as CD in Table 3.2-A - Table of Permitted Uses.

TABLE 2.4.3-A – ELIGIBLE DEVELOPMENT STANDARDS AND LAND USE PROVISIONS

UDO Chapter	Eligible Base District Standard
Chapter 3 Use Provisions	<p>Permitted Uses designated in Table 3.2-A - Table of Permitted Uses for the establishment or expansion of a SP Special District or HI Heavy Industrial District.</p> <p>Apartment Dwelling locations and configurations when designated as PS in Table 3.2-A - Table of Permitted Uses.</p> <p>Permitted Uses when designated as SUP in Table 3.2-A - Table of Permitted Uses may be converted to CD when submitted with an Option 1 Conditional Zoning District (CD) application in accordance with Section 11.6.1.</p>
Chapter 4 Open Space and Conservation	No Base District standards may be modified.
Chapter 5 Landscaping	Landscaping and buffering standards.
Chapter 6 Parking	<p>Permitted Vehicle Parking locations.</p> <p>Minimum and Maximum Vehicle Parking ratios.</p>
Chapter 7 Streets, Utilities and Other Infrastructure	No Base District standards may be modified.
Chapter 8 Building, Site & Subdivision Lot Design Standards	Building Design Standards, when the resulting Building design aligns with the Town's Land Use and Character goals and provides for exceptional design equal or greater to the Base District requirements.

TABLE 2.4.3-A – ELIGIBLE DEVELOPMENT STANDARDS AND LAND USE PROVISIONS

UDO Chapter	Eligible Base District Standard
Chapter 9 Signs	Sign standards subject to the Waiver of Sign Regulations established in Section 9.2.B.

