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5: DEVELOPMENT STANDARDS

5.1. ACCESS AND CIRCULATION

5.1.1. PURPOSE AND INTENT

The purpose of this section is to ensure the safe and efficient movement of vehicles, bicyclists, pedestrians, and deliveries on development sites in the Town's jurisdiction. More specifically, these standards are intended to:

- A. Protect the health and safety of Town residents and visitors;
- B. Ensure pedestrian accessibility is included in site planning;
- C. Protect the safety of motorists, pedestrians, and bicyclists from traffic entering or exiting the street system; and
- D. Encourage alternative forms of transportation.

5.1.2. APPLICABILITY

A. GENERAL

Unless exempted in accordance with [Section 5.1.3, Exemptions](#), or except where otherwise expressly stated, the standards in this section apply to all new development in the Town's jurisdiction.

B. EXISTING DEVELOPMENT

Compliance with these standards shall also apply to redevelopment of an existing structure, building, or use when it is expanded, enlarged, or otherwise increased in intensity in an amount equivalent to or beyond 50 percent.

C. CONFLICT

In the event of conflict or overlap with the standards in this section and the standards in [Article 6: Subdivisions](#), the standards in Article 6 shall control.

5.1.3. EXEMPTIONS

The following forms of development are exempted from the standards in this section:

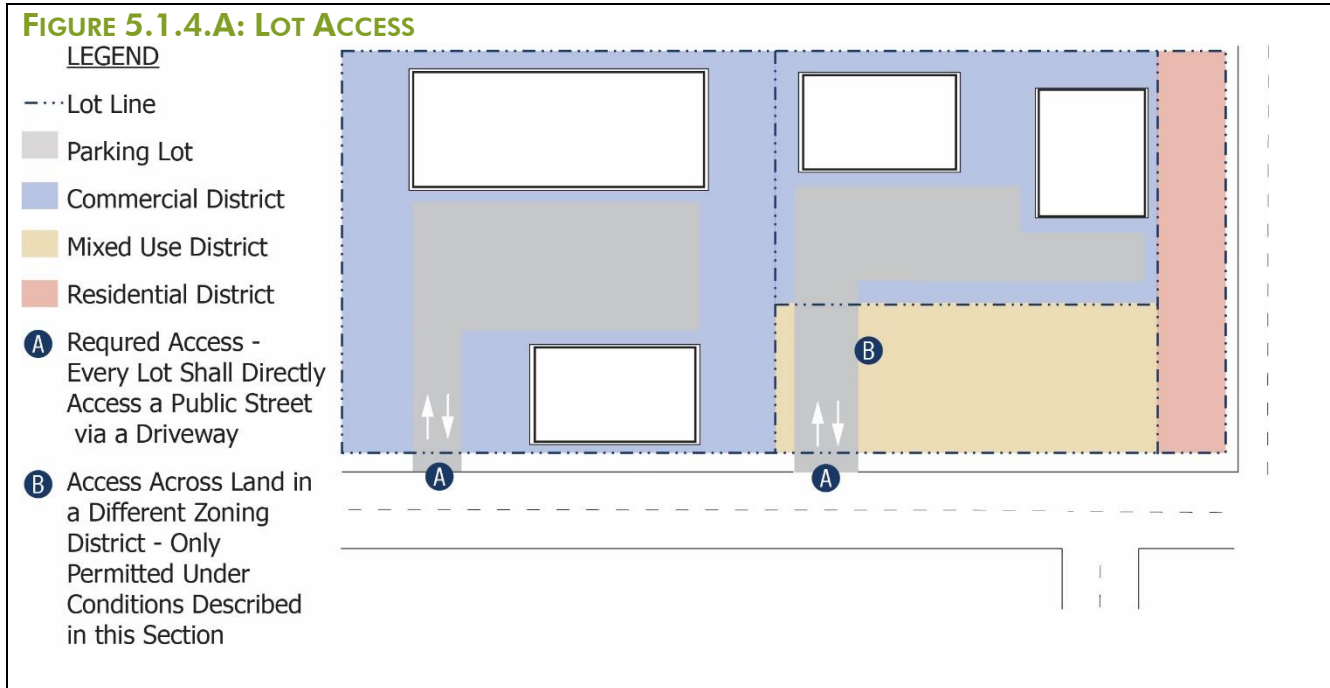
- A. Redevelopment consisting of one single-family detached home on its own lot of record (though these standards shall be applied to residential subdivisions proposing more than one lot); and
- B. Redevelopment of an existing duplex.

5.1.4. ACCESS TO LOTS

Except where authorized in accordance with [Section 5.1.4.B, Alternative Access](#), all development shall comply with the following standards:

A. GENERAL REQUIREMENTS

- 1. Every lot shall abut or have direct access, via a driveway, to a publicly-maintained street.
- 2. No building or structure shall be constructed or placed on a lot that does not abut or have direct access to a publicly-maintained street.
- 3. Access to residential lots shall meet the requirements of Section 4.3 Residential Use Types.
- 4. Direct access to a publicly-maintained street shall not extend through or across land in a different zoning district than the lot being served by the access (see [Figure 5.1.4.A: Lot Access](#)). This requirement is waived when the land in the different zoning district:
 - a. Is classified as a business or mixed-use district; or
 - b. Allows the use being served by the direct access; or
 - c. Provides the sole means of access for the use.



B. ALTERNATIVE ACCESS

As an alternative to compliance with the general standards in subsection (1) above, development may incorporate one of the following alternative street access standards (see [Figure 5.1.4.B: Alternative Lot Access](#)):

1. MULTIPLE LOT DEVELOPMENT

Up to a maximum of three individual lots in a multiple lot development may have shared rights of access along a single driveway that is at least 20 feet in width and leads to a publicly-maintained street.

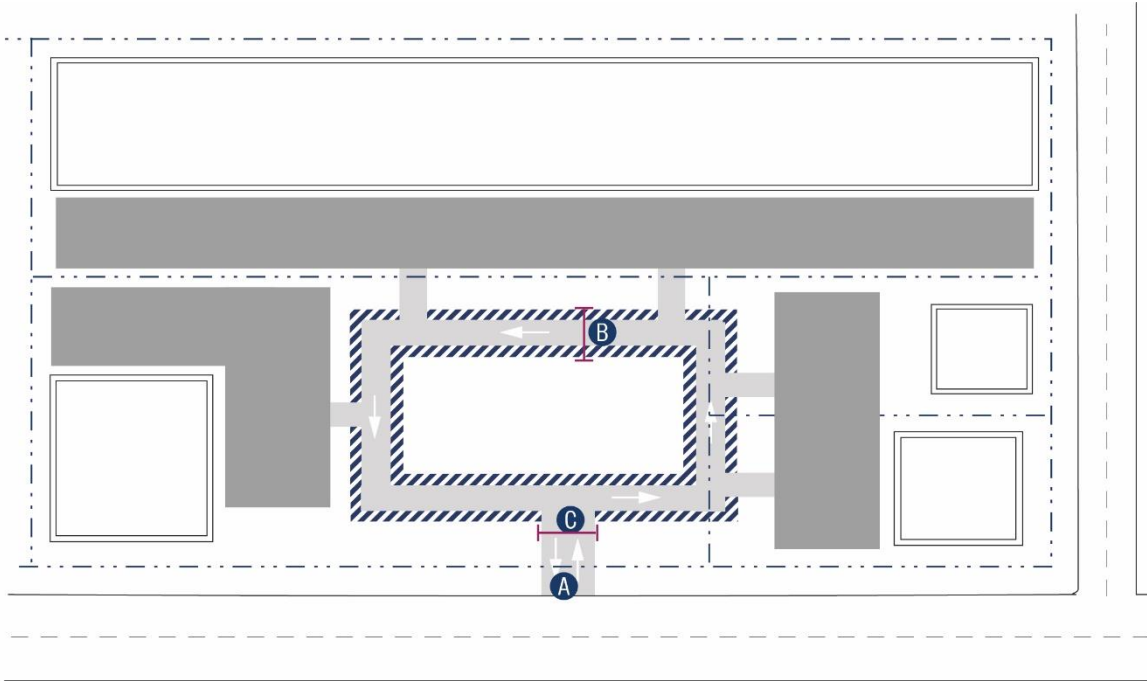
2. SINGLE-FAMILY LOT OF RECORD

Vacant lots of record established prior to January 1, 2020, that do not abut a publicly-maintained street may establish access through a recorded access easement, provided the lot is used for one single-family detached dwelling and its allowable accessory uses, and provided the easement complies with the following:

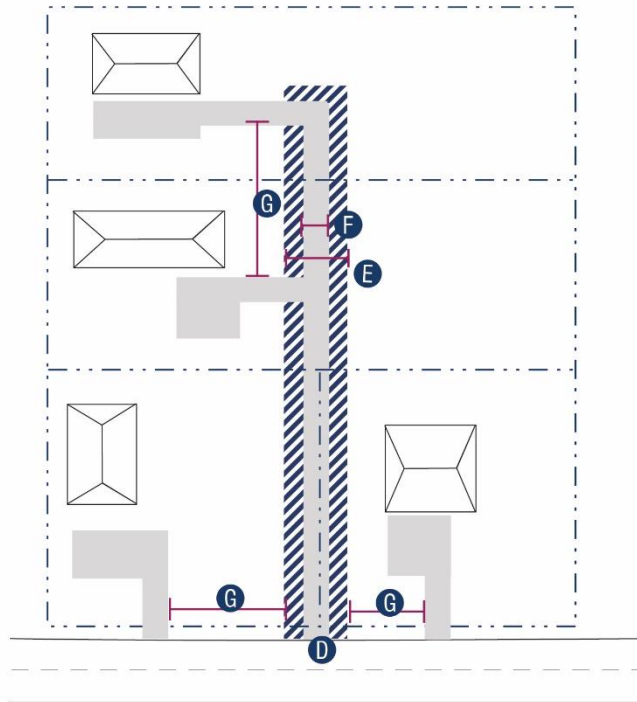
- a.** The minimum easement width is 20 feet;
- b.** The minimum separation between the easement and any other platted access or right-of-way is at least 150 feet;
- c.** The location of the easement is recorded on a plat; and
- d.** The easement permits ingress, egress, regress, and necessary utilities to serve the lot.

ARTICLE 5: DEVELOPMENT STANDARDS

FIGURE 5.1.4.B: ALTERNATIVE LOT ACCESS



- LEGEND**
- Driveway
 - Parking Lot
 - Access Easement
- Multiple-Lot Development:**
- A** Public Street Access
 - B** Easement Min. Width 25'
 - C** Easement Coterminous with Two-Way Entrance
- Single-Family Lot of Record**
- D** Public Street Access
 - E** Easement Min. Width 25'
 - F** Driveway Min. Width 10'
 - G** Min. Separation 150'



ARTICLE 5: DEVELOPMENT STANDARDS

5.1. Access and Circulation

5.1.5. Compliance with Requirements for Streets

5.1.5. COMPLIANCE WITH REQUIREMENTS FOR STREETS

Development subject to the standards in this section that includes construction activity affecting streets or street rights-of-way shall also comply with the standards in [Section 6.10, Streets](#).

5.1.6. DRIVEWAYS

The standards in this section apply to all driveways in the Town's jurisdiction, except where specifically exempted by the text of this Ordinance. Lawfully-established driveways existing prior January 1, 2020, that do not conform to these standards shall be subject to the standards in [Article 7: Nonconformities](#).

A. PURPOSE FOR THESE STANDARDS

These driveway standards are intended to:

1. Ensure safe vehicular movements in the Town's jurisdiction;
2. Configure lot access in accordance with the Town's adopted policy guidance for roadway corridors;
3. Minimize conflicts between pedestrians, bicyclists, and vehicles;
4. Provide as much physical separation between street intersections and driveways serving individual land uses as is practicable;
5. Minimize individual access points to collector and arterial streets to the minimum necessary; and
6. Encourage shared access to individual lots.

B. COMPLIANCE WITH NCDOT STANDARDS

1. Driveways providing ingress or egress to a State-maintained street shall be placed and constructed in accordance with the "Policy on Street and Driveway Access to North Carolina Highways" adopted by the North Carolina Department of Transportation (NCDOT), as amended.
2. All driveways connecting to State-maintained streets shall obtain driveway permit approval from NCDOT prior to the construction.

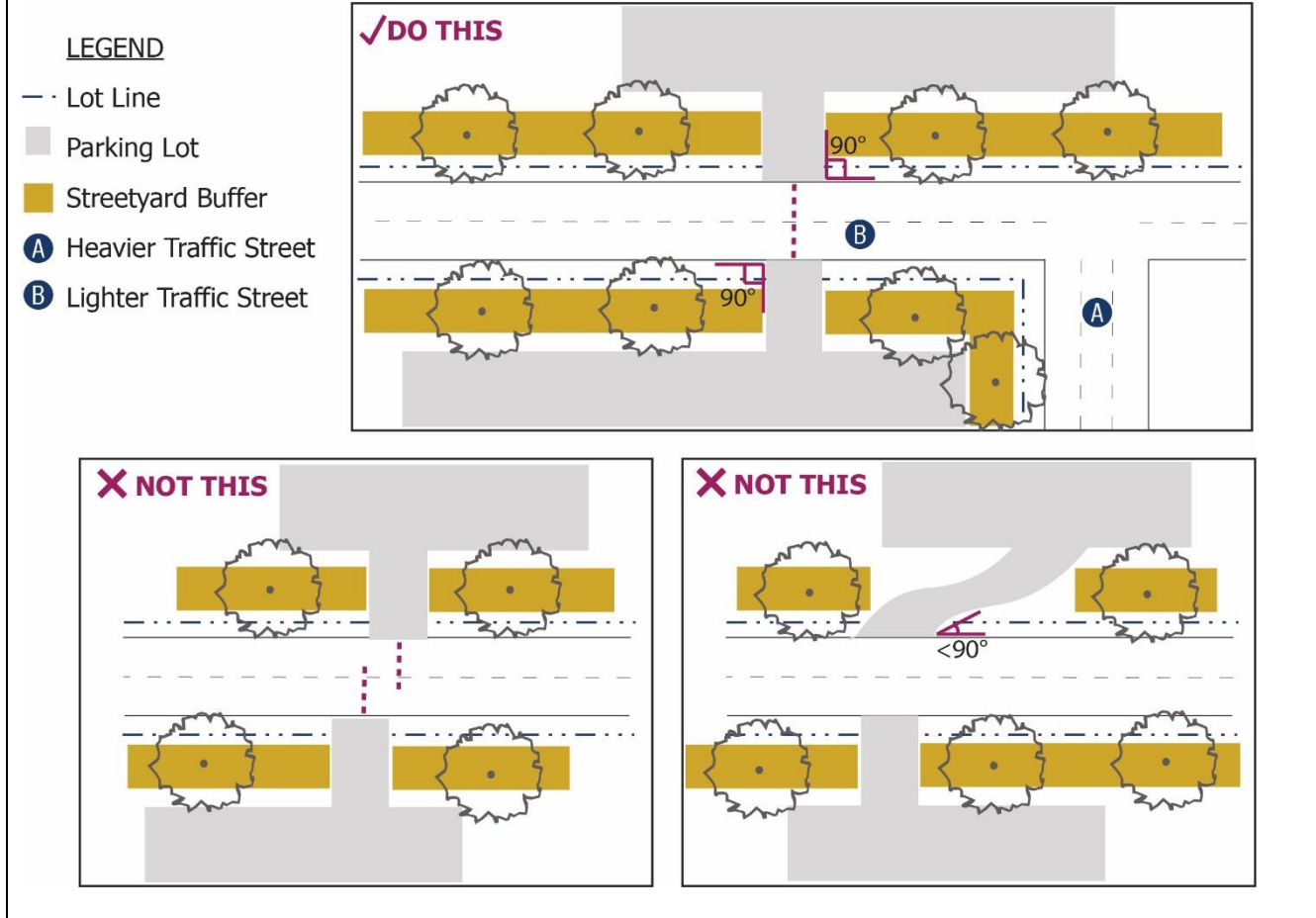
C. COMPLIANCE WITH TOWN STANDARDS

1. Driveways providing ingress or egress to a Town-maintained street shall be placed and constructed in accordance with the applicable Town standards.
2. All driveways connecting to Town-maintained streets shall obtain driveway permit approval from the Town prior to construction.

D. DRIVEWAY CONFIGURATION

1. All driveways shall be constructed so that:
 - a. Vehicles can enter and exit from a lot without posing any substantial danger to themselves, pedestrians, bicycles, or vehicles traveling on abutting streets; and
 - b. Interference with the free and convenient flow of traffic on abutting or surrounding streets is minimized.
2. Driveway radii shall be designed in accordance with the Town specifications, and shall not extend beyond side lot lines.
3. No driveway serving an off-street parking area or providing on-site circulation is permitted within any required landscaping area, but driveways may be installed across these areas.
4. Driveways shall be as nearly perpendicular to the street right-of-way as possible (see [Figure 5.1.6.D: Driveway Configuration](#)).
5. Driveways shall line up with other driveways across the street, where practicable.
6. Driveways on corner lots shall provide access from the street with less traffic, to the maximum extent practicable.

FIGURE 5.1.6.D: DRIVEWAY CONFIGURATION



E. MINIMUM DRIVEWAY WIDTH AND DEPTH

1. Driveways shall be configured to extend into the lot they serve for a minimum distance in accordance with Table 5.1.6.E: Minimum Driveway Width and Depth.

TABLE 5.1.6.E: MINIMUM DRIVEWAY WIDTH AND DEPTH

USE TYPE	MINIMUM DRIVEWAY WIDTH (FEET) [1] [2]	MINIMUM DRIVEWAY DEPTH (FEET) [3]
Single-family detached and duplex development	10 [4]	25
Triplex and quadraplex development	12	Driveways serving individual units: 25
Single-family attached and multi-family development	One-way: 12 Two-way: 18 [5]	Driveways serving parking lots: [6]
Mixed-use development	One-way: 12	[6]
Nonresidential development	Two-way: 24 [5]	[6]

NOTES:

[1] Drive aisles shall comply with the standards in Section 9.3.11.F, Parking Space and Access Aisle Dimensions.

[2] A wider driveway shall be provided when required by the Town’s adopted Fire Code.

[3] Measured from the edge of the right-of-way serving the driveway. In cases where the driveway is located within an access easement that crosses another lot, minimum driveway depth is measured from the edge of the lot line where the driveway is located.

TABLE 5.1.6.E: MINIMUM DRIVEWAY WIDTH AND DEPTH

USE TYPE	MINIMUM DRIVEWAY WIDTH (FEET) [1] [2]	MINIMUM DRIVEWAY DEPTH (FEET) [3]
[4] Minimum width only applied to the area where minimum driveway depth standards are applied.		
[5] Travel lane widths on two-way driveways may differ when required by Town staff.		
[6] See Section 5.1.6.F Minimum Parking Lot Stem Length.		

- The width of any driveway accessing a public street shall not exceed 36 feet at its intersection with the right-of-way, except as required by the NCDOT, the Town of Zebulon, or in an approved transportation impact analysis (see Section 6.13, Transportation Impact Analysis).

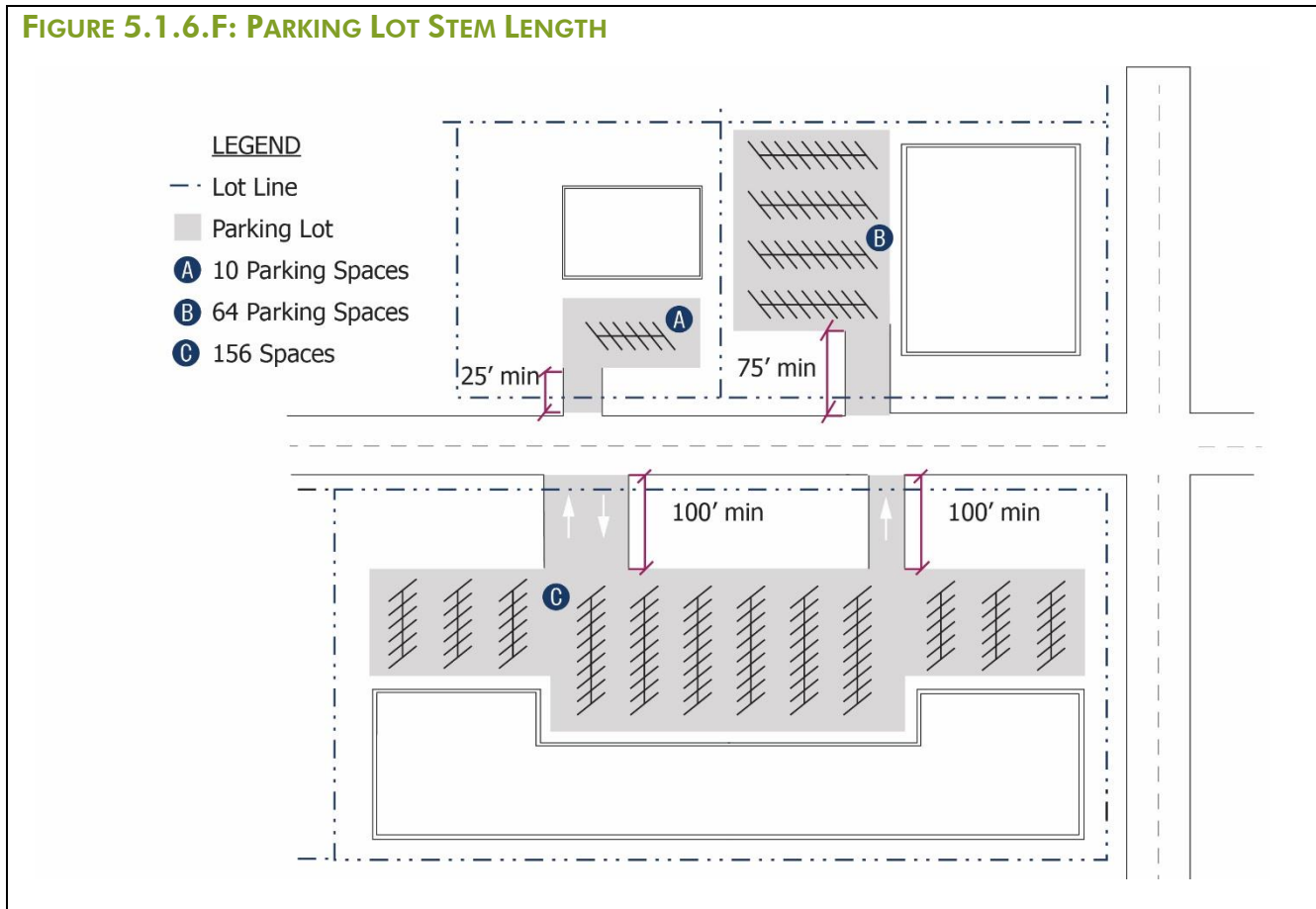
F. MINIMUM PARKING LOT STEM LENGTH

- Driveways serving off-street parking lots shall comply with the standards for minimum stem length in Table 5.1.6.F: Parking Lot Stem Length.
- In no instance shall a parking lot be configured to allow access to an individual off-street parking space, drive aisle, or other vehicular accessway at a point closer to the street right-of-way than the minimum parking stem length (see Figure 5.1.6.F: Parking Lot Stem Length).
- In cases where a development is subject to a transportation impact analysis, the parking lot stem length specified in the transportation impact analysis shall control.
- Nothing shall limit a parking lot stem with a longer length than specified in this subsection.

TABLE 5.1.6.F: PARKING LOT STEM LENGTH

NUMBER OF PROVIDED OFF-STREET PARKING SPACES IN PARKING LOT	MINIMUM PARKING LOT STEM LENGTH (FEET) [1] [2]
10 or less	25
11 to 51	50
51 to 100	75
101 to 200	100
201 to 250	150
251 or more	As determined by the TRC
NOTES:	
[1] Measured from the edge of the right-of-way serving the parking lot stem.	
[2] The TRC may allow a reduced parking lot stem length based on site conditions, provided public safety can be maintained.	

FIGURE 5.1.6.F: PARKING LOT STEM LENGTH



G. REQUIRED DRIVEWAY SPACING

1. SPACING FROM STREETS

- a. No portion of any driveway leading from a street shall be closer than 100 feet to the corner of any adjacent street intersection measured from the edge of the right-of-way.
- b. On lots with less than 100 feet of lot width, the driveway shall be located as far as practicable from the adjacent street intersection.

2. SPACING FROM OTHER DRIVEWAYS

a. CERTAIN RESIDENTIAL USES

- i. Except when configured as paired driveways, driveways serving individual single-family detached dwellings, individual single-family attached dwellings, duplex, triplex, or quadriplex buildings shall be located at least 20 linear feet from any other driveway on the same or different lot.
- ii. For the purposes of this section, paired driveways are up to two driveways, whether on the same or different lots, where one side of a driveway is within five feet of the side of the other driveway.

b. ALL OTHER USES

No two driveway access points, whether on the same or different lots, shall be located within 50 feet of each other, to the maximum extent practicable.

ARTICLE 5: DEVELOPMENT STANDARDS

H. DRIVEWAY SURFACING

New driveways established after January 1, 2020, that abut a paved street shall be surfaced with asphalt, pavers, or six inches of concrete. Single family detached dwellings and duplex dwellings on lots of 21,780 square feet or more may be served by a gravel driveway.

I. DRIVEWAYS ON COLLECTOR STREETS PROHIBITED

Driveways on Town-maintained collector and arterial streets are prohibited.

5.1.7. SIGHT DISTANCE TRIANGLES

A. SIGHT DISTANCE TRIANGLES ESTABLISHED

Corner lots and lots with driveways, alleys, or other methods of ingress/egress to a street shall include sight distance triangles to ensure visibility for drivers and pedestrians moving through or in an intersection. Required sight distance triangles shall be configured in accordance with Table 5.1.7.A: Sight Distance Triangle Requirements. Land within a required sight distance triangle shall comply with the standards in Section 5.1.7.C, Limitations on Obstructions within Required Sight Distance Triangles.

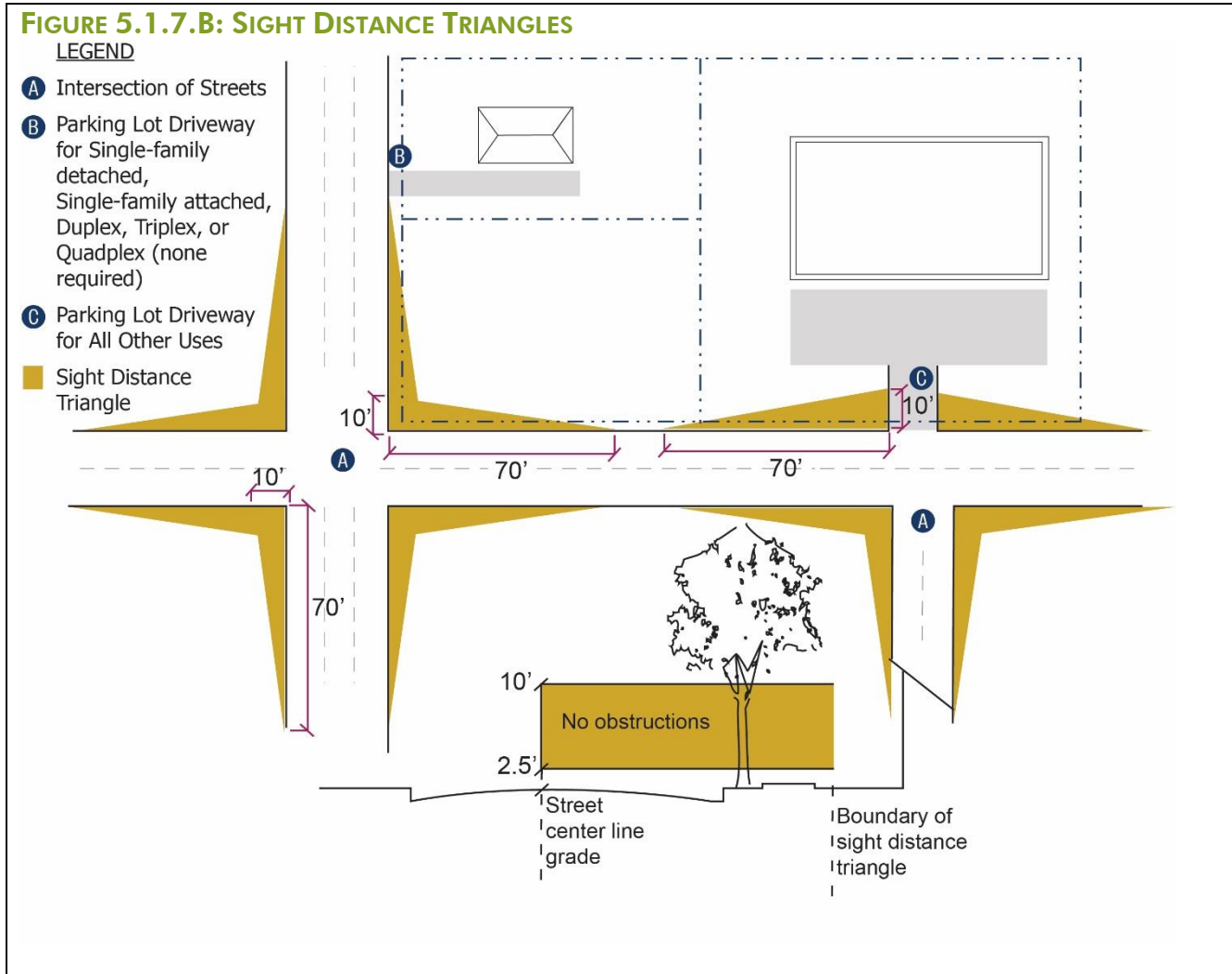
TABLE 5.1.7.A: SIGHT DISTANCE TRIANGLE REQUIREMENTS		
TYPE OF STREET, INTERSECTION, OR DRIVEWAY		MINIMUM SIGHT DISTANCE TRIANGLE CONFIGURATION REQUIRED [1] [2]
Intersections of streets [3]		10/70
Driveways serving parking lots		10/70
Driveways serving individual land uses without parking lots	Single-family detached, single-family attached, Duplex, Triplex, Quadriplex	None
	All other uses of land	10/70, wherever possible
NOTES: [1] The NCDOT may require an alternative sight distance triangle configuration. [2] AASHTO requirements shall be applied to curved or curvilinear streets. [3] Includes all streets (State-maintained and Town-maintained).		

B. MEASUREMENT OF SIGHT DISTANCE TRIANGLE

Sight distance triangles shall be an area between a point at the edge of a street right-of-way located 70 linear feet from the intersection and a second point at the edge of the opposing street right-of-way located ten feet from the intersection (see Figure 5.1.7.B: Sight Distance Triangles).

C. LIMITATIONS ON OBSTRUCTIONS WITHIN REQUIRED SIGHT DISTANCE TRIANGLES

1. No planting, structure, fence, wall, slope, embankment, parked vehicle, or other obstruction to vision between the heights of two-and-one-half (2½) feet and ten feet above the centerline grades of intersecting streets or accessways may be located within a required sight distance triangle.
2. No structure or object, regardless of its size, which obstructs visibility within a required sight distance triangle to the detriment of vehicular or pedestrian traffic shall be permitted.



5.1.8. PARKING LOT CONNECTIONS

- A. PURPOSE AND INTENT**
The intent of this section is to provide for parking lot connections between comparable commercial, mixed-use, and multi-family land uses that front arterial and collector streets so that vehicles leaving one lot may access the adjoining lot without having to re-enter the street system.
- B. APPLICABILITY**
The standards in this section shall apply to lots abutting arterial and collector streets that contain any of the following uses:
 1. Uses in the commercial uses classification in Table 4.2.3, Principal Use Table;
 2. Mixed-use development; and
 3. Multi-family development.
- C. EXEMPTIONS**
Parking lot connections are not required when any of the following conditions are present:
 1. Adjacent lots do not have common frontage along an arterial or collector street;
 2. Significant topographical differences in existing or proposed conditions are present;
 3. Significant natural features exist in the only viable location for parking lot connections;
 4. Vehicular safety factors exist or would be created including, but not limited to, unsafe turning movements or pedestrian conflicts;

ARTICLE 5: DEVELOPMENT STANDARDS

5.1. Access and Circulation

5.1.8. Parking Lot Connections

5. Sufficient access already exists without need for additional parking lot connections;
6. Residential, institutional, or other incompatible land uses are present on adjacent lots;
7. Existing infrastructure obstructions; or
8. Other safety or security factors, in the opinion of the Planning Director or Town Engineer.

D. CONFIGURATION

1. Parking lot connections shall join parking lots on two or more different lots (see [Figure 5.1.8: Parking Lot Connections](#)) subject to these standards.
2. A parking lot connection shall be included on at least two sides of a lot except when conditions prevent connections in accordance with [Section 5.1.8.C, Exemptions](#).
3. Parking lot connections shall be paved with asphalt, concrete, or pavers and shall maintain a minimum width of 12 feet for one-way traffic and 18 feet for two-way traffic.
4. All parking lot connections shall be built to the lot line, to the maximum extent practicable.
5. A minimum distance of 40 feet shall be required between a parking lot connection and an intersection or driveway entrance.

E. IMPACT ON REQUIRED SITE FEATURES

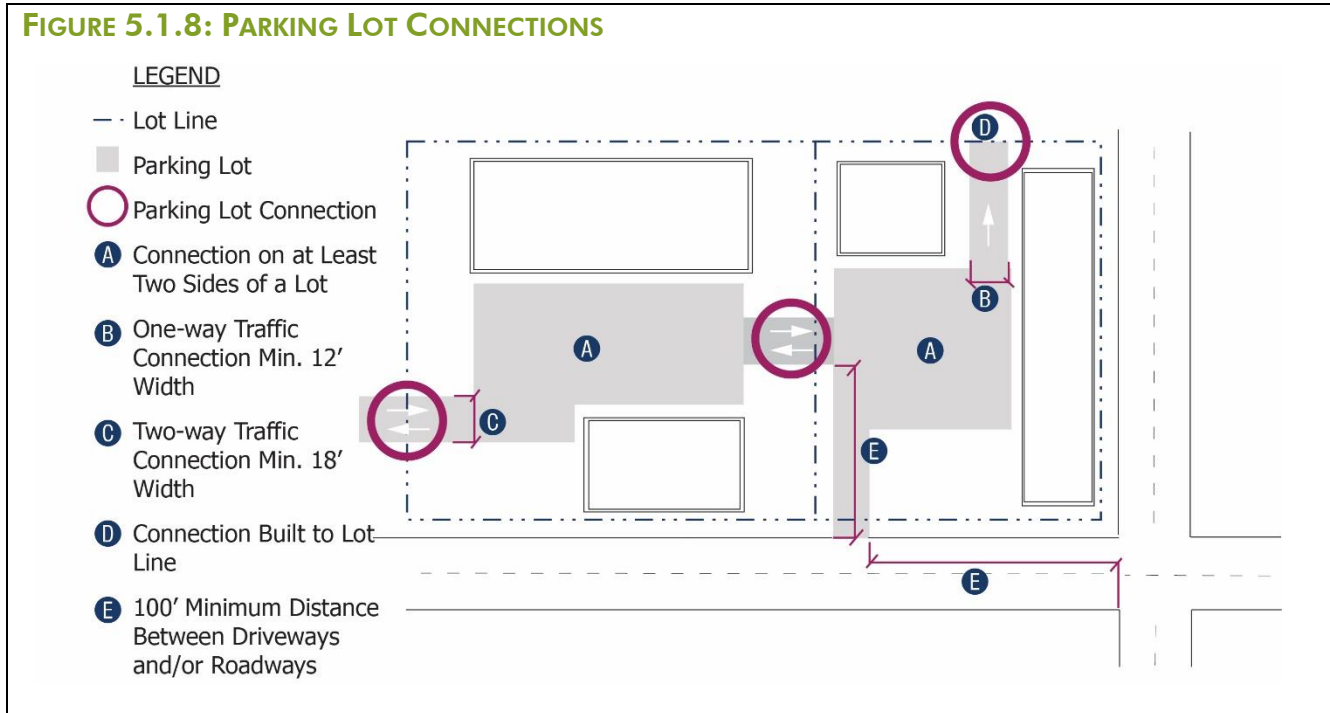
1. Where a required parking lot connection eliminates a required landscape planting area, the landscaping requirements shall be reduced to accommodate the cross-accessway and replacement landscaping shall not be required.
2. When a required parking lot connection eliminates required off-street parking spaces, replacement spaces shall not be required.

F. EASEMENT REQUIRED

A parking lot connection easement shall be recorded on the final plat for property involving a subdivision, or recorded by separate instrument when, no plat is proposed.

G. CONNECTION REQUIRED

Development on vacant land subject to these standards shall install parking lot connections to the shared property line. However, if the abutting landowner that does not already have a parking lot connection stub and is unwilling to allow the connection to be built to the shared property line due to the impact of the grading equipment or other construction activity on their property, then the Planning Director shall notify the unwilling property owner that they will be responsible for completing the entire parking lot connection when their property is developed.



5.1.9. ON-SITE PEDESTRIAN WALKWAYS

On-site pedestrian walkways that minimize conflict between pedestrians and vehicles shall be provided on all non-residential, mixed-use, and multi-family development sites, and shall be configured in accordance with the following standards.

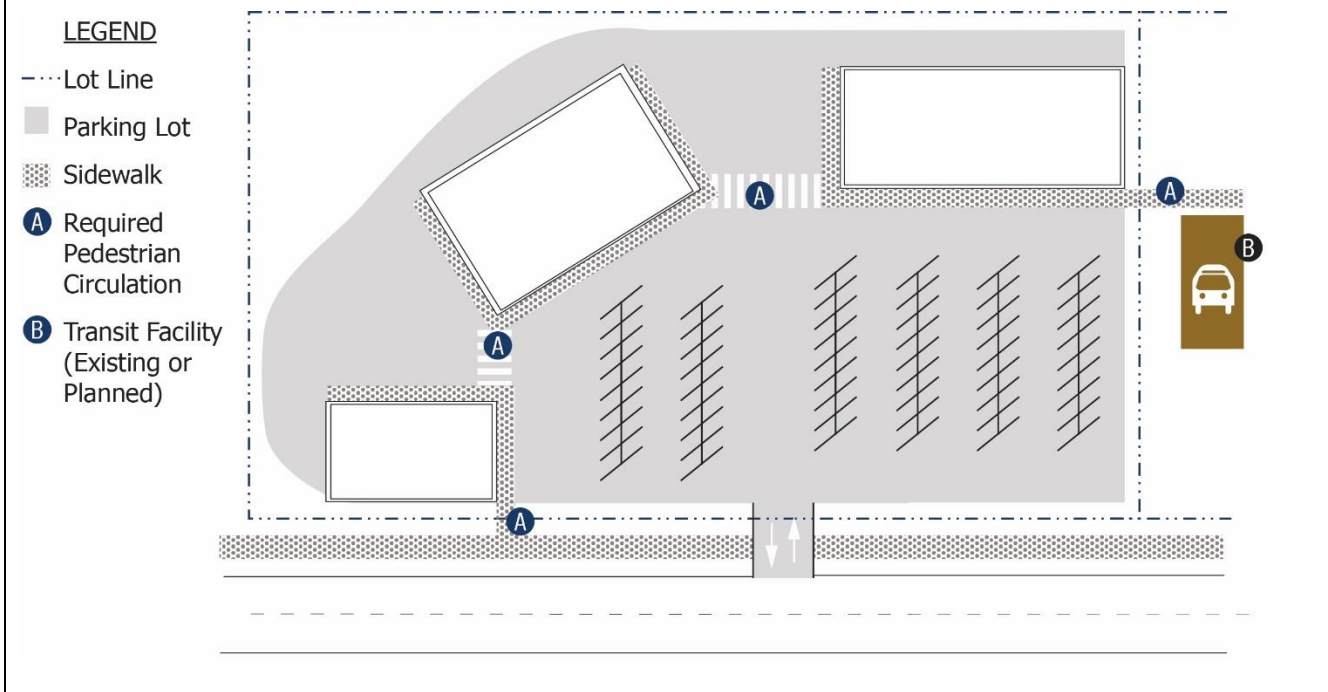
- A. On-site pedestrian walkways shall connect building entrances to off-street parking areas and to other building entrances on the same site (see Figure 5.1.9: Pedestrian Walkways).
- B. Development subject to these standards shall provide at least one connection to an existing or planned public sidewalk or existing greenway via an on-site pedestrian walkway configured in accordance with these standards.
- C. Connections shall be made to all existing or planned adjacent transit facilities, to the maximum extent practicable.
- D. On-site pedestrian walkways shall be paved with asphalt, concrete, or other all-weather material, and shall be of contrasting color or materials when crossing drive aisles.
- E. On-site pedestrian walkways shall be positively drained and configured to avoid areas of pooling water.
- F. On-site pedestrian walkways shall be in compliance with applicable State and federal requirements, including ADA requirements.
- G. Development with 200 or more off-street parking spaces shall provide fully-separated, improved on-site pedestrian walkways within planted landscape islands located a minimum of every six parking rows. On-site pedestrian walkways shall be aligned perpendicular to the buildings served and terminate at building entrances, to the maximum extent practicable.

ARTICLE 5: DEVELOPMENT STANDARDS

5.1. Access and Circulation

5.1.10. Compliance with Requirements for Sidewalks

FIGURE 5.1.9: PEDESTRIAN WALKWAYS



5.1.10. COMPLIANCE WITH REQUIREMENTS FOR SIDEWALKS

Development subject to the standards in this section shall comply with all applicable standards in [Section 6.8, Sidewalks](#).

5.1.11. COMPLIANCE WITH REQUIREMENTS FOR GREENWAYS

Development on lots identified in the Town's adopted policy guidance as subject to the requirements for greenways shall comply with all applicable standards in [Section 6.4, Greenways](#).

5.2. DESIGN GUIDELINES

5.2.1. PURPOSE AND INTENT

These residential design guidelines are proposed as suggestions for ways to ensure that new single-family detached and duplex housing is high quality, aesthetically pleasing, and provides a wide variety of living options for Town residents. More specifically, these guidelines are intended to:

- A.** Ensure single-family detached and duplex homes maintain consistent exterior materials and architectural treatments on the front and sides of buildings;
- B.** Establish guidance regarding changes of exterior finishes and materials on individual facades;
- C.** Avoid garage-dominated street fronts in residential neighborhoods;
- D.** Encourage duplex structures to appear as single-family homes; and
- E.** Ensure an adequate level of variability in single-family home design so as to avoid monotonous streetscapes where every dwelling appears identical or very similar to its neighboring dwellings.

5.2.2. APPLICABILITY

- A.** Single-family detached, single-family attached, and duplex dwellings shall comply with these guidelines in the following instances:
 - 1.** When proposed development is subject to a signed statement of consent in accordance with Section 5.2.3, Statement of Consent; and
 - 2.** When compliance with these guidelines is included as a condition of approval associated with a conditional rezoning (see Section 2.2.6, Conditional Rezoning).
- B.** Single-family detached, attached, and duplex dwellings not subject to a statement of consent are not required to comply with these guidelines, though conformance is strongly encouraged.

5.2.3. STATEMENT OF CONSENT

- A.** Compliance with the design guidelines in this section is voluntary and at the discretion of the applicant. In cases where an applicant chooses to comply with the guidelines in this section, the applicant shall sign the following statement of consent and include it with the application for a preliminary plat, special use permit, site plan, or building permit, as appropriate.

The single-family detached, attached, or duplex dwellings depicted on the attached site plan, subdivision plat, or other development approval is subject to the Town of Zebulon’s Single-Family Residential Design Guidelines in place at the time the application for this development was determined to be complete. I hereby voluntarily consent to the application of these design guidelines, this acceptance of which shall run with the land regardless of changes in ownership, and recognize that failure to comply with the applicable guidelines following approval is a violation of the Unified Development Ordinance.

Landowner Signature

Date

- B.** The signed statement of consent and the development approval shall be recorded in the office of the Wake County Register of Deeds prior to issuance of a building permit.
- C.** Applicants seeking to establish single-family attached development may consent to complying with the multi-family design standard as an alternative to these provisions.

5.2.4. DESIGN FEATURES**A. SIDE AND REAR FACADES**

1. Although the front facade of a principal building is expected to be the primary focal point in terms of architectural character and features, all sides of a building shall incorporate architectural detailing and windows that complement the front facade and provide visual interest.
2. Blank walls void of windows or architectural detailing are prohibited when adjacent to a street.

B. FOUNDATION MATERIALS

1. Poured concrete foundations, concrete block foundations, or smooth-faced concrete masonry unit foundations shall be covered by decks, porches, or be clad in face brick, stone, stucco, or some other masonry material accurately imitating these materials. In no instance shall poured concrete, concrete block, or smooth-faced concrete masonry unit foundations be visible on a front or street-facing facade.
2. In cases where a dwelling includes a finished or unfinished basement, the exterior basement walls on the rear or on sides not visible from streets are exempted from these standards.

C. MATERIAL CHANGES

1. Exterior materials on the front façade shall not change at outside corners, but shall continue along side facades for a minimum distance of at least five feet. Wherever possible, materials shall continue to a logical termination point such as a change in roof line or where a separate wing meets the main body of the dwelling (see [Figure 5.2.4.C: Exterior Material Changes](#)).
2. Exterior material changes shall take place along a horizontal line where two forms meet, such as the wall and the foundation, the first and second stories, or the wall and roof. It is acceptable for material changes to be configured as architectural accents in areas around windows, doors, cornices, at corners, or in a repeating pattern across a façade.
3. Where two or more exterior materials meet or are combined, the heavier or more massive material shall be located below the lighter element(s). For example, brick below wood siding, stone below brick, wood siding below stucco, etc.
4. It is acceptable for heavier materials to be used as accents around doors, windows, and corners.

FIGURE 5.2.4.C: EXTERIOR MATERIAL CHANGES

LEGEND

- A** Materials Change at Least 5' Past Outside Corners
- B** Materials Change at Logical Points
- C** Heavier or More Massive Material Below Lighter Material
- D** Heavier Materials Acceptable as Accents Around Doors, Windows, and Corners



D. PROHIBITED MATERIALS

1. The use of corrugated metal siding, unpainted plywood, or smooth-face concrete block is prohibited.
2. Synthetic stucco or EIFS shall be prohibited within two feet of the finished grade.
3. Vinyl siding is prohibited as an exterior material though vinyl trim, windows, and soffit are acceptable.

E. STREET-FACING GARAGES

1. MAXIMUM DOOR WIDTH

Street-facing garage doors configured in accordance with these guidelines shall not exceed a maximum width of 18 feet per garage door.

2. LOCATION

The placement of the primary entrance closer to the street than a street-facing garage door is strongly encouraged, but in no instance shall a primary entrance be more than nine feet farther from the street than a street-facing garage door.

3. DESIGN FEATURES

Street-facing garages configured in accordance with these guidelines shall incorporate at least three of the following design features on the building wall containing the garage doors (see [Figure 5.2.4.E.3: Garage Door Design Features](#)):

- a. Each garage door shall include transparent or opaque windows;
- b. Garage doors shall incorporate decorative hinges or hardware that may be functional or aesthetic;
- c. Garage doors shall include an overhang, eave, trellis, arbor, awning, or other similar architectural feature that projects at least 16 inches beyond the facade directly above the garage door(s);
- d. Garage doors shall be flanked on either side by vertical design elements like columns, pilasters, posts, or similar vertical feature; or
- e. The garage door(s) are located at least two or more feet behind a front porch or the primary entrance to the dwelling.

FIGURE 5.2.4.E.3: GARAGE DOOR DESIGN FEATURES



LEGEND

- A** Transparent or Opaque Windows
- B** Decorative Hinges or Hardware
- C** Overhang, Eave, or Arbor
- D** Vertical Design Elements on Either Side
- E** Garage Doors Min. 2' Behind Front Porch or Entrance

F. SIDE-LOADED GARAGES

Side-loaded garages configured in accordance with these guidelines may be closer to the street than the primary entrance to the dwelling, provided the garage facade facing the street includes compatible design features found on other building facades, including but not limited to:

1. Windows;
2. Eaves;
3. Overhangs;
4. Decorative trim;
5. Material changes; or
6. Other architectural features included for the sake of compatibility with the building's other facades.

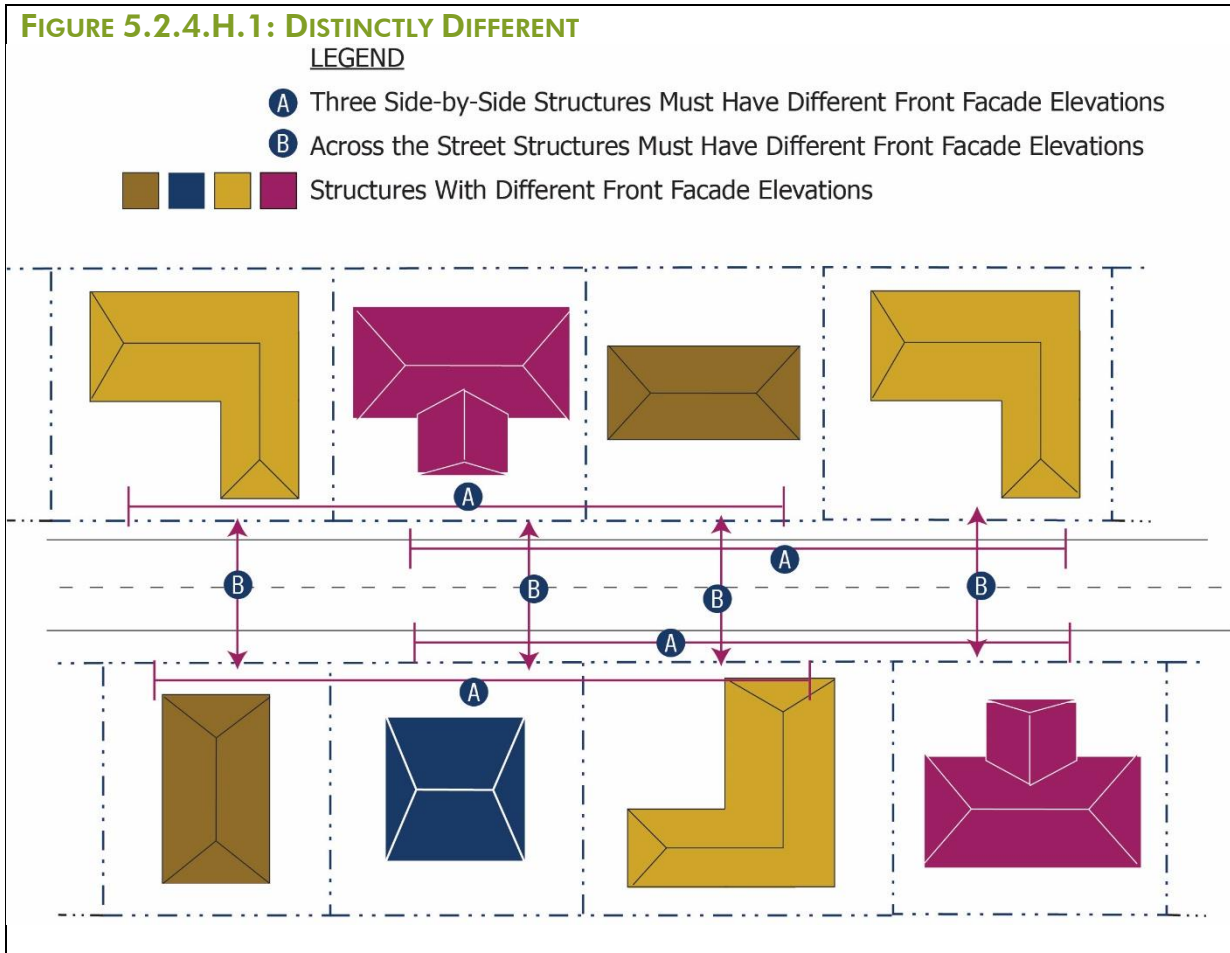
G. DUPLEX ENTRANCES

1. A duplex structure shall be organized so as to give the appearance of being a large single-family detached home.
2. A single shared main entry door is strongly encouraged.

3. In no instance shall two entry doors be located on the same side of the house.

H. ARCHITECTURAL VARIABILITY

1. A continuous row of identical buildings along a block shall be prohibited. Each building shall include “distinctly different” front facade elevations within any single phase of the development such that:
 - a. No three structures that are side-by-side may have the same front facade elevation; and
 - b. No structures directly across the street from one another shall have the same front facade elevation (see Figure 5.2.4.H.1: Distinctly Different).



2. For the purposes of this section, “distinctly different” shall mean that a dwelling must differ from other adjacent and opposing dwellings in at least six of the following ways (see Figure 5.2.4.H.2: Distinction Options):
 - a. A discernable color variation, not a slight variation of a similar hue, such as beige or pastel;
 - b. Variation in exterior materials;
 - c. Use of two or more distinct variations in roof forms (e.g. gable, hip, shed, mansard, gambrel, flat, or other);
 - d. Variations in the number of building stories of at least one story;
 - e. Variation in the amount of habitable space by 400 square feet or more;
 - f. A change in the depth of the setback from the street which gives the dwelling its street address by 15 feet or more;
 - g. Changes in the type and color of roofing material on structures with pitched roofs;
 - h. The orientation of the longest building axis to the street the dwelling faces, whether parallel, perpendicular, or at an angle; or

ARTICLE 5: DEVELOPMENT STANDARDS

5.2. Design Guidelines

5.2.4. Design Features

- i. The orientation of primary roof ridgeline to the street the dwelling faces, whether parallel, perpendicular, or at an angle.

FIGURE 5.2.4.H.2: DISTINCTION OPTIONS

LEGEND

- A Color
- F Depth of Setback
- B Exterior Materials
- G Roofing Type/Color
- C Roof Form
- H Orientation of Building Axis to Street
- D Number of Stories
- I Orientation of Primary Roof Ridgeline
- E Amount of Habitable Space

Each pair of houses is distinctly different for the reasons indicated:



- A
- B
- D
- E
- C
- F



- C
- F
- G
- H
- A
- I



- A
- C
- E
- F
- G
- I



5.3. DESIGN STANDARDS

5.3.1. COMMERCIAL DESIGN STANDARDS

A. PURPOSE AND INTENT

These commercial design standards supplement the applicable zoning district and use-specific standards of this Ordinance by providing minimum requirements for design and configuration of commercial development within the Town's planning jurisdiction. They are proposed to provide clarity on the Town's expectations for the quality and appearance of new commercial development. More specifically, the purposes of these standards are to:

1. Foster high-quality, attractive commercial development consistent with Town's adopted policy guidance;
2. Assure a fair and consistent application of the commercial design standards to new development and redevelopment;
3. Foster creativity in commercial design and greater compatibility between commercial development and its local surroundings; and
4. Promote property values and protect existing public and private investment.

B. APPLICABILITY

1. These commercial design standards shall apply to new construction of any principal structures from all use types listed in the Commercial and Institutional Use Classification section of Table 4.2.3, Principal Use Table.

C. EXEMPTIONS

The standards in this section shall not apply to the following forms of development:

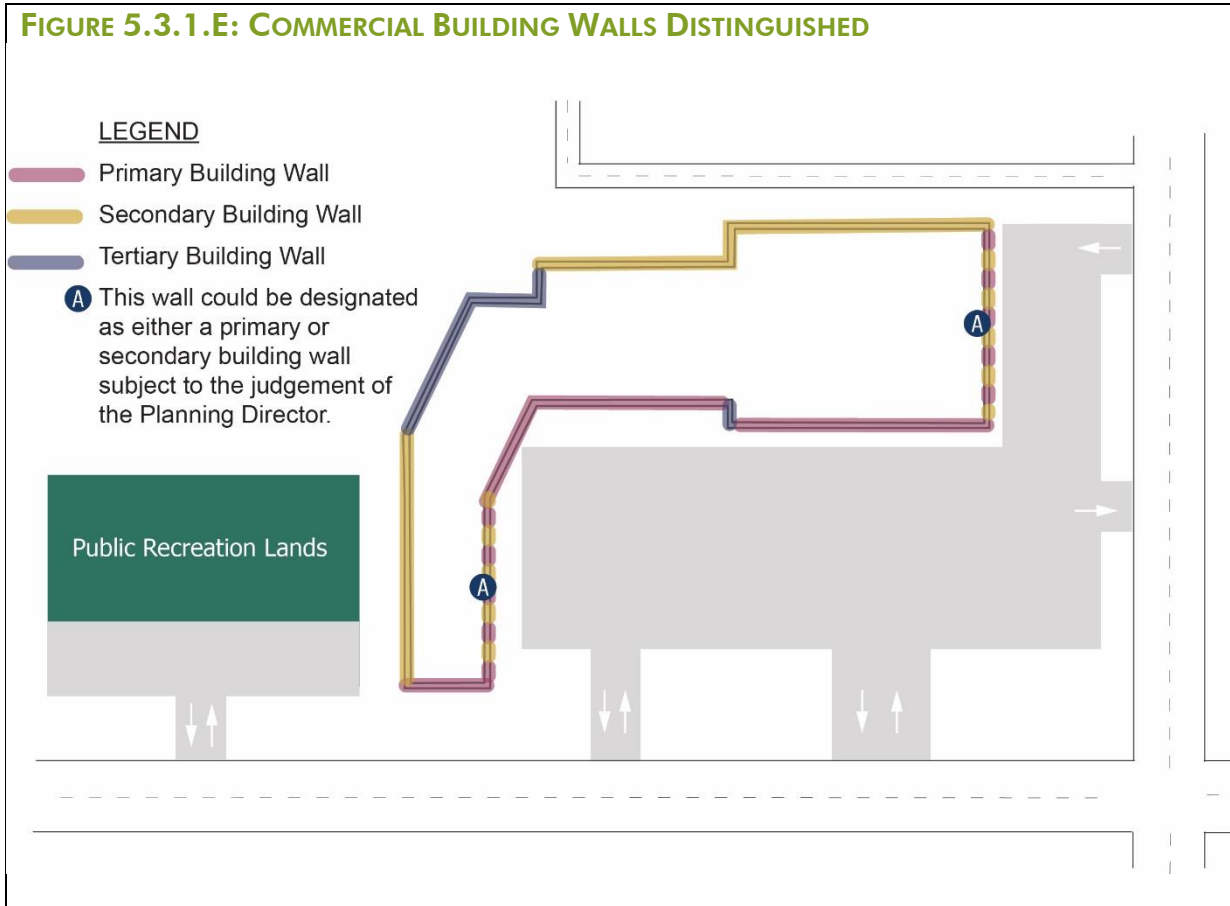
1. Mixed-uses, which shall instead comply with the standards in Section 5.3.2, Mixed-Use Design Standards;
2. Development located within the LHO districts;
3. Industrial use types identified in Table 4.2.3, Principal Use Table;
4. Conversion of an existing noncommercial structure to a commercial use where no additional floor area is being added; and
5. Routine maintenance and repairs to existing commercial buildings.

D. TIMING OF REVIEW

Review for compliance with these standards shall take place during review of an associated rezoning, site plan, or special use permit, as appropriate.

E. BUILDING WALLS DISTINGUISHED

1. Exterior building walls on principal buildings subject to these standards shall be distinguished as primary, secondary, and tertiary in accordance with the following standards (see Figure 5.3.1.E: Commercial Building Walls Distinguished):
 - a. Primary walls are the architectural front façade of the building that faces the street from which the building is addressed.
 - b. Secondary building walls are exterior building walls that correspond to the side or rear of a building that that are visible from public recreation lands or streets other than the street that the building is addressed from.
 - c. Tertiary walls are all other exterior building walls.
2. Different standards apply to building walls based on their designation as a primary, secondary, or tertiary building wall.
3. In cases where site conditions result in a situation where a building wall could be designated as either a primary or secondary wall by the Planning Director, the wall shall be treated as a primary wall. Nothing in these standards shall limit the number of primary walls on any particular building.
4. In cases where site conditions result in a situation where a building wall could be designated as either a secondary or tertiary wall by the Planning Director, the wall shall be treated as a secondary wall.



F. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

1. STREET NETWORK

- a. On sites including new streets, an interconnected network of streets shall be provided, to the maximum extent practicable, and streets shall connect to adjacent existing streets outside of the development.
- b. Circulation patterns for drive-through facilities shall be designed to accommodate the stacking of vehicles without interfering with the movement of vehicles or pedestrians.
- c. Development shall comply with all applicable provisions in Section 5.1, Access and Circulation.

2. CUSTOMER ENTRANCES

- a. Building entrances shall be designated as a primary or a secondary entrance by the applicant, but each principal building shall have at least one primary entrance. Nothing shall limit a building from having multiple primary entrances.
- b. Primary building entrances shall be visually prominent and shall include at least three of the following features (see Figure 5.3.1.F.2.b: Primary Building Entrances):
 - i. Changes in building material or color;
 - ii. Changes in paving or walking surface materials;
 - iii. A significant architectural feature that extends above the primary roof height;
 - iv. A projection or recess of at least five feet beyond the adjacent wall plane;
 - v. Outdoor pedestrian gathering or seating areas capable of serving at least five people at the same time;

ARTICLE 5: DEVELOPMENT STANDARDS

5.3. Design Standards

5.3.1. Commercial Design Standards

- vi. A canopy, awning, portico, archway, arcade, or other covering that extends outwards from the building wall by at least five feet;
- vii. Glazing that extends upwards for at least 75 percent of the building's height proximate to the entrance door(s);
- viii. Architectural detailing around the entryway such as tilework, entablature, or integrated moldings; or
- ix. Fountains, artwork, or landscaping plantings in raised planters immediately adjacent to the entrance door(s).

FIGURE 5.3.1.F.2.B: PRIMARY BUILDING ENTRANCES



LEGEND

- A Change in Building Material or Color
- B Change in Paving Material
- C Significant Architectural Feature
- D Projections or Recesses
- E Canopy, Gallery or Arcade
- F Architectural Detail Such as Tile Work
- G Landscaping Planter
- H Glazing Extending Upwards
- I Outdoor Pedestrian Gathering Area

3. BUILDING ADDRESS NUMBERS

- a. Every principal building subject to these standards shall include the building’s street address above or adjacent to the primary building entrance in accordance with applicable requirements in the Town Code of Ordinances.
- b. Address numbers shall be provided in numeric form rather than spelled out, and shall be provided in an easily discernable typeface.

4. BUILDING ARTICULATION

Building walls subject to these standards shall include articulation features in accordance with the following standards (see Figure 5.3.1.F.4: Commercial Building Articulation).

a. NUMBER OF ARTICULATION TYPES REQUIRED

The minimum number of articulation features to be provided on any single building wall depends upon whether the wall is a primary, secondary, or a tertiary wall.

i. Primary Building Walls

Primary building walls shall be configured to provide at least two types of building articulation listed in Section Section 5.3.1.F.4.b, Types of Building Articulation.

ii. Secondary Building Walls

Secondary building walls shall provide at least one of the building articulation types identified in Section 5.3.1.F.4.b, Types of Building Articulation.

iii. Tertiary Building Walls

Tertiary building walls shall not be required to provide any building articulation features.

b. TYPES OF BUILDING ARTICULATION

Each of the following seven features shall qualify as one type of building articulation for the purposes of Section 5.3.1.F.4.a, Number of Articulation Types Required:

i. Horizontal Façade Modulation

- 1. Horizontal façade modulation is the projection or recesses of building floor area either forward of primary wall plane or inwards from the primary wall plane.
- 2. Each individual projection or recess shall have a minimum depth of ten feet either beyond or inwards from the primary wall plane.
- 3. Each individual projection or recess shall have a minimum span of at least to 20 percent of the façade’s total length.
- 4. At least 40 percent of the façade’s total length shall be occupied by a projection or recess.
- 5. Individual projections or recesses along a wall shall be separated from one another by at least two linear feet.
- 6. In the case of multi-story buildings, horizontal façade modulation shall be required only on the first floor for two-story buildings and on the first and second floors for three- or more-story buildings.

ii. Vertical Façade Modulation

Vertical façade modulation consists of architectural building elements such as columns, pilasters, posts, bays, fins, ribs, moldings, pediments, arcades, or similar features that extend outwards or recess inwards from the primary wall plan for a minimum distance of two feet. Vertical façade modulation shall extend from the grade to the top of the façade and shall maintain regular spacing across at least 50 percent of the facade.

iii. Bow or Curvilinear Feature

- 1. Inclusion of a convex or concave bow or other curvilinear wall feature with a minimum depth or projection of at least ten feet relative to the primary façade plane.
- 2. Bows or curvilinear features shall occupy at least 50 percent of the total facade length.

3. In the case of multi-story buildings, a bow or curvilinear feature shall be required only on the first floor for two-story buildings and on the first and second floors for three- or more-story buildings.

iv. Green Wall

Wall-mounted panels affixed to an exterior building wall configured in accordance with the following:

1. Each panel shall include living plants in a growing medium spaced so that no portion of the growing medium or the exterior wall beneath the panel is visible from a distance of five feet;
2. Panels shall be self-watering and comprised of cold-hardy plants acclimatized to central North Carolina;
3. Invasive plants are prohibited;
4. Panels shall be configured so that at least 40 percent of the exterior façade is beneath a panel; and
5. Plants shall be maintained and replaced as needed to ensure compliance with subsection (1) above.

v. Roof Modulation

Inclusion of differing roof planes, roof pitches, roof forms, roof heights, or roof materials that are visually distinct from one another.

vi. Primary Building Entrance

Inclusion of a primary building entrance configured in accordance with Section 5.3.1.F.2, Customer Entrances.

vii. Outdoor Seating

Inclusion of an outdoor seating or outdoor dining area adjacent to the façade with all the following features:

1. A direct means of entry into the building;
2. Seating capable of accommodating at least five people at the same time;
3. Protection from automobiles and bicycles circulating on the site or on an adjacent street;
4. Exterior lighting, if the establishment is open before sunrise or after dark;
5. Shading from the sun or rain; and
6. Wifi access, if wifi is provided to members of the public indoors.

FIGURE 5.3.1.F.4: COMMERCIAL BUILDING ARTICULATION



LEGEND

- A Horizontal Facade Modulation
- B Vertical Facade Modulation
- C Bow or Curvilinear Feature
- D Green Wall
- E Roof Modulation
- F Primary Building Entrance
- G Outdoor Seating



5. MATERIALS AND COLORS

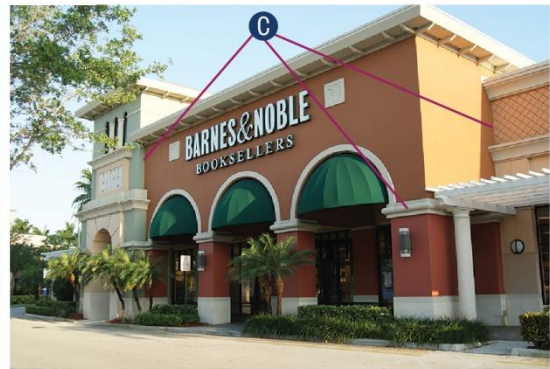
a. MATERIAL CONFIGURATION

- i. Where two or more materials are proposed on a building façade, the heavier or more massive material (like stone) shall be located below the lighter or less massive material (stucco).
- ii. Heavier details may be permitted as details on corners or around doors and windows.
- iii. Material changes shall take place at locations such as the intersection of building wings, the intersection of differing storefronts or leaseholds, interior corners, or other logical locations.
- iv. Material changes shall not take place at outside corners and material returns shall be included to a logical termination point past an exterior building corner such as a bump-out, building wing, or change in wall direction (see Figure 5.3.1.F.5: Commercial Building Materials).

FIGURE 5.3.1.F.5: COMMERCIAL BUILDING MATERIALS

LEGEND

- A Heavier Materials Below Lighter Materials
- B Heavier Details on Corners or Around Doors and Windows
- C Material Changes at Logical Locations (Not Permitted on Outside Corners)



b. PROHIBITED MATERIALS

The following materials shall be prohibited on any primary or secondary building façade walls:

- i. Untextured tilt-up concrete panels;
- ii. Pre-fabricated steel panels;
- iii. Corrugated sheet metal;
- iv. Smooth-face concrete blocks;
- v. Vinyl siding, soffit, or fascia;
- vi. Synthetic stucco within two feet of the grade;
- vii. Asphalt shingles or siding; or
- viii. Mirrored glass.

c. COLOR

i. Primary Colors

Overly bright, neon, or “day-glow” colors shall not be used as primary exterior building colors. Nothing shall limit pastel or traditional community material colors.

ii. Accent Colors

Building trim and accent areas may feature brighter colors, including primary colors, but these colors may not comprise more than 15 percent of any building facade.

6. ROOF FORM

- a.** Roof pitches less than 3:12 and flat roofs shall require a parapet wall on all sides visible from the street. Parapet walls shall fully screen all roof-top mechanical equipment from the street in accordance with Section 5.10, Screening.
- b.** Parapet walls shall have decorative cornices or caps.
- c.** A pitched roof shall have eaves that extend a minimum of 12 inches beyond the building face.
- d.** Gable roofs shall incorporate roof rakes that project outwards a minimum of six inches from the building face.

7. FENESTRATION

Building walls shall incorporate fenestration features in accordance with the following standards (see Figure 5.3.1.F.7: Commercial Building Fenestration):

a. PRIMARY BUILDING WALLS

Primary building walls shall be configured so that:

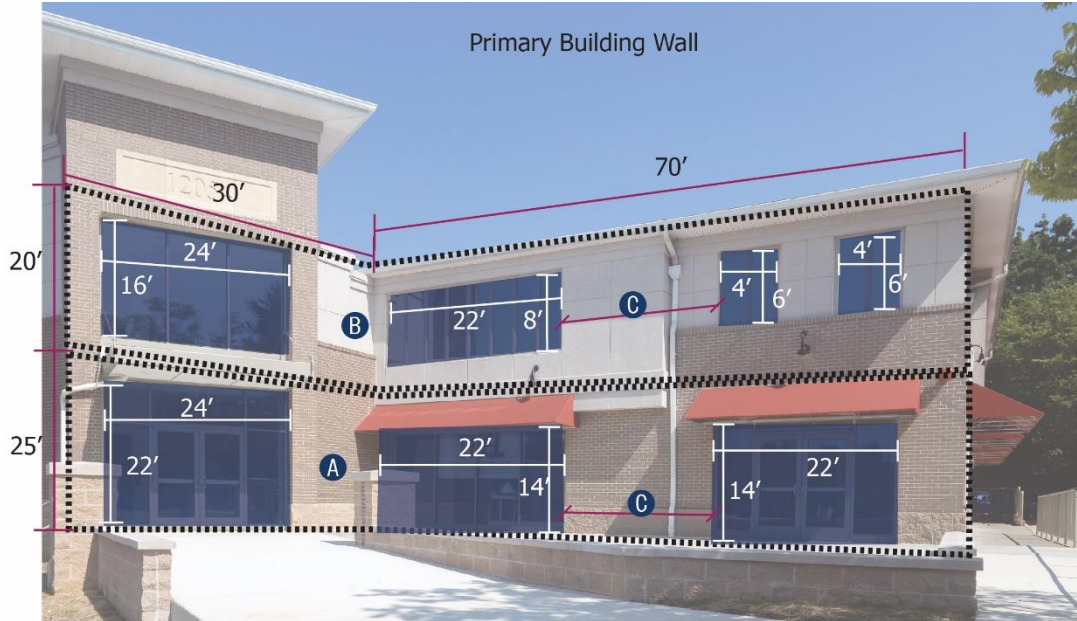
- i.** At least 40 percent of the first floor portion of the primary wall is occupied by visually transparent windows or doors;
- ii.** At least 30 percent of a second floor portion of the primary wall (if provided) is occupied by visually transparent windows or doors;
- iii.** A window or functional general access doorway is located at least every 20 feet along the facade; and
- iv.** No more than 50 percent of any single window or door is obstructed by a window sign or other opaque display.

b. SECONDARY BUILDING WALLS

Secondary building walls shall be configured so that at least 30 percent of the ground floor facade and at least 20 percent of any second floor facade is occupied by:

- i.** Visually transparent windows or doors with regular spacing;
- ii.** False or opaque windows with regular spacing;
- iii.** Articulated wall forms designed to mimic window openings that also include an overhang or awning.

FIGURE 5.3.1.F.7: COMMERCIAL BUILDING FENESTRATION



LEGEND

- A** First Floor Primary Wall
 Total Area = $25 \times (30+70) = 2,500$ sf
 Fenestration Area = $(22 \times 24) + (22 \times 14) + (22 \times 14) = 1,164$ sf
 Percent Fenestration = $1,164 / 2,500 = 46.6\%$ (Minimum 40%)
- B** Second Floor Primary Wall
 Total Area = $20 \times (30+70) = 2,000$ sf
 Fenestration Area = $(16 \times 24) + (22 \times 8) + (4 \times 6) + (4 \times 6) = 1,176$ sf
 Percent Fenestration = $608 / 2,000 = 30.4\%$ (Minimum 30%)
- C** 20' Max. Distance Between Windows or General Access Doorways
- D** Secondary Building Wall Alternative: False or Opaque Windows
- E** Secondary Building Wall Alternative: Articulated Wall Forms with Awnings



8. AWNINGS

- a.** No awning shall extend outwards from the building wall more than the width of the sidewalk or ten feet, whichever is less.
- b.** Awnings must be self-supporting from the building wall.
- c.** No supports shall rest on or interfere with the use of pedestrian walkways or streets.
- d.** In no case shall any awning extend beyond the street curb or interfere with street trees or public utilities.

9. OUTPARCELS

Development on outparcels or pad sites associated with a commercial development shall comply with the following requirements (see Figure 5.3.1.F.9: Outparcel Development):

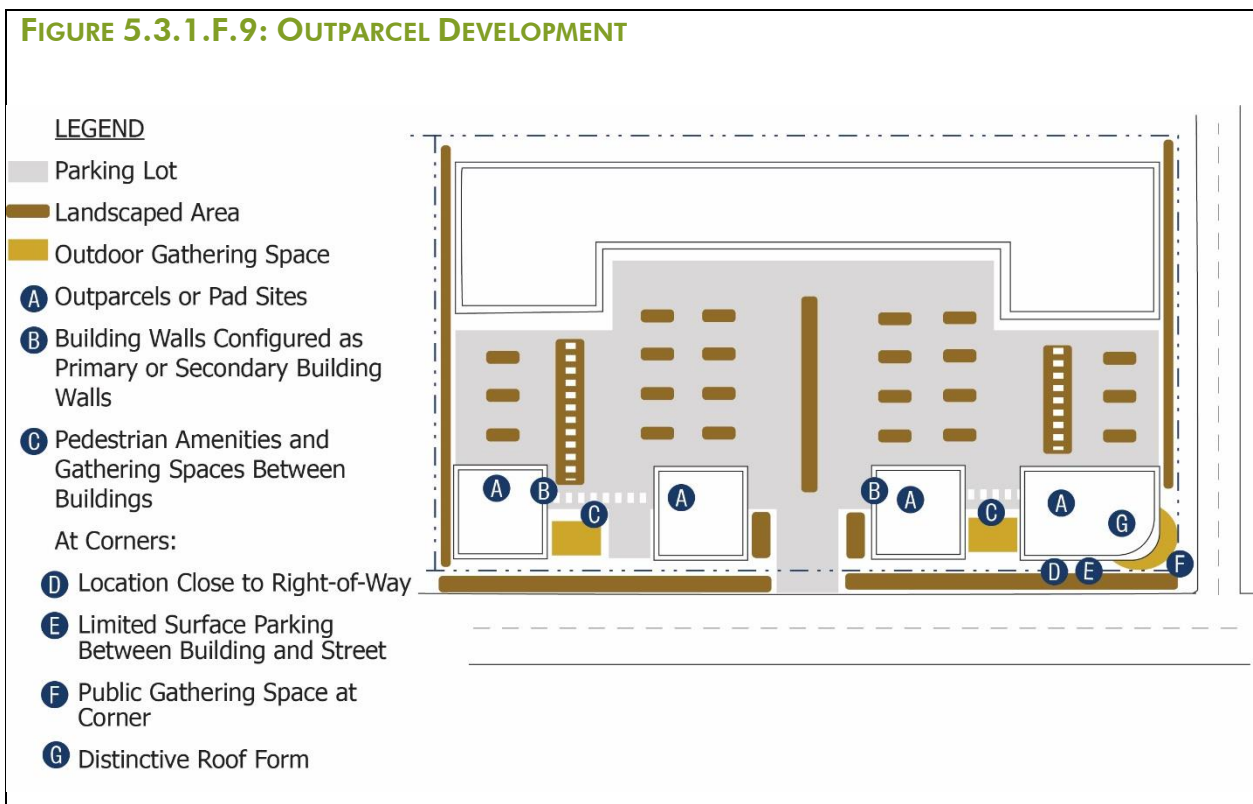
ARTICLE 5: DEVELOPMENT STANDARDS

5.3. Design Standards

5.3.1. Commercial Design Standards

- a. Buildings on outparcels or pad sites shall incorporate materials that are similar to and compatible with those used on the primary buildings in the development. Corporate or prototypical architecture shall be reconfigured as necessary in order to comply with this standard.
- b. Building walls associated with development on an outparcel or pad site shall be configured solely in accordance with the articulation and fenestration provisions for primary or secondary walls, as appropriate for the main buildings in the development.
- c. Spaces between buildings on outparcels or pad sites shall include pedestrian amenities such as plazas, seating areas, and gathering places in addition to off-street parking spaces.
- d. Outparcel buildings on lots at street corners shall be located and configured to define the corner through a combination of:
 - i. Locating the building as close to the rights-of-way as is practicable;
 - ii. Limiting surface parking between the building and the streets;
 - iii. Providing a public gathering space adjacent to the corner; and
 - iv. Distinctive roof form or other pedestrian features such as porches, canopies, or arcades.

FIGURE 5.3.1.F.9: OUTPARCEL DEVELOPMENT

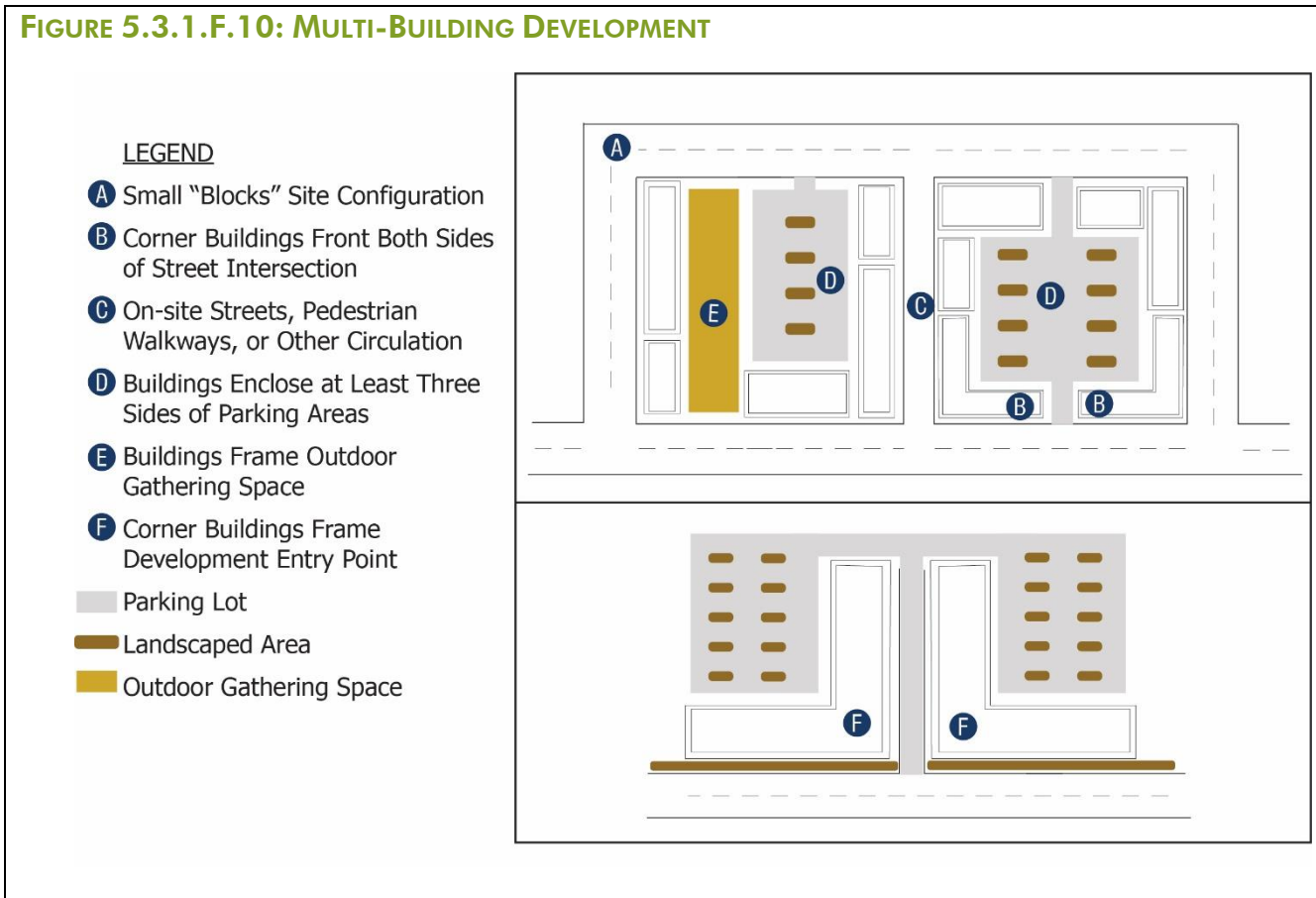


10. MULTI-BUILDING DEVELOPMENT

Development composed of multiple buildings totaling 30,000 gross square feet or more shall be configured in one or more of the following ways (see [Figure 5.3.1.F.10: Multi-building Development](#)):

- a. Break up the site into a series of smaller “blocks” defined by on-site streets, pedestrian walkways, or other circulation routes;
- b. Locate the buildings around the corner of an adjacent street intersection or entry point to the development;
- c. Enclose parking areas, public spaces, or other site amenities on at least three sides through the placement of buildings; or
- d. Enclose outdoor dining or gathering places between buildings.

FIGURE 5.3.1.F.10: MULTI-BUILDING DEVELOPMENT



11. SITE FEATURES

a. OFF-STREET PARKING LOCATION

- i.** Sites comprised of commercial buildings subject to these design standards shall be configured such that no more than 50 percent of the provided off-street parking shall be located between a building’s primary building façade and the street it faces.
- ii.** Off-street parking serving development located within a Gateway Corridor Overlay (GCO) district shall be configured in accordance with the applicable requirements in [Section 3.8.3, Gateway Corridor Overlay \(GCO\) District](#).

b. SERVICE, LOADING, AND DELIVERY AREAS

Ground mounted mechanical equipment, solid waste collection, recycling collection, and loading spaces shall be located to the rear or side yard and screened in accordance with [Section 5.10, Screening](#).

c. CANOPIES

Except for canopies associated with fuel sales, overhead canopies intended to cover the vehicles of patrons shall be configured in accordance with the following standards:

- i.** The total number of canopies shall be limited to one per building;
- ii.** The canopy shall be physically connected to the principal structure;
- iii.** The canopy shall be located to the side or rear of the structure, or configured so that it has the appearance of being enclosed by building walls on at least two sides;
- iv.** The canopy shall be configured of consistent or complimentary materials and colors as the primary exterior materials, including canopy supports;

- v. The canopy shall be subject to maximum height standards for buildings in the zoning district where located; and
- vi. The canopy shall comply with the standards in Section 5.4, Exterior Lighting.

12. VEHICLE ACCESS DESIGN

Development composed of buildings that provide vehicle access into the building or with drive-throughs shall be subject to the following requirements:

- a. Garage doors and service bays shall be positioned away from any public right-of-way and be screened from adjacent properties with an opaque vegetative screen.
- b. Buildings with drive-through windows and ordering boards, or buildings with service bay garage doors shall be designed to meet the mixed-use building design standards.

G. STANDARDS FOR LARGE FORMAT RETAIL USES

The following standards shall apply to large format retail uses.

1. LARGE FORMAT RETAIL USES DISTINGUISHED

Large format retail uses are commercial use types (see Table 4.2.3, Principal Use Table) in buildings that are:

- a. More than 50,000 square feet gross floor area on the ground floor for a single tenant;
- b. More than 150,000 square feet on the ground floor serving multiple tenants, including outparcels.

2. COMPLIANCE WITH COMMERCIAL DESIGN REQUIREMENTS

Large format retail uses shall comply with the following commercial design standards:

- a. Section 5.3.1.F.1, Street Network;
- b. Section 5.3.1.F.3, Building Address Numbers;
- c. Section 5.3.1.F.4, Building Articulation;
- d. Section 5.3.1.F.5, Materials and Colors;
- e. Section 5.3.1.F.6, Roof Form;
- f. Section 5.3.1.F.8, Awnings;
- g. Section 5.3.1.F.9, Outparcels;
- h. Section 5.3.1.F.10, Multi-building Development; and
- i. Section 5.3.1.F.11, Site Features, except off-street parking location.

3. ADDITIONAL STANDARDS FOR LARGE FORMAT RETAIL USES

a. CUSTOMER ENTRANCES

Large format retail establishments shall comply with the standards in Section 5.3.1.F.2, Customer Entrances, except that primary entrances shall include four of the listed options instead of three.

b. FENESTRATION

Building walls on large format retail uses shall incorporate fenestration features in accordance with the following standards (see Figure 5.3.1.G.3.b: Large Retail Building Fenestration):

i. Primary Building Walls

Primary building walls shall be configured so that:

- 1. At least 10 percent of the first floor portion of the primary wall is occupied by visually transparent windows or doors; and
- 2. No more than 50 percent of any single window or door is obstructed by a window sign or other opaque display.

ii. Secondary Building Walls

Secondary building walls shall be configured so that at least 5 percent of the ground floor façade is occupied by:

- 1. Visually transparent windows or doors;
- 2. False or opaque windows;

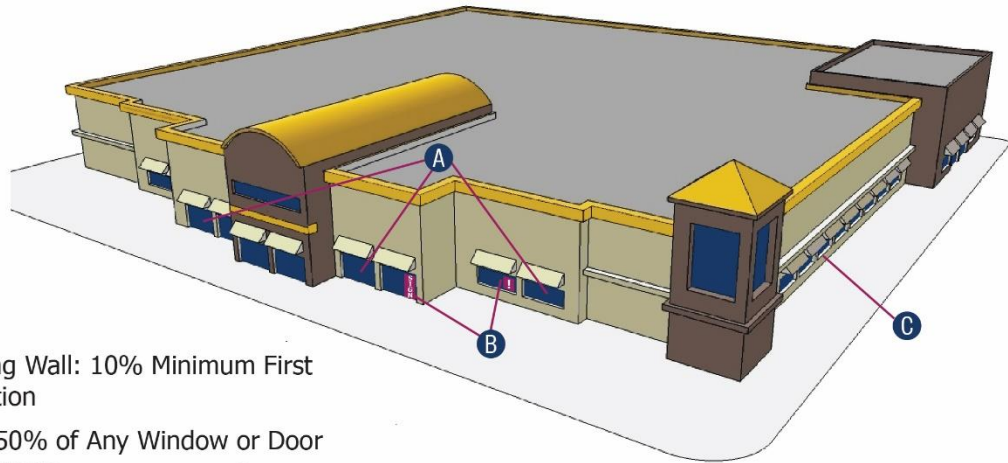
ARTICLE 5: DEVELOPMENT STANDARDS

5.3. Design Standards

5.3.1. Commercial Design Standards

3. Articulated wall forms designed to mimic window openings that also include an overhang or awning.

FIGURE 5.3.1.G.3.B: LARGE RETAIL BUILDING FENESTRATION



LEGEND

- A Primary Building Wall: 10% Minimum First Floor Fenestration
- B No More than 50% of Any Window or Door Covered by Signage
- C Secondary Building Wall: 5% Minimum First Floor Fenestration, False or Opaque Windows, or Articulated Wall Forms that Mimic Windows (With Awning or Overhang)

c. OFF-STREET PARKING LOCATION

- i. Sites comprised of large format retail buildings subject to these design standards shall be configured such that no more than 75 percent of the provided off-street parking shall be located between a building's primary building façade and the street it faces.
- ii. Off-street parking serving large format retail development located within a Gateway Corridor Overlay (GCO) district shall be configured in accordance with the applicable requirements in Section 3.8.3, Gateway Corridor Overlay (GCO) District.

H. DUMPSTER ENCLOSURE DESIGN

The following standards shall apply to dumpster and refuse collection areas for commercial uses.

1. The sides and back of enclosures shall be constructed of the same materials as the primary building and the following materials are prohibited
 - a. Natural wood fence panels
 - b. Synthetic Stucco or EFIS
 - c. Chain-Link
 - d. Reflective Corrugated Metal
2. Gates shall be constructed of a metal panel system and painted or coated black, grey, or similar neutral color.
3. Enclosures shall meet the standards of Table 5.10.5, Screening Methods.

FIGURE 5.3.1.H: COMMERCIAL DUMPSTER ENCLOSURE DESIGN



5.3.2. MIXED-USE DESIGN STANDARDS

A. PURPOSE AND INTENT

The purpose for these standards is to create vibrant, pedestrian-oriented areas of residential and non-residential use that are located in the same building or in close proximity to one another on the same site. More specifically, these standards are intended to:

1. Create well-designed, desirable places for Town residents and visitors to shop, dine, recreate, and live;
2. Ensure development within mixed use areas is compact and walkable;
3. Shorten travel times and support alternative modes of transportation by reducing the need for automobile travel within urban portions of the Town;
4. Encourage human-scaled development that is pedestrian-oriented;
5. Reduce development costs by facilitating the most dense forms of development in areas easily served by public infrastructure; and
6. Accommodate both vertically mixed-use development within an individual building as well as horizontally mixed-use development on a single site.

B. APPLICABILITY

The standards in this section shall apply to all the following:

1. New development within the OI district;
2. New multi-story development within the DTP district;
3. Live/work dwellings;
4. Upper story residential; and
5. Any development that includes principal use types from the residential and commercial or institutional use classifications in Table 4.2.3, Principal Use Table, within the same building or within the same development site.

C. EXEMPTIONS

These standards shall not be applied to the following forms of development:

1. Agriculture-related uses;
2. Renovation or redevelopment of existing structures; and
3. Mixed-use development established prior to January 1, 2020.

D. TIMING OF REVIEW

Review for compliance with these standards shall take place during review of an associated rezoning, site plan, special use permit, or planned development master plan, as appropriate.

E. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

1. STREET NETWORK

In cases where mixed-use development involves the construction of new streets or alleys, the new streets shall be configured in accordance with the following standards:

- a.** Streets shall be organized into a grid pattern with block lengths that do not exceed 500 feet.
- b.** Streets shall be configured to a design speed of 25 miles per hour.
- c.** Streets shall include traffic-calming features such as roundabouts, raised pedestrian crossings, bulb-outs, speed tables, raised medians, and chicanes, but excluding speed bumps, which shall not be included.
- d.** Streets shall include well-defined ADA-compliant crosswalks and small turning radii at intersections.
- e.** Streets shall include bicycle lanes in accordance with NCDOT standards.
- f.** Streets shall include sidewalks configured in accordance with Section 6.4, Sidewalks.
- g.** Mid-block alleys shall be included to facilitate off-street parking and to accommodate service functions.
- h.** Cul-de-sacs and dead-end streets are prohibited, except where topography or natural features make them necessary.

2. BUILDING ORIENTATION

a. SINGLE BUILDING DEVELOPMENT

New development consisting of a single building shall be oriented such that the long axis of the building is either parallel or perpendicular to the street right-of-way it faces.

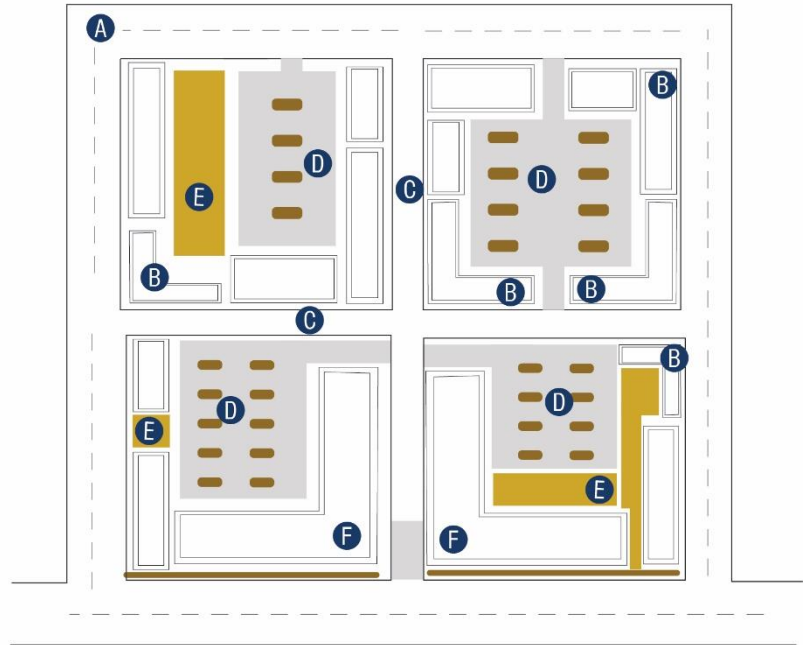
b. MULTIPLE BUILDING DEVELOPMENT

Development comprised of multiple buildings shall be configured with two or more of the following design elements (see [Figure 5.3.2.E.2.b: Multiple Building Development](#)):

- i.** Site configuration as a series of smaller "blocks" defined by buildings fronting on-site streets and internal vehicle accessways, utilizing pedestrian oriented design such as walkways, or other circulation routes and multi-modal transportation access/waiting areas when appropriate;
- ii.** Corner buildings designed to front both sides of an adjacent street intersection or entry point to the development in an "L" configuration;
- iii.** Buildings facing each other across a relatively narrow vehicular access area with pedestrian amenities in a "main street" character;
- iv.** Buildings enclosing at least three sides of parking areas, public spaces, or other site amenities;
or
- v.** Buildings enclosing outdoor dining or gathering spaces for pedestrians between buildings.

FIGURE 5.3.2.E.2.B: MULTIPLE BUILDING DEVELOPMENT

- LEGEND**
- A** Small "Blocks" Site Configuration
 - B** Corner Buildings Front Both Sides of Street Intersection
 - C** On-site Streets, Pedestrian Walkways, or Other Circulation
 - D** Buildings Enclose at Least Three Sides of Parking Areas
 - E** Buildings Frame Outdoor Gathering Space
 - F** Corner Buildings Frame Development Entry Point
 - █ Parking Lot
 - █ Landscaped Area
 - █ Outdoor Gathering Space

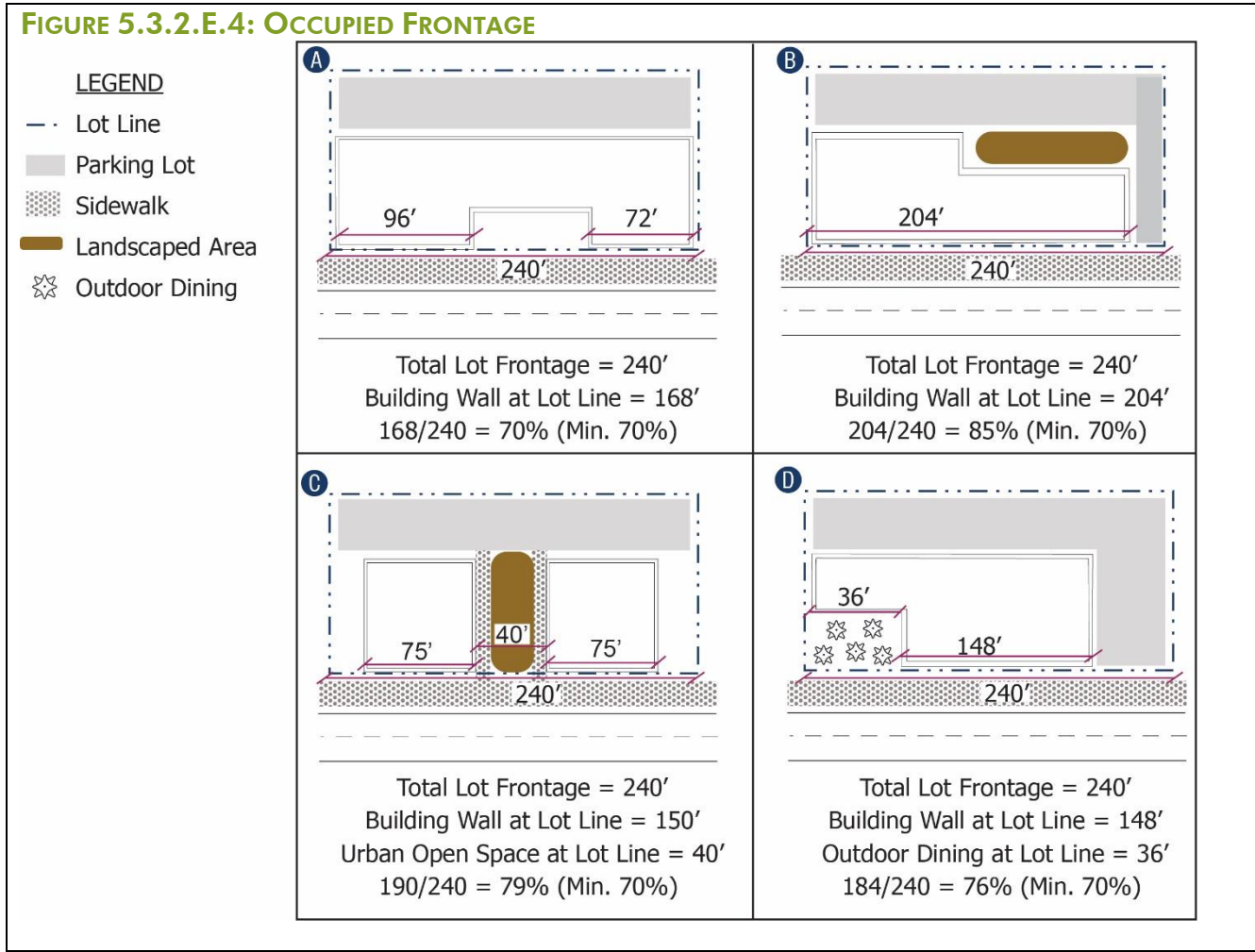


3. BUILDING LOCATION

- a. Buildings on lots bounding streets shall be built to the edge of the sidewalk. In the case of double or reverse frontage lots, the building shall be located adjacent to the street providing the street address for the building.
- b. When development is proposed on a corner lot, the building shall be configured to occupy the lot corner at the street intersection.
- c. Nothing shall prevent a mixed-use building from exceeding a maximum front or corner side setback being setback, provided the area between the building and the street is occupied by a public gathering space, open space set-aside, or an area used for outdoor dining.

4. LOT FRONTAGE TO BE OCCUPIED BY BUILDING WALL

- a. In order to ensure an inviting and desirable streetscape for pedestrians, mixed use development shall be configured so that at least 70 percent of the lot frontage is occupied by building wall (see Figure 5.3.2.E.4: Occupied Frontage).
- b. Areas occupied by gathering areas (like plazas), urban open space set-aside, or outdoor dining areas shall be credited towards the lot frontage requirements.



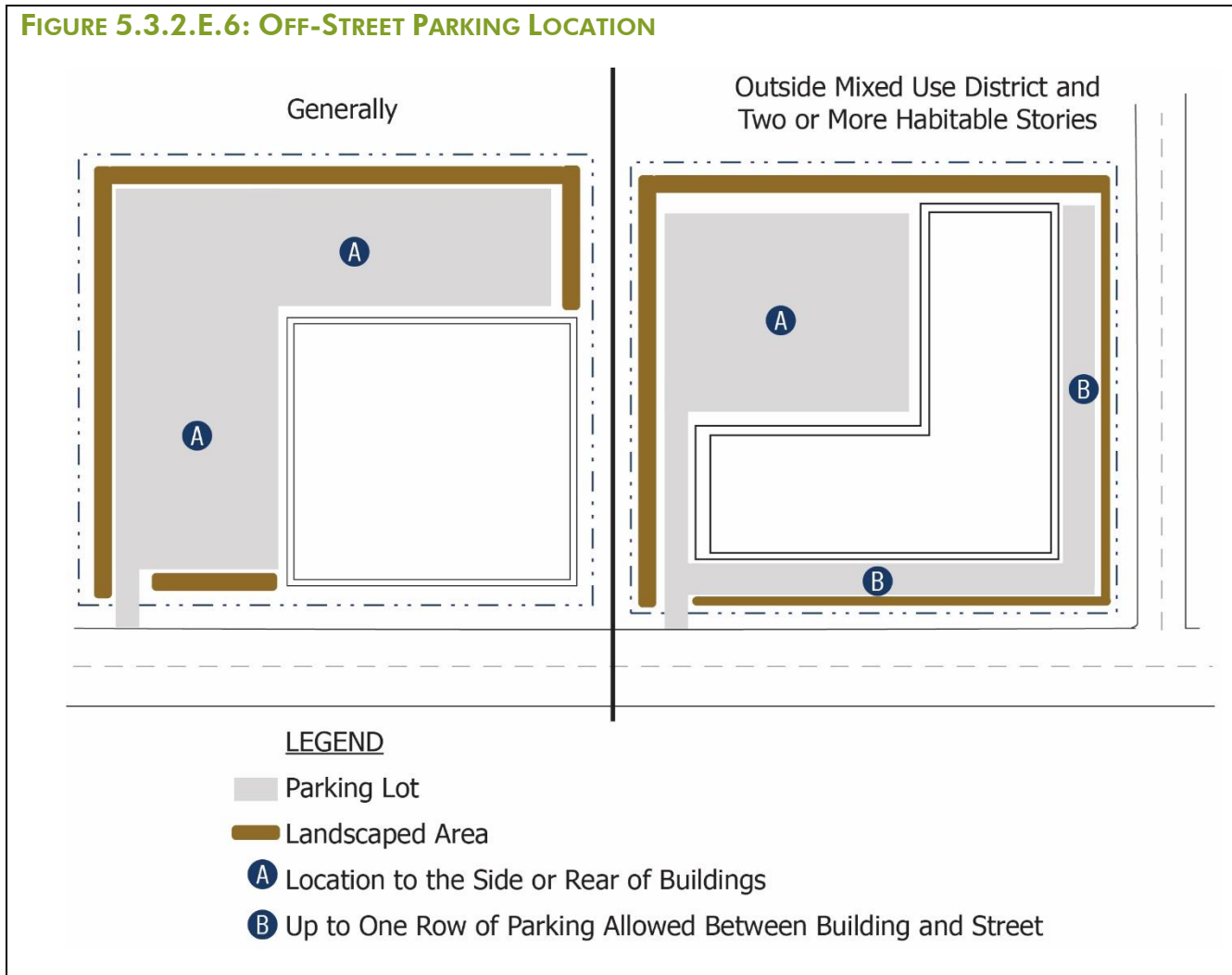
5. GROUND FLOOR CONFIGURATION

The ground floor of vertically-integrated mixed-use buildings and buildings located in the OI district shall be configured to meet the North Carolina Building Code requirements for commercial development. Nothing shall require the ground floor to be occupied by a non-residential use.

6. OFF-STREET PARKING LOCATION

- a. Off-street parking areas shall be located to the side or rear of buildings subject to these standards.
- b. Mixed-use buildings located outside the NC district and with two or more habitable stories may be configured to allow up to one row of off-street parking spaces between the building and the street it fronts (see [Figure 5.3.2.E.6: Off-Street Parking Location](#)). All other off-street parking shall be located to the side or the rear of a mixed-use building.

FIGURE 5.3.2.E.6: OFF-STREET PARKING LOCATION



7. BUILDING ARTICULATION

Buildings subject to these standards shall be configured so that no single facade fronting a public street shall extend for longer than 35 linear feet without inclusion of one or more of the following features (see [Figure 5.3.2.E.7: Mixed-use Building Articulation](#)):

- a. The use of projections or recesses in the building façade wall with a depth of between 18 inches and 36 inches from the primary facade plane and a minimum span of eight feet;
- b. The use of columns, pilasters, or other architectural detail harmonious with the general design of the structure with a minimum width of eight inches and spaced no less than every ten feet on-center;
- c. Distinct changes in building material that are vertically aligned with variations in roof form and parapet heights; or
- d. A single vertical accent or focal point such as a tower feature located on a prominent building corner.

FIGURE 5.3.2.E.7: MIXED-USE BUILDING ARTICULATION

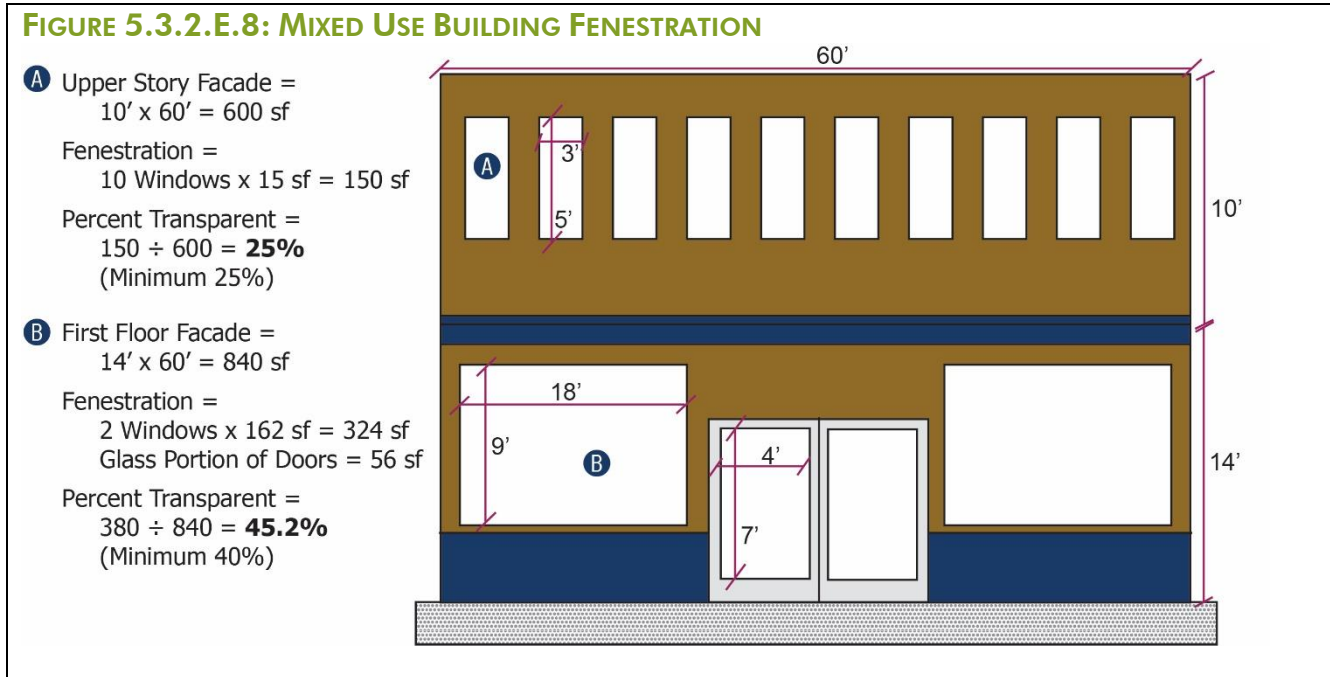
LEGEND

- A** Projections or Recesses in the Facade Wall (Depth Between 18-36" and Min. Span 8')
- B** Columns, Pilasters, or Other Architectural Detail (Spaced Max. 10' On-center)
- C** Changes in Building Material (Vertically Aligned with Roof Form Changes)
- D** Single Vertical Accent Point on Corner



8. FENESTRATION

- a.** Blank, windowless walls facing sidewalks, streets, and other public places shall be prohibited.
- b.** At least 40 percent of the first floor facade facing a street shall be transparent, whether through the use of glass windows, doors, or both (see [Figure 5.3.2.E.8: Mixed-use Building Fenestration](#)).
- c.** At least 25 percent of each upper story facade facing a street shall be transparent
- d.** Ventilation grates or emergency exit doors located at the first floor level oriented toward a street shall be decorative.



9. BUILDING ENTRANCES

- a. Primary structures must be oriented with their main entrance facing the street upon which the project fronts.
- b. If the site is on a corner, it may have its main entrance oriented to either street or at the corner.
- c. Entrances serving mixed-use buildings shall include at least two of the following features fronts (see Figure 5.3.2.E.9: Mixed-use Building Entrances):
 - i. Canopies or porticos;
 - ii. Overhangs;
 - iii. Recesses/projections;
 - iv. Soldier courses or story lines;
 - v. Galleries or arcades;
 - vi. Raised corniced parapets over the door;
 - vii. Peaked roof forms;
 - viii. Arches;
 - ix. Architectural detail such as tile work and moldings integrated into the building structure and design; or
 - x. Integral planters that incorporate landscaped areas and places for sitting.

FIGURE 5.3.2.E.9: MIXED-USE BUILDING ENTRANCES

LEGEND

- | | |
|---|---|
| A Canopies or Porticos | H Arches |
| B Overhangs | I Architectural Details |
| C Recesses/Projections | J Integral Planters or Seating Areas |
| D Soldier Courses or Story Lines | |
| E Galleries or Arcades | |
| F Raised Cornice Parapets | |
| G Peaked Roof Forms | |



10. ROOF FORM

- a. Roof pitches less than 3:12 and flat roofs shall require a parapet wall on all sides visible from the street. Parapet walls shall fully screen all roof-top mechanical equipment from the street.
- b. Parapet walls shall have decorative cornices or caps.
- c. A pitched roof shall have eaves that extend a minimum of 12 inches from the building face.
- d. Roof-mounted mechanical equipment on a pitched roof shall be screened or otherwise camouflaged from view from the street.

11. WEATHER PROTECTION

Weather protection for pedestrians, such as awnings, canopies, galleries, and arcades, shall be provided along building frontages abutting a public sidewalk or a hard-surfaced expansion of a sidewalk, and along building frontages between a building entrance and a public street or accessway.

ARTICLE 5: DEVELOPMENT STANDARDS

5.3. Design Standards

5.3.3. Multi-Family Residential Design Standards

12. DRIVE-UP/DRIVE THROUGH PROHIBITED

No building within a mixed-use development or downtown district shall include drive-up or drive through facilities.

13. SIGNAGE

Pole signs shall be prohibited on lots with mixed-use development.

F. DUMPSTER ENCLOSURE DESIGN

The following standards shall apply to dumpster and refuse collection areas for commercial uses.

1. The sides and back of enclosures shall be constructed of the same materials as the primary building and the following materials are prohibited
 - a. Natural wood fence panels
 - b. Synthetic Stucco or EFIS
 - c. Chain-Link
 - d. Reflective Corrugated Metal
2. Gates shall be constructed of a metal panel system and painted or coated black, grey, or similar neutral color.
3. Enclosures shall meet the requirements of [Table 5.10.5 Screening Methods](#)

FIGURE 5.3.2.F: MIXED USE DUMPSTER ENCLOSURE DESIGN



5.3.3. MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS

A. PURPOSE AND INTENT

These multi-family residential design standards supplement the applicable zoning district and use-specific standards of this Ordinance by providing the minimum requirements for design and configuration of multi-family development within the Town's planning jurisdiction. They are intended to:

1. Ensure multi-family development takes place in a manner consistent with the context, scale, and proportion of its surroundings;
2. Promote greater compatibility between new multi-family development and other allowable use types, particularly adjacent residential single-family detached dwellings;
3. Establish expectations for minimum level of quality for multi-family development;
4. Encourage creativity in design and promote individual project identity;
5. Create neighborhoods with enhanced architectural and visual interest; and
6. Preserve property values and protect public and private investment.

ARTICLE 5: DEVELOPMENT STANDARDS

B. APPLICABILITY

1. GENERALLY

Except where expressly exempted in writing in this Ordinance, the standards in this section shall apply to the following forms of development:

- a. New multi-family dwellings;
- b. New triplex and quadplex dwellings; and
- c. New multi-unit residential structures within a continuing care retirement community use type; and
- d. New assisted living facilities and nursing homes.

2. VOLUNTARY COMPLIANCE FOR SINGLE-FAMILY ATTACHED DWELLINGS

- a. Single-family attached development shall be exempted from these standards, though a landowner may voluntarily agree to comply with them, comply with them as part of a conditional rezoning (see Section 2.2.6, Conditional Rezoning), or comply in order to take advantage of a sustainable development incentive (see Section 5.12, Sustainability Incentives).
- b. In cases where an applicant agrees to comply with these standards, a signed copy of the following statement shall be included on all approved site plans and subdivision plats.

The single-family attached development depicted on the attached site plan or subdivision plat is subject to the Town of Zebulon’s Multi-family Residential Design Standards in place at the time the application for this development was determined to be complete. I hereby voluntarily consent to the application of these design standards, the acceptance of which shall run with the land regardless of changes in ownership, and recognize that failure to comply with the applicable requirements following approval is a violation of the Unified Development Ordinance.

Landowner Signature

Date

- c. The signed statement of consent and an associated site plan depicting the development’s compliance with these standards shall be recorded in the office of the Wake County Register of Deeds prior to issuance of a building permit.

C. EXEMPTIONS

The following forms of development shall be exempted from these standards:

- 1. Single-family attached development, unless subject to voluntary consent by the landowner in accordance with subsection (2) above or subject to conditions of approval incorporated in a conditional rezoning approval;
- 2. Duplex dwellings;
- 3. Renovation or redevelopment of existing structures; and
- 4. Routine maintenance and repairs.

D. TIMING OF REVIEW

Review for compliance with these standards shall take place during review of an associated rezoning, site plan, special use permit, or planned development, as appropriate.

E. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

1. STREET NETWORK

- a. On sites including new streets, an interconnected network of streets shall be provided, to the maximum extent practicable, and streets shall connect to adjacent existing streets outside of the development.
- b. Vehicular driveways into a development with 10 or more dwelling units shall be at least 100 feet away from any major intersection, to the maximum extent practicable.
- c. Driveways shall be consolidated in order to reduce curb cuts, to the maximum extent practicable.

ARTICLE 5: DEVELOPMENT STANDARDS

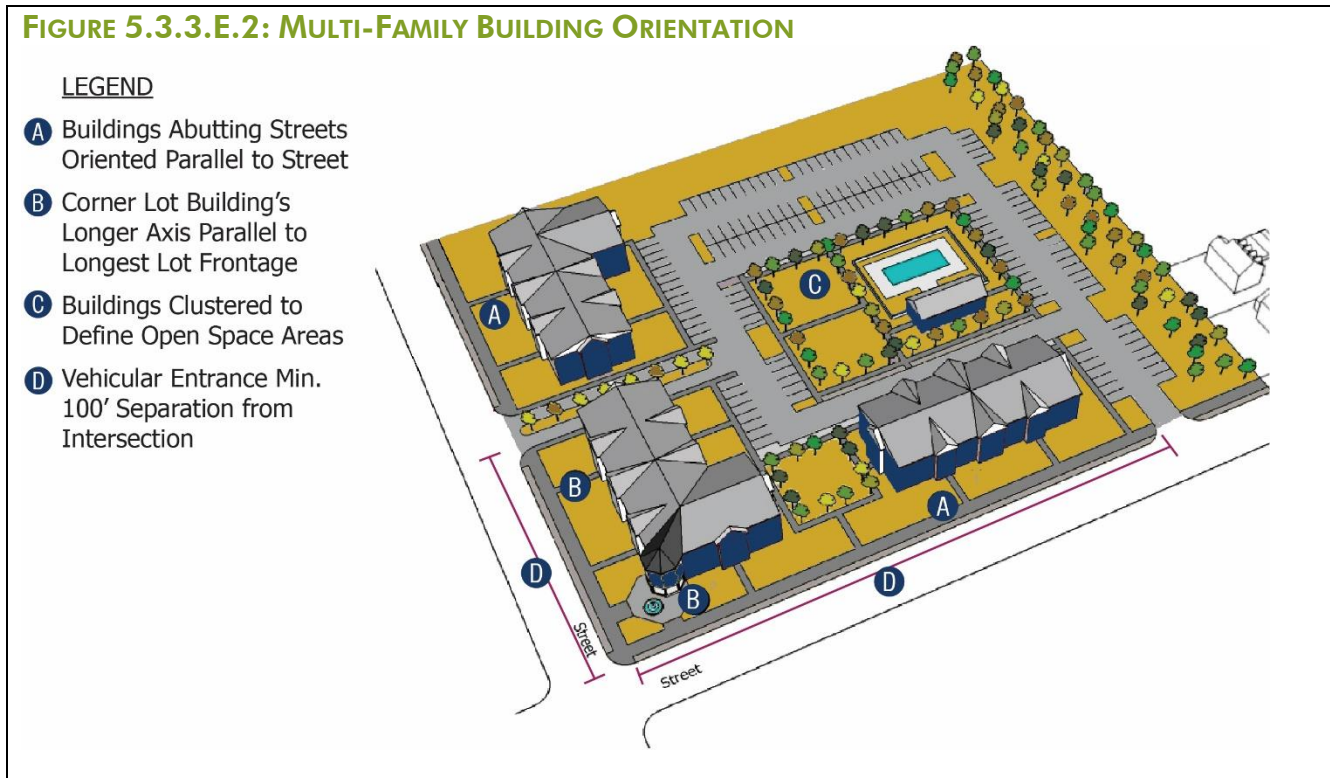
5.3. Design Standards

5.3.3. Multi-Family Residential Design Standards

2. BUILDING ORIENTATION

- a. Buildings that abut streets shall be oriented parallel to the street they front rather than being oriented at an angle to the street.
- b. On corner lots, the long axis of the building shall be parallel to the longest lot frontage unless such orientation is incompatible with adjacent, existing development along the same street (see [Figure 5.3.3.E.2: Multi-family Building Orientation](#)).
- c. Buildings within multiple-building developments shall be clustered in order to define open space recreation areas and development entry points.

FIGURE 5.3.3.E.2: MULTI-FAMILY BUILDING ORIENTATION



3. BUILDING ENTRANCES

- a. The facades of buildings abutting streets shall be configured so that entryways to individual dwelling units or shared entrances face the street.
- b. Access to upper-floor dwelling units shall be obtained from shared internal entries. In no instance shall walkways to individual upper-story dwelling units take place on the exterior of the building.
- c. Individual ground-floor and shared entryways shall be sheltered from the weather either by:
 - i. Recessing the entrance at least three feet to the inside of the primary ground floor façade plane; or
 - ii. Inclusion of an overhead architectural treatment that extends outward at least three feet from the primary façade plane.

4. BUILDING FACADES

- a. Buildings subject to these standards shall maintain a consistent level of architectural detailing and composition on each building façade facing a street.
- b. Building facades facing streets shall provide a minimum of three of the following architectural elements (see [Figure 5.3.3.E.4: Multi-family Building Facades](#)):
 - i. A covered porch or terrace;
 - ii. One or more dormer windows or cupolas;
 - iii. Eyebrow windows;

ARTICLE 5: DEVELOPMENT STANDARDS

5.3. Design Standards

5.3.3. Multi-Family Residential Design Standards

- iv. Awnings or overhangs;
- v. Decorative moldings;
- vi. Shutters;
- vii. Pillars, posts, or pilasters;
- viii. One or more bay windows with a minimum twelve-inch projection from the facade plane;
- ix. Multiple windows with a minimum of four-inch-wide trim;
- x. Corniced parapets;
- xi. Eaves with a minimum of four-inch-wide trim; or
- xii. Integral planters that incorporate landscaped areas and/or places for sitting.

FIGURE 5.3.3.E.4: MULTI-FAMILY BUILDING FACADES

LEGEND

- A** Covered Porch or Terrace
- B** Dormer Windows or Cupolas
- C** Eyebrow Windows
- D** Awnings or Overhangs
- E** Decorative Moldings
- F** Shutters
- G** Pillars, Posts, or Pilasters
- H** Bay Window(s) (Min. 12” Projection)
- I** Windows With Minimum 4” Wide Trim
- J** Corniced Parapets
- K** Eaves With Min. 4” Wide Trim
- L** Integral Planters or Seating Areas



- c. Garage entries, loading and service entries, utility rooms, stairs, elevators, or similar features shall not occupy more than 20 percent of the width of a building façade facing a street.

ARTICLE 5: DEVELOPMENT STANDARDS

5.3. Design Standards

5.3.3. Multi-Family Residential Design Standards

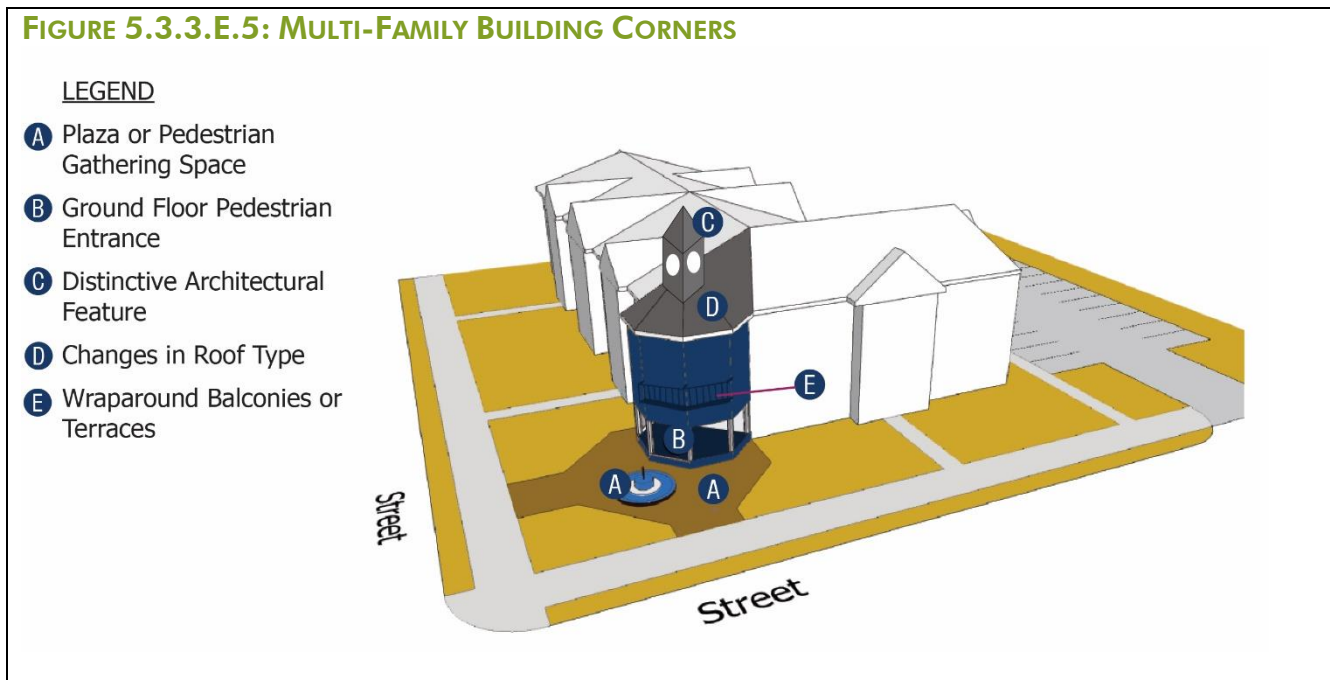
- d. Attached street-facing garages serving individual dwelling units shall be recessed at least three feet inwards from the primary first floor façade plane or be associated with an upper-story projection that exists above the garage.
- e. Developments with three or more principal buildings shall provide variation in building size, shape, height, color, and roofline in a manner that allows different buildings to be distinguished from one another.

5. BUILDING CORNERS

Building corners that are adjacent to one or more streets shall include at least one of the following features (see [Figure 5.3.3.E.5: Multi-family Building Corners](#)):

- a. A plaza or other gathering space;
- b. A shared ground-floor pedestrian entryway;
- c. A distinctive roof feature such as a tower, turret, spire, pediment, or other architectural feature with a height above the roofline of adjacent dwelling units;
- d. Changes in roof type or pitch from the adjacent building sides; or
- e. Upper-story balconies or terraces that wrap both sides of the corner.

FIGURE 5.3.3.E.5: MULTI-FAMILY BUILDING CORNERS



6. BUILDING MASSING

- a. Upper story façade walls shall not project beyond the ground floor footprint except to accommodate bump-outs with windows.
- b. In the case of two-story buildings, the exterior façade walls of the second floor shall be in line with or setback from the first floor façade walls.
- c. In the case of three- (or more) story buildings, upper story façade walls shall be setback from the second or ground-floor floor façade walls to preserve light and air and avoid casting shadows (see [Figure 5.3.3.E.6: Multi-family Building Massing](#)).

FIGURE 5.3.3.E.6: MULTI-FAMILY BUILDING MASSING

LEGEND

- A** Upper Story Facade May Only Project Beyond Ground Floor Footprint With Window Bump-Outs

Two Story Building Options:

- B** Second Story In Line With Facade of First Story
- C** Second Story Setback from First Story Facade

Three or More Story Buildings:

- D** Upper Story Facades Setback from Second or First Floor Facades



7. BUILDING ARTICULATION

- a.** Street-facing building facades shall be articulated with wall offsets, in the form of recesses or projections from the primary façade plane, of at least two feet for every 35 linear feet of facade frontage (see [Figure 5.3.3.E.7: Multi-family Façade Articulation](#)).
- b.** Where provided, projections or recesses shall extend from the grade to the top of the highest story in line with the ground-floor footprint.

FIGURE 5.3.3.E.7: MULTI-FAMILY FAÇADE ARTICULATION

LEGEND

- A** Primary Facade
- B** Minimum 2' Articulation Every 35 Linear Feet
- C** Projections Extend to Top of Highest Story
- D** Not a Projection Because Does Not Extend to Highest Story



8. BUILDING HEIGHT

- a.** Buildings subject to the standards of this section shall have a maximum height of two stories or 18 feet within 100 feet of a lot with an existing single-family detached residential dwelling, without an intervening street. (see Figure 5.3.3.E.8: Multi-family Building Height).
- b.** Building stories that are 75 percent or more below the finished grade at the front of the lot shall not be counted towards the number of allowable stories.

FIGURE 5.3.3.E.8: MULTI-FAMILY BUILDING HEIGHT

When Within 100' of a Lot With an Existing Single-Family Detached Dwelling and No Public Street in Between

A Story that is 75% or More Below Finished Grade Does Not Count Toward Story Limit



9. ROOF FORM

- a.** Development shall incorporate roof pitches between 3:12 and 12:12, or shall incorporate parapet walls with a dimensional cornice around a flat roof.

ARTICLE 5: DEVELOPMENT STANDARDS

5.3. Design Standards

5.3.3. Multi-Family Residential Design Standards

- b. Alternative roof forms or pitches are encouraged for small roof sections over porches, entryways, or similar features.
- c. Buildings with eaves shall be configured such that no single horizontal eave continues for more than 60 linear feet without being broken up by a gable, building projection, and articulation feature.
- d. Buildings with overhanging eaves and roof rakes shall extend at least six inches past supporting walls.

10. BUILDING MATERIALS AND COLORS

a. CONFIGURATION

- i. The predominate exterior material shall be brick, stone, cementitious, or other masonry material.
- ii. Buildings subject to these standards shall include at least two primary exterior materials on any single building.
- iii. Changes in colors and materials shall take place at internal corners or in logical locations, such as: building wings, bays, bump-outs, or recesses (see [Figure 5.3.3.E.10: Multi-family Building Materials](#)). In no instance shall exterior materials or colors change at outside corners.
- iv. Heavier or more bulky exterior materials shall be located beneath or below lighter materials.

FIGURE 5.3.3.E.10: MULTI-FAMILY BUILDING MATERIALS

LEGEND

- A Minimum Two Primary Exterior Materials on Each Building
- B Material Changes at Logical Locations (Internal Corners, Wings, Bays, Bump-outs, or Recesses)
- C Heavier Materials Below Lighter Materials



b. PROHIBITED MATERIALS

The following materials shall be prohibited on any façade facing a street, open space, or district intended primarily for single-family detached development:

- i. Smooth-faced concrete block;
- ii. Corrugated metal siding;
- iii. Vinyl siding (excluding windows or soffits); or

- iv. Synthetic stucco within two feet of the grade.

11. ACCESSORY STRUCTURES

In addition to the standards in Section 4.4, Accessory Uses, accessory uses and structures associated with a development subject to these standards shall comply with the following:

- a. Street-facing detached garages on corner lots shall be located to the side or rear of buildings.
- b. Access to accessory structures (such as garages, carports, storage areas, etc.) shall be provided from alleys or secondary streets, to the maximum extent practicable.
- c. Accessory buildings shall include exterior materials, colors, and roof form designed to be consistent with the principal structure.
- d. Accessory structures shall not physically obstruct pedestrian entrances.
- e. Centralized refuse collection containers, if provided, shall be located in an enclosed area located to the rear of principal buildings.

12. SITE FEATURES

- a. Except for nursing homes, development subject to these standards shall not include a gate or obstruction that blocks access to the site for vehicles, bicycles, or pedestrians.
- b. Off-street parking serving guests shall be evenly distributed throughout the development.
- c. Shared refuse collection containers shall be evenly distributed throughout the development or be centrally located.
- d. Detached garages or carports shall not be located between a principal building and the street it faces.
- e. Utilities shall be provided underground, and utility vaults shall be clustered in areas outside of required landscaping.

5.4. EXTERIOR LIGHTING

5.4.1. PURPOSE AND INTENT

The purpose of this section is to establish standards for exterior lighting on individual lots to help ensure the safety of motorists and pedestrians traveling on streets, sidewalks, and trails, and to minimize the potential for adverse impacts on properties from excessive light intensity, light trespass, and glare originating on adjacent lots.

5.4.2. APPLICABILITY

A. GENERAL

The provisions of this section shall apply to all multi-family, mixed-use, and nonresidential development unless exempted in accordance with [Section 5.4.3, Exemptions](#).

B. EXPANSION OR REMODELING

All expansions or remodeling of principal buildings, parking areas, or open uses of land shall comply with these standards, subject to the requirements in [Section 7.4, Nonconforming Sites](#).

5.4.3. EXEMPTIONS

The following forms of exterior lighting or activities are exempt from the requirements of this section:

- A. Special events and holiday displays;
- B. Exterior lighting used exclusively for recreational activities, concerts, plays or other outdoor events that are open to the public, provided that the event or function meets all other applicable requirements of this Ordinance. Such lighting shall be located at least 50 feet from any adjoining residential district or use and shall not be illuminated except during the activity and brief periods immediately before and after the event.
- C. FAA-required lighting on buildings, towers, or other structures;
- D. Interior lighting for stadiums, arenas, and similar facilities;
- E. Security lighting controlled and activated by motion sensor devices that is shielded or aimed towards the ground and that remains lit for a duration of 10 minutes or less;
- F. Public street lighting;
- G. Lighting of flags;
- H. Temporary lighting necessary for construction or emergencies, when used by construction workers or emergency personnel; and
- I. Exterior lighting associated with single-family detached, single-family attached, and duplex dwellings, except that these forms of development shall be subject to [Section 5.4.4, Prohibited Lighting](#).

5.4.4. PROHIBITED LIGHTING

The following forms of exterior lighting shall be prohibited:

A. TRAFFIC CONTROL SIGNALS

1. Lighting that imitates an official highway or traffic control light or sign;
2. Lighting in the direct line of sight with any traffic control light or sign;

B. FLASHING OR REVOLVING

Flashing, revolving, or intermittent exterior lighting visible from any lot line or street

C. HIGH INTENSITY LIGHTING

1. High intensity light beams, such as searchlights or laser lights, except when used by federal, State, or local authorities; or
2. High intensity LED or neon lighting fixtures mounted around the interior or exterior of a window, door, or other architectural feature on a structure.

D. LUMINOUS TUBE LIGHTING

Luminous tube lighting (e.g., neon, rope lighting, etc.) is prohibited on building exteriors and in configurations where it outlines a window or glass door from the inside of a structure.

5.4.5. LIGHTING PLAN

A. APPLICABILITY

1. An exterior lighting plan shall be required for all areas proposed for illumination that exceed 10,000 square feet in area.
2. Projects with multiple areas proposed to be illuminated (such as separate parking lots) shall submit a site lighting plan if the sum of the multiple areas exceed 10,000 square feet.

B. ELEMENTS TO INCLUDE

Regardless of whether an exterior lighting plan is prepared, a site plan, or building permit application, as appropriate, shall indicate the following:

1. Exterior lighting fixture type;
2. Exterior lighting pole height;
3. Exterior lighting fixture shielding; and
4. A statement by the applicant that any proposed exterior lighting complies with the applicable requirements in this section.

C. CERTIFICATION REQUIRED

Certification must be provided by the person preparing a lighting plan that the proposed development complies with the exterior lighting standards of this section.

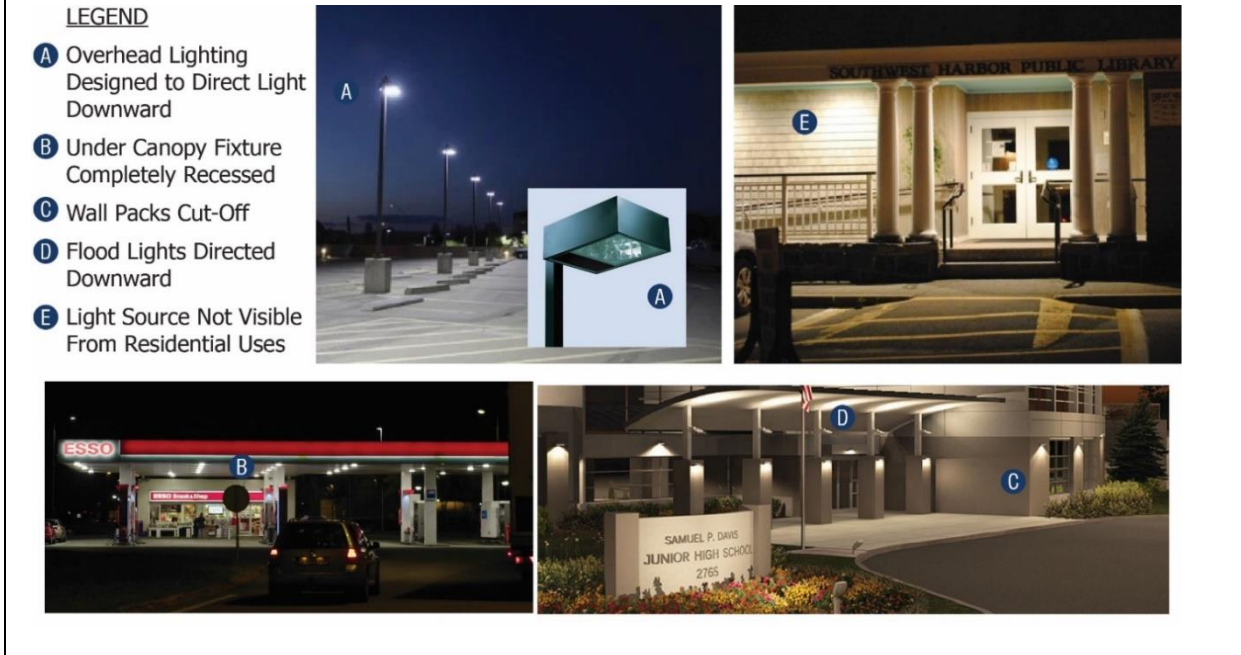
5.4.6. EXTERIOR LIGHTING STANDARDS

All lighting fixtures designed or placed so as to illuminate any portion of a site shall meet the following requirements:

A. SHIELDING

1. Overhead lighting fixtures shall be designed to prevent light from emitting upwards towards the sky.
2. Under canopy lighting fixtures should be completely recessed within the canopy.
3. Wall packs shall be cut-off and wall-mounted floodlights shall be shielded (e.g., true cut-off type bulb or light source not visible from off-site) to direct light downward.
4. Exterior lighting fixtures located on private property and visible from a residential land use shall be configured so that the source of illumination (the bulb) is not visible from the residential land use (see Figure 5.4.6.A: Light Shielding).

FIGURE 5.4.6.A: LIGHT SHIELDING



LEGEND

- A** Overhead Lighting Designed to Direct Light Downward
- B** Under Canopy Fixture Completely Recessed
- C** Wall Packs Cut-Off
- D** Flood Lights Directed Downward
- E** Light Source Not Visible From Residential Uses

B. FIXTURE HEIGHT

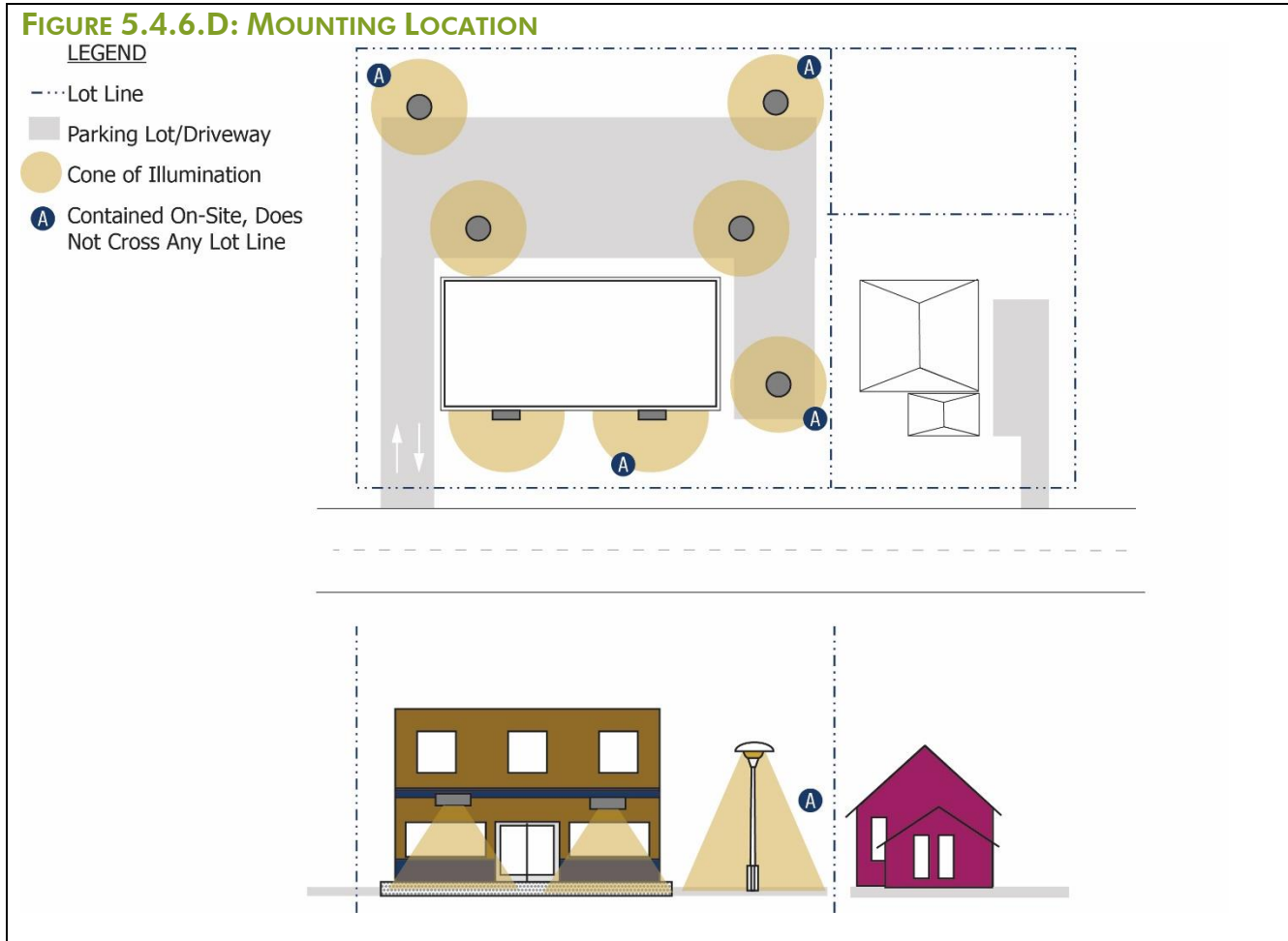
1. Lighting fixtures shall be a maximum of 30 feet in height within the parking lot and shall be a maximum of 15 feet in height within non-vehicular pedestrian areas.
2. All light fixtures located within 50 feet of any single-family detached or duplex dwelling shall not exceed 15 feet in height.

C. LAMP TYPE

1. Incandescent, florescent, metal halide, light-emitting diode (LED), or color corrected high-pressure sodium lamps are permitted.
2. Non-color-corrected high pressure sodium lamps are prohibited.
3. Other lamp types are allowed when the color emitted is similar to the permitted lamp types.
4. The same lamp type must be used for the same or similar types of lighting throughout a development.

D. MOUNTING LOCATION

Exterior lighting shall be mounted and configured in such a manner so that the cone of illumination is contained on-site and does not cross any lot line around the perimeter of the site (see [Figure 5.4.6.D: Mounting Location](#)).



E. APPEARANCE

1. Exterior lighting fixtures shall be designed as an integral element that complements the design of the project through compatible style, material, and color.
2. Exterior lighting fixtures shall be designed in a consistent and coordinated manner for the entire site.

5.4.7. MAXIMUM ILLUMINATION LEVELS

Exterior lighting shall be designed and located such that the maximum illumination measured in footcandles at ground level at any lot line shall not exceed the standards in Table 5.4.7: Maximum Illumination Levels.

TABLE 5.4.7: MAXIMUM ILLUMINATION LEVELS	
TYPE OF ABUTTING USE OR ZONING DISTRICT [1]	MAXIMUM ILLUMINATION LEVEL AT THE LOT LINE (FOOTCANDLES) [2]
Single-family residential or duplex use or land zoned for single-family development	0.5
Multi-family or mixed-use development or land zoned for multi-family or mixed-use development	0.5
Mixed-use development or land zoned for mixed-use development	1.5
Institutional use [3]	2.0
Commercial or industrial use or land zoned for uses other than residential	2.5
Public or private street right-of-way	5.0
<p>NOTES: [1] These are the kinds of uses or zoning districts that abut the development. The maximum allowable illumination along any lot line shared with a single-family residential use is 1.0 footcandles, regardless of the type of use deploying the exterior lighting. [2] In cases where a single development occupies multiple lots, the lot line shall be the lot line(s) around the perimeter of the project. [3] Use types are organized by use classification in <u>Table 4.2.3, Principal Use Table</u>.</p>	

5.4.8. NONCONFORMING LIGHTING

- A.** Lighting fixtures that do not comply with these standards that were lawfully established as of January 1, 2020, may remain, and shall be considered nonconforming structures.
- B.** Any modifications, replacement, or expansions to the exterior lighting facilities serving a development shall conform to the standards of this Ordinance.

5.5. FENCES AND WALLS

5.5.1. PURPOSE AND INTENT

These standards provide development standards for permanent fences and walls on individual lots or development sites. These standards are proposed to protect the health and safety of the public while balancing the practical uses for fencing and walls like security and privacy with the need for aesthetic quality and a high quality built environment. More specifically, these standards are intended to:

- A. Provide for privacy and security on individual lots;
- B. Ensure proper construction techniques are followed and that fences and walls are maintained in good repair;
- C. Assist with the transition between public and private spaces; and
- D. Ensure fencing and walls are consistent with the Town's desired architectural character.

5.5.2. APPLICABILITY

A. GENERALLY

The provisions of this section shall apply to all construction or replacement of all fences, screening walls, or retaining walls. A fence or wall may only be erected in accordance with the standards in this section.

B. PRE-EXISTING DEVELOPMENT

Lawfully-established fences and walls established prior to January 1, 2020 that do not comply with these standards shall be subject to the applicable standards in [Article 7: Nonconformities](#).

5.5.3. EXEMPTIONS

The following are exempted from the standards in this section:

- A. Bona fide farms and agricultural use types in districts where these uses are permitted;
- B. Temporary fences for construction sites, including but not limited to: fencing necessary for soil erosion and sedimentation control and tree protection.

5.5.4. LOCATIONAL STANDARDS

A. GENERAL

No fence or wall shall:

1. Be located within the public right-of-way (except for public fences or walls, or as needed for retention of soil);
2. Impede visibility of the required property address number; or
3. Block pedestrian access from doors or windows.

B. EASEMENTS

1. In cases where a fence or wall is proposed within an easement, the applicant shall provide evidence of the easement owner's consent regarding placement of the fence or wall.
2. The landowner shall remain solely liable for any repair or replacement if any portion of the fence or wall located within a required easement is damaged during maintenance or construction activities within the easement by the easement owner or their agent.

C. BLOCK DRAINAGE

Fences or walls shall not alter or impede the natural flow of water in any stream, creek, drainage swale, or ditch.

D. OBSTRUCTIONS AT INTERSECTION

Except for necessary retaining walls, no fence or wall shall be located within a required sight distance triangle (see [Section 5.1.7, Sight Distance Triangles](#)).

E. REQUIRED SETBACKS

Fences or walls may be located within required setbacks, but shall not encroach onto a separate lot.

ARTICLE 5: DEVELOPMENT STANDARDS

F. REQUIRED LANDSCAPING AREAS

Fences or walls may be located in required landscaping areas, subject to the standards in Section 5.6.8, Features Allowed Within Required Landscaping Areas.

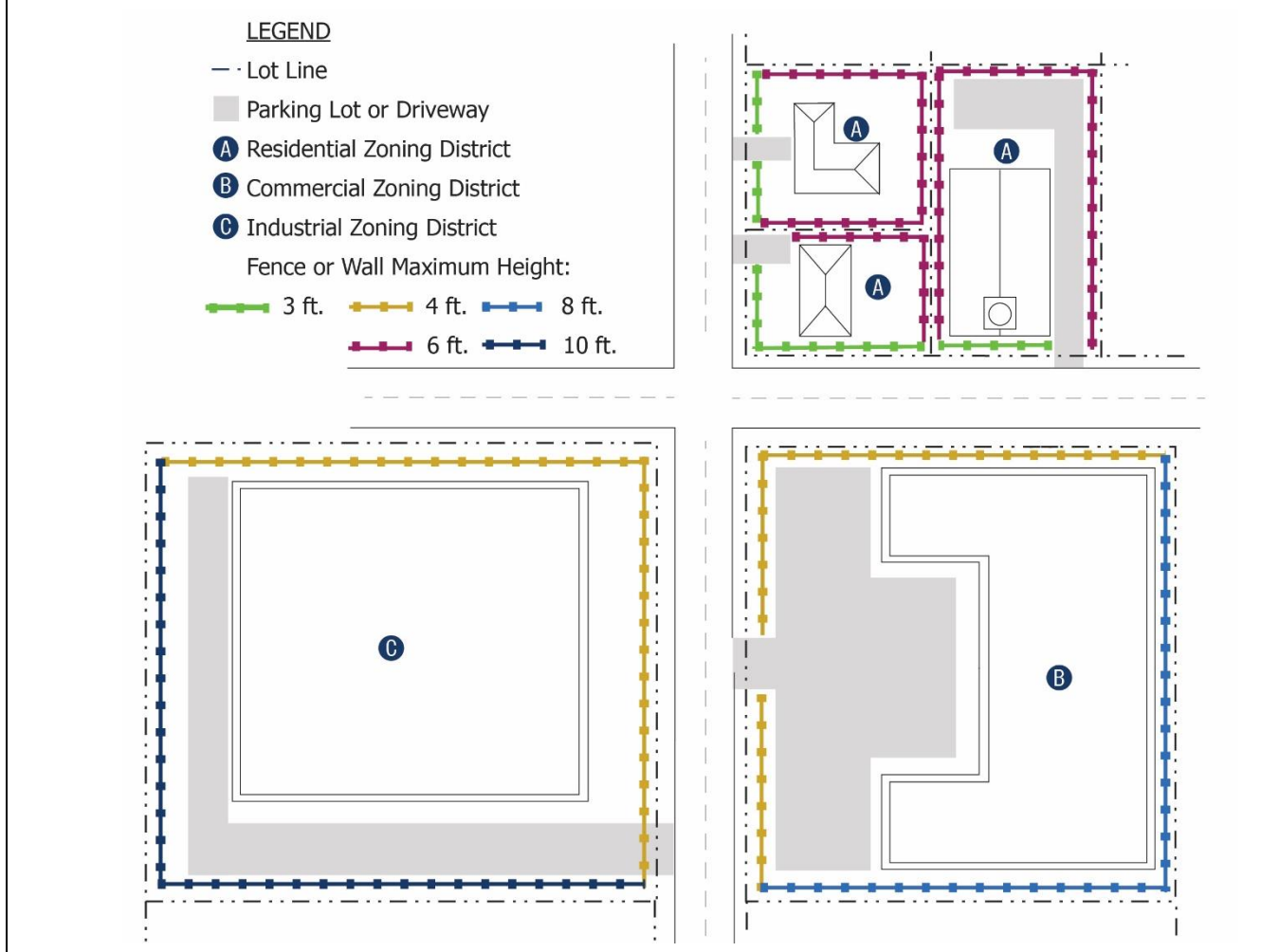
5.5.5. MAXIMUM HEIGHT

A. Maximum fence and wall height shall be in accordance with Table 5.5.5: Maximum Fence and Wall Height, and Figure 5.5.5: Maximum Fence and Wall Height:

TABLE 5.5.5: MAXIMUM FENCE AND WALL HEIGHT		
TYPE OF ZONING DISTRICT	LOCATION ON SITE	MAXIMUM HEIGHT (FEET) [1]
Residential	Between the principal building and a lot line abutting a street ROW	4
	All other locations	6
Commercial	Between the principal building and a lot line abutting a street ROW	4
	All other locations	8
Industrial	Opaque fences and walls between the principal building and a lot line abutting a street ROW	4
	Semi-opaque fences and walls between the principal building and a lot line abutting a street ROW	10
	All other locations	Within a required yard or setback: 10
Outside a required yard or setback: 10		
NOTES: [1] Fence height limits shall not apply to chain link fences surrounding tennis courts or ball field backstops.		

B. Fence and wall height shall be measured in accordance with the standards in Section 9.3.15, Fence and Wall Height.

FIGURE 5.5.5: FENCE AND WALL HEIGHT



5.5.6. WIND LOADING

All fencing and walls subject to the standards of this section shall be constructed in accordance with the North Carolina Building Code, and shall be designed and constructed in order to meet the minimum applicable wind loading standards in the Town of Zebulon.

5.5.7. DURATION

Fences and walls shall be designed, constructed, and maintained to ensure a minimum useful life of at least ten years, and be configured in accordance with the standards in Section 5.5.8, Permitted Materials.

5.5.8. PERMITTED MATERIALS

The following fencing materials are permitted for fences and walls:

- A. Masonry or stone;
- B. Ornamental iron, steel, or aluminum;
- C. Wood;
- D. Vinyl, plastic, or composite; or
- E. Chain-link, except where prohibited by this Ordinance.

5.5.9. RESTRICTED FENCE MATERIALS

A. BARBED WIRE AS FENCING

Barbed wire as a fence is prohibited in all zoning districts except that it may be allowed as part of a bona fide farm use.

B. BARBED WIRE ATOP ANOTHER MATERIAL

1. No barbed or razor wire shall be permitted on a fence or wall in a residential or OI district.
2. Barbed or razor wire may be used atop another fencing material (e.g., chain link) outside of residential or OI districts only in cases where the barbed or razor wire is at least six feet above the ground measured at the base of the fence.

5.5.10. ELECTRIC FENCES

Fences that carry an electrical current are allowed solely for the purposes of enclosing livestock as part of a bona fide farm use. Nothing shall prohibit below-ground electrical fences intended for the keeping of pets.

5.5.11. PROHIBITED FENCE MATERIALS

- A. Fences made of wooden pallets, tires, debris, junk, rolled plastic, sheet metal, untreated or unpainted plywood, readily flammable material, or waste materials shall be prohibited, unless the materials have been recycled and reprocessed, for marketing to the general public as building materials designed to resemble new building materials (e.g., picket fencing made from recycled plastic and fiber).
- B. In no instance shall tarps or silt fencing remain on a lot or site after completion of construction.

5.5.12. MATERIALS FOR TEMPORARY FENCES

Temporary fences in place for up to 90 days may be comprised of any material approved by the Planning Director.

5.5.13. WALL MATERIAL STANDARDS

- A. Walls shall be constructed of one or more of the following materials:
 1. Stucco over concrete block;
 2. Exposed aggregate concrete; or
 3. Brick, stone, or architectural block assembled in a structurally safe and attractive condition.
- B. No walls of exposed smooth-face concrete block shall be permitted.
- C. Stacked stone or other masonry configurations where no mortar or other bonding agent is used between stones or individual masonry units shall not exceed 36 inch height above grade.
- D. Alternative wall materials may be permitted by the Planning Director provided they provide a similar level of opacity to that of the listed materials and are in keeping with the architecture of the development.

5.5.14. FINISHED SIDE

All fences or walls shall be configured so that the finished side faces outwards. For the purposes of this section, the finished side does not include any supporting members or bracing (see [Figure 5.5.14: Finished Side](#)).

FIGURE 5.5.14: FINISHED SIDE

LEGEND

- A** Finished Side of Fence - Facing Outward
- B** Unfinished Side of Fence - Facing Inward



5.5.15. MAINTENANCE

- A.** Any fence or wall which, through neglect, lack of repair, type or manner of construction, method of placement or otherwise, constitutes a hazard or endangers any person, animal, or property is in violation of this Ordinance.
- B.** When a fence or wall is in violation of this Ordinance, the Planning Director shall require the owner or occupant of the property upon which the fence or wall is located to repair, replace, or demolish the fence or wall in accordance with all applicable standards in this Ordinance.

5.6. LANDSCAPING

5.6.1. SECTION ORGANIZATION

These landscaping standards are organized into three main groups of related standards:

- A. Applicability and configuration provisions in Subsections 5.6.3 through 5.6.8;
- B. The standards for the five types of required landscaping (parking lots, perimeter buffers, foundation plantings, streetscape buffers, and street trees) in Subsections 5.6.9 through 0; and
- C. The flexibility, maintenance, and replacement standards in Subsections 5.6.14 through 5.6.18.

5.6.2. PURPOSE AND INTENT

The purpose of these provisions is to establish minimum requirements for the provision and maintenance of functionally adequate, attractive screening and buffering of buildings, site features, and off-street parking areas. These standards are intended to:

- A. Promote and increase design compatibility between different land uses, while ensuring attractive views from streets and adjacent properties;
- B. Assist in delineating separations of spaces, structures, uses, and activities on a site, or between adjacent sites;
- C. Shield adjacent properties from potentially adverse external impacts of adjacent land uses and activities;
- D. Abate glare and moderate temperatures of impervious areas;
- E. Help filter air of fumes and dust;
- F. Provide shade;
- G. Reduce noise;
- H. Reduce the visual impact of large expanses of pavement;
- I. Promote energy conservation;
- J. Reduce the amount and rate of stormwater runoff and erosion;
- K. Improve stormwater runoff quality;
- L. Increase in the capacity for groundwater recharge; and
- M. Enhance the appearance and value of both residential and non-residential development.

5.6.3. APPLICABILITY

The standards in this section apply to the following forms of development:

- A. **NEW PRINCIPAL BUILDINGS OR USES**
New principal buildings or open uses of land, including publicly-owned buildings or sites, constructed, reconstructed, or established after January 1, 2020.
- B. **IMPROVEMENTS AND EXPANSIONS**
All improvements, including expansions or remodeling of principal buildings, parking areas, or open uses of land that exceed 3,000 square feet in area shall comply with these standards, subject to the requirements in Section 7.4, Nonconforming Sites.
- C. **MULTI-PHASE DEVELOPMENT**
Multi-family, non-residential, and mixed-use development that is planned and developed in phases shall be required to install landscaping that is associated with the active phase or phases only, unless an alternative arrangement is otherwise agreed to by the Planning Director and the developer. An active phase of a development is the one that is subject to permitted and on-going development activity.

5.6.4. EXEMPTIONS

The following forms of development are exempted from these standards.

- A. Changes to an existing or development of a new proposed single-family detached or duplex dwelling on a residentially-zoned lot.
- B. Routine maintenance of existing vegetation, such as watering and fertilizing.

ARTICLE 5: DEVELOPMENT STANDARDS

5.6. Landscaping

5.6.5. Landscape Plan Required

- C. The removal of dead trees and shrubs, or trees and shrubs that have been diagnosed and determined to be diseased beyond treatment, provided the screening function of the landscaping is maintained or re-established. Failure to maintain the screening function of a required landscaping area is a violation of this Ordinance.
- D. Pruning of vegetation, provided the screening function of the required landscaping is maintained. Severe pruning is a violation of this Ordinance, and shall require replacement of required vegetation.
- E. Repaving or restriping of a parking lot, provided there is no increase in parking lot size or the number of parking spaces.

5.6.5. LANDSCAPE PLAN REQUIRED

A. GENERALLY

1. A landscape plan depicting how required landscaping will be planted in accordance with these standards shall be included with an application for site plan, preliminary plat, zoning compliance permit, or building permit, as appropriate, to ensure compliance with this section.
2. The landscape plan shall be approved prior to, or concurrent with, the approval of a site plan, preliminary plat, zoning compliance permit, or the issuance of a building permit.
3. A landscape plan shall contain, at a minimum, the following:
 - a. Location of required planting material;
 - b. Grouping or clusters of planting material, if proposed;
 - c. Identification of required plants, including their scientific names;
 - d. Minimum and maximum dimensions of all planting yard areas;
 - e. Calculations determining the number of canopy trees, understory trees, and shrubs required;
 - f. Locations, species, sizes, and methods of protection during construction for existing vegetation to be retained and counted towards minimum landscaping requirements;
 - g. Location(s), species, and size or planting density of required trees included if the development is subject to the standards in [Section 5.9, Reforestation](#); and
 - h. Existing topography, or proposed topography where site grading is proposed to occur.

B. PHASED DEVELOPMENT

Development subject to these standards that is planned in phases may submit a landscape plan for the entire development, or separate landscape plans for each phase, which shall be approved prior to approval of the final plat.

C. LANDSCAPING IN A STORMWATER RETENTION POND

If trees or shrubs are proposed on or within 20 feet of the embankment of a stormwater retention pond, a landscape plan showing the retention pond and surrounding landscaping must be submitted for review to determine that the safety and functionality of the device will not be compromised by the trees or shrubs.

5.6.6. PLANT MATERIAL SPECIFICATIONS

A. CANOPY TREE SIZE

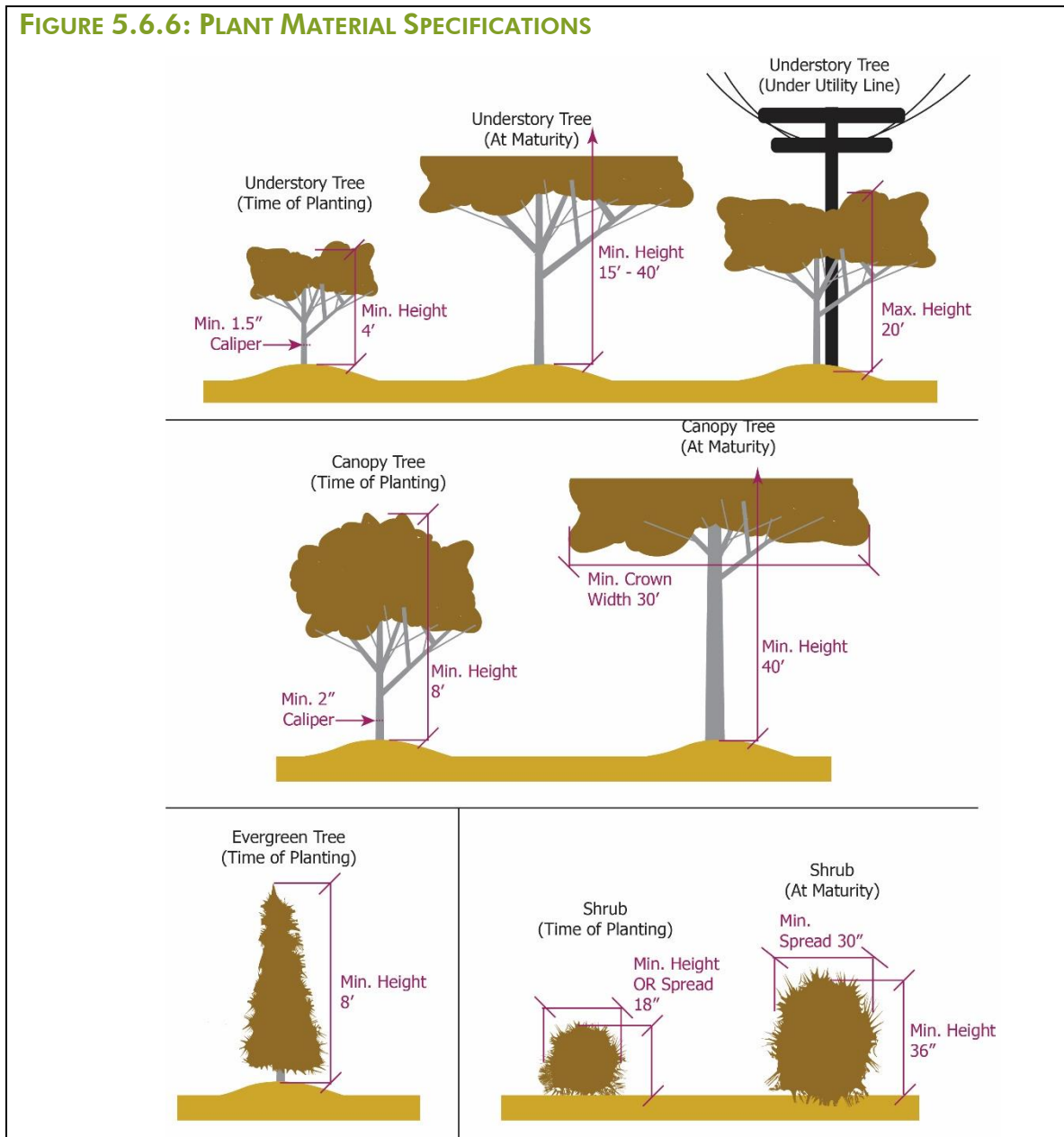
1. Canopy trees shall have a minimum height at maturity of 40 feet and a minimum crown width of 30 feet (see [Figure 5.6.6: Plant Material Specifications](#)).
2. All canopy trees shall have a minimum height of eight feet, or more, and a minimum caliper size of two and one-half (2½) inches, or more, at planting (see [Section 9.3.12.A, Determining Tree Size at Time of Planting](#)).
3. Evergreen trees shall be a minimum of six feet in height at planting.

B. UNDERSTORY TREE SIZE

1. Understory trees shall have a minimum height at maturity of 15 to 40 feet, except that trees to be placed below overhead utility lines may not exceed a mature height of 20 feet (see [Figure 5.6.6: Plant Material Specifications](#)).

2. All understory trees shall have a minimum height of four feet, or more, and a minimum caliper size of one-and-one-half (1½) inches, or more, at planting (see Section 9.3.12.A, Determining Tree Size at Time of Planting).
3. Drought tolerant understory trees shall have a minimum caliper size of one inch at planting.
4. Nothing shall limit the use of multi-stemmed understory trees provided that 25 percent or more of the leaders meet the requirements in Section 9.3.12.A, Determining Tree Size at Time of Planting.

FIGURE 5.6.6: PLANT MATERIAL SPECIFICATIONS



C. SHRUB SIZE AND VARIETY

1. All shrubs shall be at least a three-gallon size and have a minimum height or spread of 18 inches at the time of planting (see Section 5.6.6: Plant Material Specifications).
2. Shrubs shall reach a minimum height of 36 inches and a spread of 30 inches within three years of planting.

ARTICLE 5: DEVELOPMENT STANDARDS

5.6. Landscaping

5.6.7. Landscaping Placement

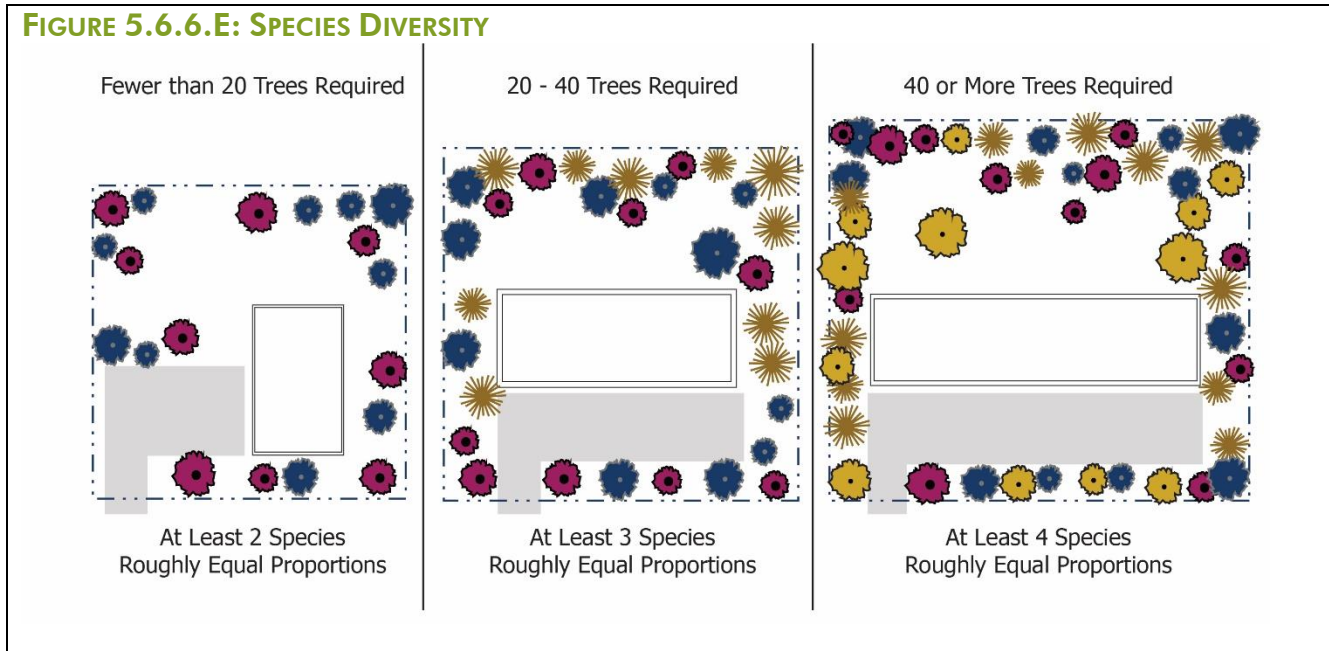
- Decorative grasses may be proposed as a substitute for shrubs, provided the grasses meet the screening objectives and are approved by the Planning Director.
- Shrubs or grasses used to screen off-street parking areas shall be evergreen or retain their leaves/blades throughout the year.

D. NATIVE OR LOCALLY-ADAPTED SPECIES

- Required landscaping materials shall be cold-hardy for the location where planted.
- Plant species used in required landscaping areas must be native species or species of a locally-adapted nature. Other species require approval by the Planning Director.

E. SPECIES DIVERSITY

- To curtail the spread of disease or insect infestation in a plant species, new plantings shall comply with the following standards:
- When fewer than 20 trees are required on a site, at least two different species shall be utilized, in roughly equal proportions (see Figure 5.6.6.E: Species Diversity).
- When more than 20 but fewer than 40 trees are required to be planted on site, at least three different species shall be utilized, in roughly equal proportions.
- When 40 or more trees are required on a site, at least four different species shall be utilized, in roughly equal proportions.
- A larger number of different species than specified may be utilized.
- In no instance shall invasive species, as determined by the North Carolina Extension Service, be utilized as landscaping materials to meet the requirements of this Ordinance.



F. STABILIZATION

- Required landscaping areas shall be stabilized and maintained with vegetative cover, mulch, decorative gravel, cinders, or other approved materials to prevent soil erosion and allow rainwater infiltration.
- Required landscaping areas with slopes of 15 percent or more shall be stabilized with vegetative cover (not mulch or gravel) designed to minimize erosion. Required vegetative cover shall be established and functional prior to issuance of a certificate of occupancy.
- Use of landscape fabric on slopes of 15 percent or more is discouraged.

5.6.7. LANDSCAPING PLACEMENT

ARTICLE 5: DEVELOPMENT STANDARDS

5.6. Landscaping

5.6.7. Landscaping Placement

A. OUTSIDE PUBLIC STREET RIGHTS-OF-WAY

1. Except for street trees, required landscaping material shall not be located within a street right-of-way.
2. Where provided, street trees shall be configured in accordance with Section 5.6.13, Street Trees.

B. GROUPING OF PLANT MATERIAL

1. Except for street trees, streetscape buffers, shrubs around the perimeter of a parking lot, shrubs along a primary or front façade foundation, or when vegetation is included as a screening device in accordance with Section 5.10, Screening, required plant material may generally be grouped or clustered, provided the overall screening objective in these standards is adequately addressed.
2. Street trees shall maintain on-center spacing requirements in Section 5.6.13, Street Trees.
3. Streetscape buffers shall maintain the on-center spacing requirements in Section 5.6.12 Streetscape Buffers.
4. Shrubs intended to screen building foundations from view from the public realm shall not exceed the maximum on-center spacing in Section 5.6.11, Foundation Plantings.
5. Shrubs intended to screen features in accordance with Section 5.10, Screening, may not be grouped if such grouping results in the failure to meet the minimum screening standards of this Ordinance.

C. MULTIPLE-LOT DEVELOPMENT

A multiple-lot development is not required to provide perimeter buffers along lot lines internal to the development, but the perimeter of the development shall be subject to the standards in Section 5.6.10, Perimeter Buffers.

D. EASEMENTS

1. Trees and shrubs may be located within a required easement on a case-by-case basis with the permission of the easement holder.
2. When landscaping is within an easement, the landowner is responsible for replacement of any required vegetation if maintenance or other actions result in its removal.
3. When landscaping is planted in a drainage easement, it shall not impact the easement design or impede the flow of water through the easement.
4. Where an easement and a required landscape area coincide and there is a prohibition on planting within the easement, then the required landscaping area shall be located outside the easement.

E. SETBACK SMALLER THAN REQUIRED LANDSCAPING AREA

In cases where a required setback is smaller or more narrow than a required landscaping area, the landscaping area width or size shall not be reduced except as authorized by any of the following:

1. An alternative landscape plan;
2. An administrative adjustment;
3. A conditional rezoning approval;
4. An approved planned development master plan; or
5. A sustainable development incentive.

F. FIRE PROTECTION SYSTEM

Minimum clear separation distances required by the current adopted version of the North Carolina Fire Code shall be maintained for landscaping near a fire protection system.

G. LANDSCAPING IN BIO-RETENTION CELLS

Trees and shrubs used in bio-retention cells or rain gardens located in parking lots or within landscape yards may be counted toward tree or shrub requirements of this Ordinance, provided they meet the minimum specifications in Section 5.6.6: Plant Material Specifications.

H. PERMITTED ENCROACHMENTS

1. The following features may be located entirely within required landscaping areas, provided the screening function of the landscaping is maintained and provided any encroachments into a required setback are in accordance with Table 9.3.5: Allowable Encroachment into Required Setbacks:

ARTICLE 5: DEVELOPMENT STANDARDS

5.6. Landscaping

5.6.8. Features Allowed Within Required Landscaping Areas

- a. Principal buildings, provided the minimum setbacks of the zoning district where located, are maintained;
 - b. Landscaping features such as, ornamental pools, planting boxes, sculpture, arbors, trellises, and birdbaths;
 - c. Pet shelters, well houses, and mechanical enclosures;
 - d. On-grade patios, steps, benches, outdoor fireplaces, playground equipment serving an individual dwelling unit, accessibility ramps, roof overhangs, and fire escapes;
 - e. Ornamental entry columns, gates, fences, walls, and retaining walls;
 - f. Flagpoles of 30 feet in height or less;
 - g. Lamp and address posts;
 - h. Utility cabinets of four feet in height or less;
 - i. Mailboxes; and
 - j. Signage.
2. The following features may cross a required landscaping area in a manner that minimizes the impact to the required landscaping:
- a. Driveways, sidewalks, pedestrian walkways, greenways, or multi-use trails;
 - b. Utilities; and
 - c. Stormwater management facilities.

I. PROHIBITED FEATURES

The following features shall not be located within a required landscaping area:

1. An accessory structure or open air use;
2. Off-street parking or loading areas; or
3. Outdoor storage or display of products for sale.

5.6.8. FEATURES ALLOWED WITHIN REQUIRED LANDSCAPING AREAS

A. BERMS

Berms may be used independently, or in conjunction with a wall or fencing, to meet the screening intent of a perimeter buffer or other required screening when configured in accordance with the following:

1. Berms shall have a minimum height of three feet, a minimum crown width of at least three feet, and a slope of no greater than 3:1.
2. Berms shall be no taller than twelve feet above the toe of the berm.
3. Berms shall be stabilized with trees, shrubs, and ground cover.
4. A berm may not damage the roots of existing healthy vegetation being preserved for credit towards the landscaping requirements in this Ordinance. Suffocation of existing roots by deposition of fill in excess of 12 inches shall be considered damage to existing tree roots.
5. A berm shall not interfere with required a sight distance triangle (see [Section 5.1.7, Sight Distance Triangles](#)).

B. FENCES AND WALLS

1. Opaque fences or walls, a minimum of four feet in height, constructed within required landscaping areas, and configured in accordance with [Section 5.5, Fences and Walls](#), may reduce the minimum and average perimeter buffer width requirement in accordance with [Table 5.6.10.C: Perimeter Buffer Configuration](#).
2. If utilized, fences or walls shall be located within the required landscaping area and all required shrubs shall be planted between the fence or wall and the lot line.
3. Required trees may be planted either in front of or behind the fence or wall.

C. PLANTERS

1. Planters, if provided, shall be constructed of masonry, stone, or pressure treated lumber stamped for ground contact. Other materials may be approved, based upon their durability, by the Planning Director.

ARTICLE 5: DEVELOPMENT STANDARDS

- 2. Planters shall maintain a minimum height of 30 inches and have an effective planting area of seven feet (measured in any direction) if trees are to be planted and an effective planting area of four feet (measured in any direction) if no trees are to be included.
- 3. The minimum height of shrubs in the planter, except for ground cover, shall be six inches at the time of planting.

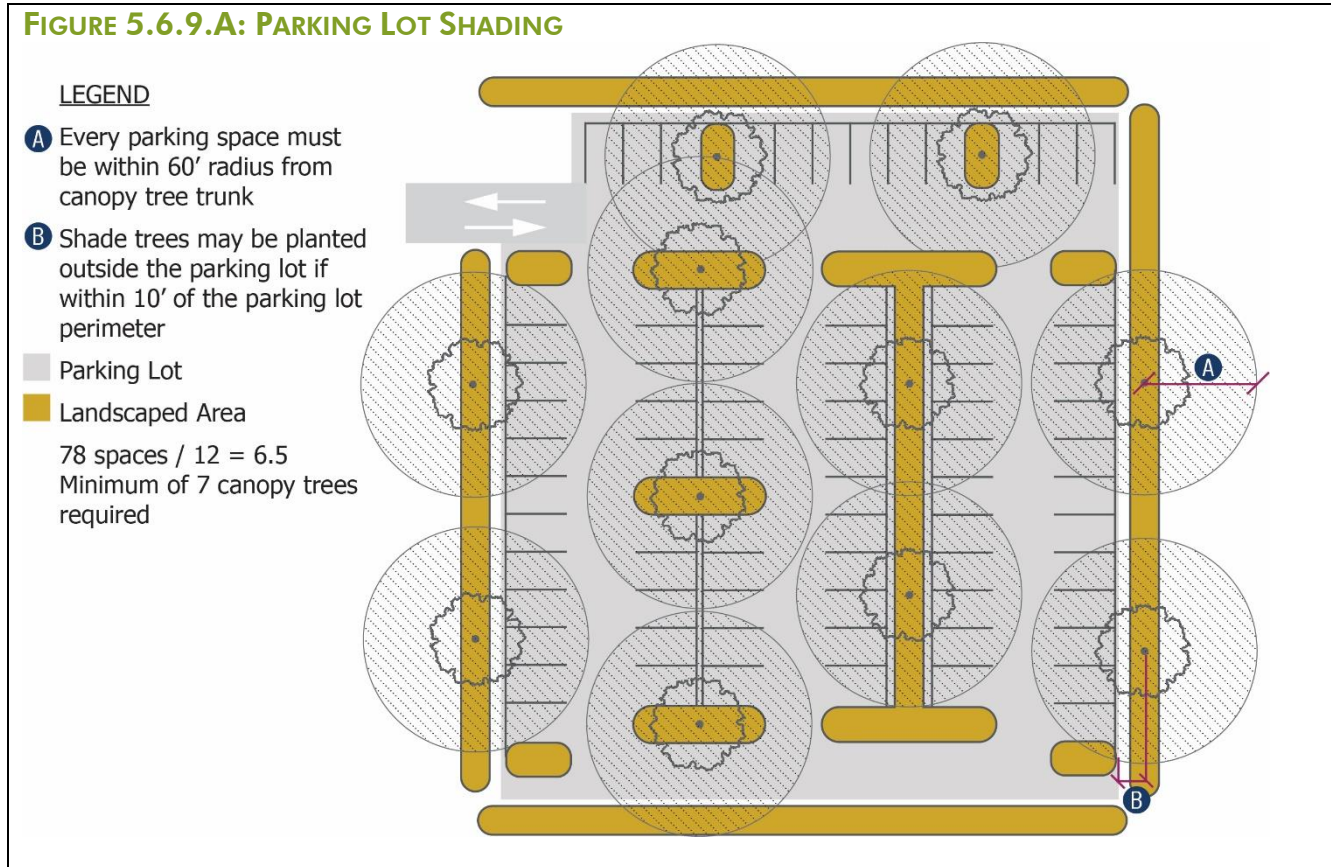
5.6.9. PARKING LOT LANDSCAPING

All parking lots serving multi-family, mixed-use, and non-residential developments shall comply with the following parking lot landscaping standards:

A. SHADE TREES

All parking lots shall be served by shade trees to reduce the heat island effect and soften the appearance of the parking lot, in accordance with the following standards:

- 1. Parking lots subject to these standards shall include at least one canopy tree for every 12 off-street parking spaces provided.
- 2. Required canopy trees may be placed around, in, or near the parking lot provided that no parking space is more than 50 feet from the trunk of a canopy tree (see Figure 5.6.9.A: Parking Lot Shading).
- 3. Required canopy trees shall be distributed throughout parking areas and may be located in landscape islands, between rows of parking, in driveway medians, and within ten feet of the perimeter of the parking lot.



B. INTERIOR PLANTINGS

1. AREA TO BE LANDSCAPED

For the purposes of this section, the interior of a parking lot shall be all of the area within the outer boundary of the parking lot including interior and corner landscape islands intended to fulfill the interior

parking lot landscaping requirements, but not including landscaping planted around the perimeter of the parking lot (see [Figure 5.6.9.B: Parking Lot Interior Plantings](#)).

2. LANDSCAPING ISLANDS AND STRIPS

A parking aisle with more than 12 vehicle spaces in a single row shall provide and maintain landscaping islands at each end, or provide landscaping strips along the full length of the row, in accordance with the following standards.

- a. Islands shall have a minimum dimension of nine feet and a minimum area of 200 square feet, including the curb (if curbing is provided).
- b. Landscape islands shall provide 1,000 cubic feet of soil per tree.
- c. Landscape islands that do not contain canopy trees shall contain three or more shrubs and also may contain understory trees.
- d. Landscaping islands intended for the placement of canopy or understory trees shall maintain a minimum width of nine feet.
- e. Landscape strips between adjoining rows of parking spaces or serving as driveway medians shall have a minimum dimension of nine feet, including the curb (if provided). Landscape strips that do not have canopy trees shall include shrubs planted no more than five feet on-center.
- f. Landscaping strips running the full length of a row of parking spaces shall be provided so that no more than six rows of parking spaces are provided without a landscaping strip.

3. SEPARATION OF LIGHT POLES AND TREES

In order to prevent the need to excessively trim required trees within landscape areas and to maintain the effectiveness of parking area exterior lighting, light poles shall be spaced at least ten linear feet from a canopy tree trunk, to the maximum extent practicable.

4. PROTECTION OF LANDSCAPE ISLANDS

- a. Landscape islands shall be protected from vehicle damage by the installation of curbing, wheel stops, or other comparable methods.
- b. The placement of plant material within landscape islands shall allow for a two-and-one-half-foot vehicle overhang from the face of the curb or wheel stop.

5. PROTECTION FROM PEDESTRIAN WALKWAYS

In cases where a pedestrian walkway must be located within five feet of a tree trunk, wooden walkways, pervious pavers, or other methods shall be used to ensure the required tree is not damaged by the walkway.

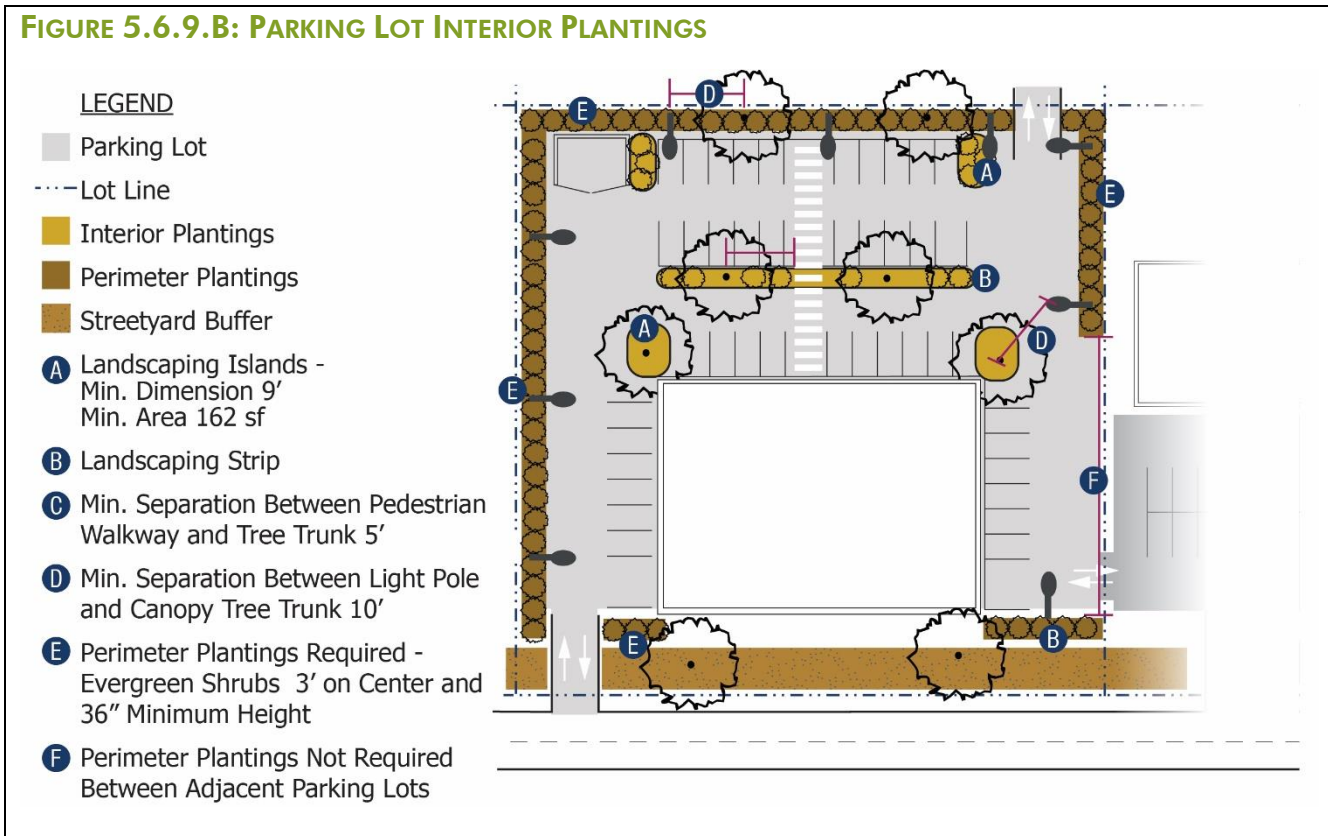
6. STORMWATER MANAGEMENT

A landscape island may be designed to function as a stormwater management device, provided its landscaping performance function is maintained.

7. STRUCTURAL SOIL REQUIRED

Landscaping islands and strips located within a parking lot shall be comprised of properly-prepared structural soil that has been properly amended and cultivated to support healthy vegetation.

FIGURE 5.6.9.B: PARKING LOT INTERIOR PLANTINGS



C. PERIMETER PLANTINGS

1. INTENT

Parking lot perimeter landscaping shall be designed to soften the view of the parking lot from an abutting street or development and to filter spillover light from vehicle headlights. Required plant material shall be planted in such a way as to best achieve this intent.

2. LOCATION

Required plant material shall be placed adjacent to the perimeter of the parking lot.

3. PLANTING RATE

- a. Parking lot perimeter landscaping shall consist of a single continuous row of evergreen shrubs planted no greater than three feet on-center and within five feet of the parking lot edge.
- b. Applicants may propose an alternative plant species, such as native grasses, provided the proposed plant material provides a fully opaque screen to a maximum height of 36 inches above grade throughout the year, as approved by the Planning Director.

4. SIZE OF PLANT MATERIAL

- a. Shrubs used for parking lot perimeter landscaping shall be of a minimum size necessary to achieve a maximum height of 36 inches above grade within three years of planting.
- b. In cases when vegetation provided as perimeter plantings around a parking lot grow to a height exceeding 48 inches above grade, they shall be trimmed or pruned as necessary to maintain a minimum height of 36 inches.
- c. It shall be a violation of this Ordinance to remove or severely prune shrubs required as parking lot perimeter vegetation to a height of less than 36 inches.

5. ALTERNATIVES

Perimeter parking lot plantings may be supplemented or replaced through use of a vegetated berm configured in accordance with Section 5.6.8.A, Berms, or an opaque fence or wall that meets the screening objective of this section and is configured in accordance with Section 5.5, Fences and Walls.

6. EXEMPTIONS

- a. Where off-street parking lots are adjacent to one another, but on different lots, perimeter plantings or other forms of screening are not required along the common boundary between the two parking lots.
- b. Developments consisting of multiple lots that are planned and developed as a single, unified, or consolidated project may be configured so that perimeter plantings are only located around the perimeter of the entire development instead of between parking lots and buildings located within the development.

5.6.10. PERIMETER BUFFERS

A. PURPOSE AND INTENT

These standards are proposed to eliminate or minimize potential nuisances, such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas through physical and visual separation between land uses in separate zoning districts.

B. APPLICABILITY

- 1. All development shall comply with the perimeter buffer standards in this section.
- 2. Development shall provide perimeter buffers along side and rear lot lines in accordance with Table 5.6.10.F, Buffer Application.
- 3. Lot lines abutting street rights-of-way shall comply with the standards in Section 5.6.12, Street Scap Buffers.

C. BUFFERS DISTINGUISHED

Table 5.6.10.C: Perimeter Buffer Configuration, establishes the standards for perimeter buffers, including the minimum requirements for each of the following buffer types:

- 1. Type A, Separation Buffer;
- 2. Type B, Intermittent Buffer;
- 3. Type C, Semi-Opaque Buffer; and
- 4. Type D, Opaque Buffer.

D. BUFFER DETERMINATION

- 1. The lot or site being developed is the one responsible for providing the required perimeter buffer, which shall be located solely upon the lot or site being developed.
- 2. The type of perimeter buffer required is based upon the zoning district designation of the land being developed as well as the zoning district designation of the abutting lots (see Table 5.6.10.F, Buffer Application).

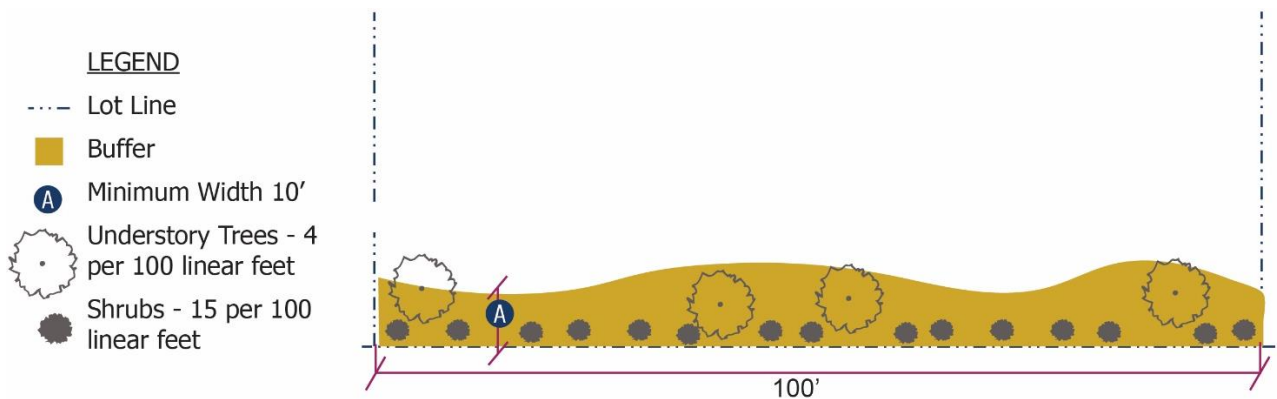
E. BUFFER LOCATION

- 1. Perimeter buffers required by this section shall be located along the outer perimeter of the lot and shall extend to the connecting lot lines.
- 2. In cases where the lot line is within a drainage swale, the perimeter buffer shall extend to the edge of the swale instead of the lot line.
- 3. A perimeter buffer may be located along shared access easements between parcels in nonresidential developments.

TABLE 5.6.10.C: PERIMETER BUFFER CONFIGURATION

**TYPE A
SEPARATION**

Objective: The Type A Separation perimeter buffer serves as a visual break between land ownership or zoning district designations. It is not intended to provide substantial visual or acoustic buffering. The image below shows an approximation of this buffer type at maturity.



BUFFER CONFIGURATION	REQUIREMENT
Buffer width (feet)	10
Required canopy trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	None
Required understory trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	4 / None [1]
Shrubs per every 100 linear feet (#) / Maximum on-center spacing (feet) [2]	15 / None [1]
Minimum evergreen shrub percentage (%)	50

NOTES:

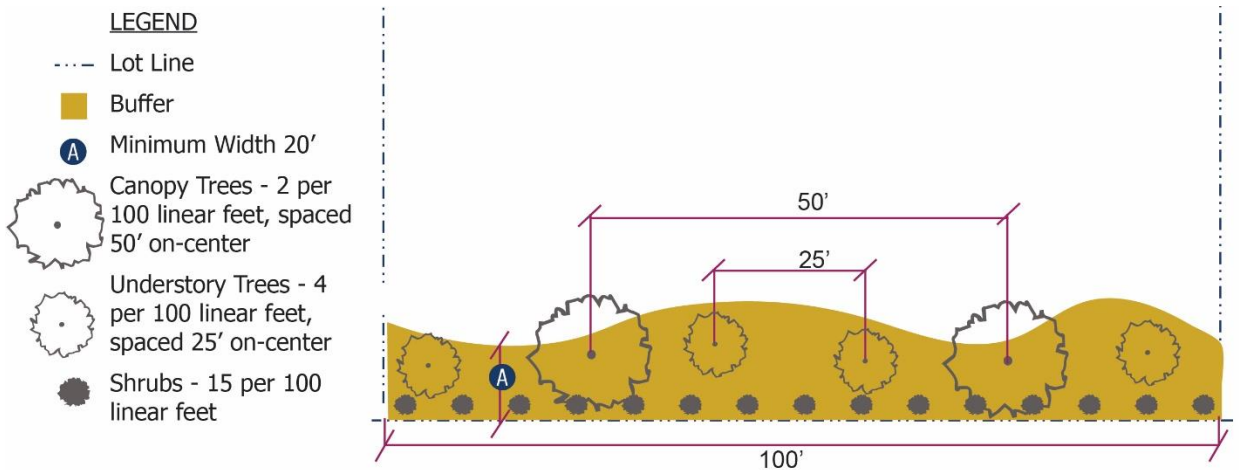
[1] Grouping of trees or shrubs is permitted provided there is no un-vegetated portion of the buffer exceeding 30 feet in length.

TABLE 5.6.10.C: PERIMETER BUFFER CONFIGURATION

[2] In the event a fence or wall is provided, shrubs shall be planted between the fence or wall and the lot line. Shrubs shall be no closer than 3 feet to the lot line.

TYPE B INTERMITTENT

Objective: The Type B Intermittent perimeter buffer functions as an intermittent visual screen from the ground to a height of five feet. It is intended to partially block visibility between different uses but not totally obstruct visual contact from one use to another. The image below shows an approximation of this buffer type at maturity.



BUFFER CONFIGURATION	REQUIREMENT
Buffer width (feet)	20
Required canopy trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	2 / 50
Required understory trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	4 / 25 [1]
Shrubs per every 100 linear feet (#) / Maximum on-center spacing (feet) [2]	15 / None [1]
Minimum evergreen shrub percentage (%)	60

NOTES:

TABLE 5.6.10.C: PERIMETER BUFFER CONFIGURATION

[1] Grouping of trees or shrubs is permitted provided there is no un-vegetated portion of the buffer exceeding 20 feet in length.
 [2] In the event a fence or wall is provided, shrubs shall be planted between the fence or wall and the lot line. Shrubs shall be no closer than 3 feet to the lot line.

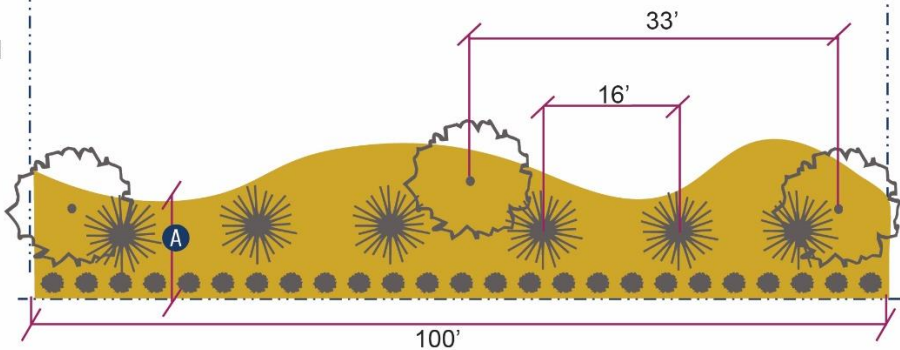
TYPE C SEMI-OPAQUE

Objective: The Type C Semi-Opaque perimeter buffer functions as a partially opaque screen from the ground to a height of six feet. This type of buffer prevents visual contact between uses but not total obstruction from one use to another. The buffer creates a sense of visual separation but provides only minor acoustic separation. The image below shows an approximation of this buffer type at maturity.



LEGEND

- Lot Line
- Buffer
- Ⓐ Minimum Width 30'
- ☼ Canopy Trees - 3 per 100 linear feet, spaced 33' on-center
- ☼ Understory Trees - 6 per 100 linear feet, spaced 16' on-center, min. 75% evergreen
- Shrubs - 25 per 100 linear feet, spaced 3' max. on-center



BUFFER CONFIGURATION	REQUIREMENT
Minimum buffer width (feet) [1] [2]	30
Required canopy trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	3 / 33
Required understory trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	6 / 16 [3]
Shrubs per every 100 linear feet (#) / Maximum on-center spacing (feet) [4]	25 / 4 [3]
Minimum evergreen shrub percentage (%)	75

NOTES:

- [1] Provision of a semi-opaque fence or wall allows the buffer width to be reduced by 5 feet.
- [2] Provision of a fully-opaque fence, wall, or berm allows the buffer width to be reduced by 10 feet.

TABLE 5.6.10.C: PERIMETER BUFFER CONFIGURATION

[3] Grouping of trees or shrubs is permitted within 20 feet of the edge of a street right-of-way provided there is no un-vegetated portion of the buffer exceeding 10 feet in length.
 [4] In the event a fence or wall is provided, shrubs shall be planted between the fence or wall and the lot line. Shrubs shall be no closer than 3 feet to the lot line.

**TYPE D
OPAQUE**

Objective: The Type D Opaque perimeter buffer functions as a fully opaque screen from the ground to a height of eight feet. This type of buffer provides a strong sense of visual and acoustic separation between uses. The image below shows an approximation of this buffer type at maturity.



LEGEND

--- Lot Line

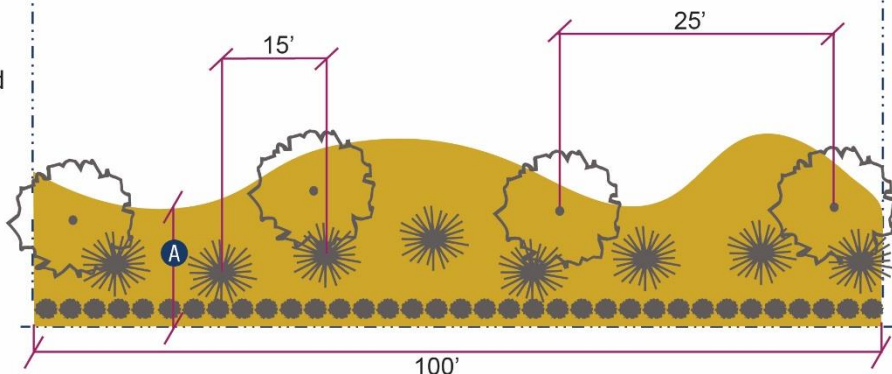
■ Buffer

A Minimum Width 40'

☼ Canopy Trees - 4 per 100 linear feet, spaced 25' on-center

☼ Understory Trees - 8 per 100 linear feet, spaced 15' on-center, min. 75% evergreen

● Shrubs - 35 per 100 linear feet, spaced 3' max. on-center



BUFFER CONFIGURATION	REQUIREMENT
Minimum buffer width (feet) [1] [2]	40
Required canopy trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	4 / 25
Required understory trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	8 / 15
Minimum evergreen understory tree percentage (%)	75
Shrubs per every 100 linear feet (#) / Maximum on-center spacing (feet) [3]	35 / 3
Minimum evergreen shrub percentage (%)	100

NOTES:

TABLE 5.6.10.C: PERIMETER BUFFER CONFIGURATION

- [1] Provision of a semi-opaque fence or wall allows the buffer width to be reduced by 5 feet.
- [2] Provision of a fully-opaque fence, wall, or berm allows the buffer width to be reduced by 10 feet.
- [3] In the event a fence or wall is provided, shrubs shall be planted between the fence or wall and the lot line. Shrubs shall be no closer than 3 feet to the lot line.

F. BUFFER APPLICATION

Table 5.6.10.F, *Buffer Application*, specifies the type of perimeter buffer that development shall provide between it and adjacent land, based on the zoning district of the development site and that of the adjacent land. The buffer type is indicated by a letter corresponding to one of the three buffer types described in Table 5.6.10.C: *Perimeter Buffer Configuration*.

TABLE 5.6.10.F: BUFFER APPLICATION

ZONING DISTRICT OF DEVELOPING LAND [1] [2]	ZONING DISTRICT OF LAND ADJACENT TO PROPOSED DEVELOPMENT [3] [4] [5]					
	R1, R2	R4, R6	RMF, OI	NC, DTP	GC, HC	LI, IC, HI
R1, R2	A	None	None	A	A	B
R4, R6	B	A	A	None	A	A
RMF, OI	C	B	A	A	None	None
NC, DTP	D	C	B	A	A	None
GC, HC	D	D	C	B	A	None
LI, IC, HI	D	D	D	D	C	None

NOTES:

- [1] Development in PD districts is subject to the perimeter buffer configurations proposed in the applicable planned development master plan.
- [2] No perimeter buffers are required in the DTC and DTP districts, but are required where these districts abut other districts.
- [3] A Type A or B perimeter buffer shall not be required when the lot line abuts unbuildable land within a riparian buffer, the FHO, a Town-designated tree-save area, a reforestation area, or other Town-designated conservation area where existing vegetation will not be removed.
- [4] In cases where a Type C or D perimeter buffer is required but the lot line abuts unbuildable land within a riparian buffer, the FHO, a Town-designated tree-save area, a reforestation area, or other Town-designated conservation area where existing vegetation will not be removed, the required perimeter buffer width and amount of required landscaping material may be reduced by 50 percent (see Table 5.6.10.C: *Perimeter Buffer Configuration*).
- [5] Lot lines abutting public street rights-of-way shall be subject to the standards in Section 5.6.12, *Streetscape Buffers*.
- [6] In cases where development abuts land outside the Town’s planning jurisdiction, only a Type A buffer shall be required along the boundary.

G. EXEMPTIONS

Developments consisting of multiple lots that are planned and developed as a single, unified, or consolidated project may be configured so that perimeter buffers are only located around the perimeter of the entire development instead of between lots within the development.

5.6.11. FOUNDATION PLANTINGS

A. PURPOSE AND INTENT

1. Foundation plantings provided in accordance with this section are intended to soften the visual impacts of a building’s base or foundation along any façade visible from a street other than an alley.
2. These standards are also intended to provide for the even dispersal of trees across a development site.

B. APPLICABILITY

ARTICLE 5: DEVELOPMENT STANDARDS

5.6. Landscaping

5.6.12. Streetscape Buffers

5. Lands within a required stormwater control measure unless the measure relies on flora to assist with water quality protection.

F. CREDIT FROM REQUIRED LANDSCAPING

Other required landscaping material or existing vegetation may be credited towards these requirements in cases where such landscaping material meets the intent of these standards in the opinion of the Planning Director.

5.6.12. STREETScape BUFFERS

A. PURPOSE AND INTENT

Streetscape buffers are proposed to soften the view of development from the Town's street rights-of-way, and are intended to:

1. Enhance pedestrian orientation and encourage pedestrian travel;
2. Address urban heat islands by providing shade for streets and sidewalks;
3. Provide shade on sidewalks;
4. Promote the Town's "sense of place";
5. Support property values by enhancing the aesthetic character of the Town's streets; and
6. Provide habitat for flora and fauna.

B. APPLICABILITY

1. The standards in this section shall apply to all lot lines bounded by the following features, whether existing or identified in the Town's adopted policy guidance.
 - a. Collector streets; and
 - b. Arterial streets.
2. In cases where a future street is planned but its approximate location is not indicated on an adopted or approved Town map or plan, streetscape buffering shall not be required on lots abutting the future street alignment.

C. EXEMPTION

Streetscape buffers are not required in the following instances:

1. When the primary building façade, or the façade with the building's primary entrance faces and is visible from the arterial or collector street right-of-way;
2. Lot lines abutting platted street rights-of-way that are or have remained unopened for at least 15 years; or
3. Lot frontages where the entirety of the lot frontage is within a required sight distance triangle.

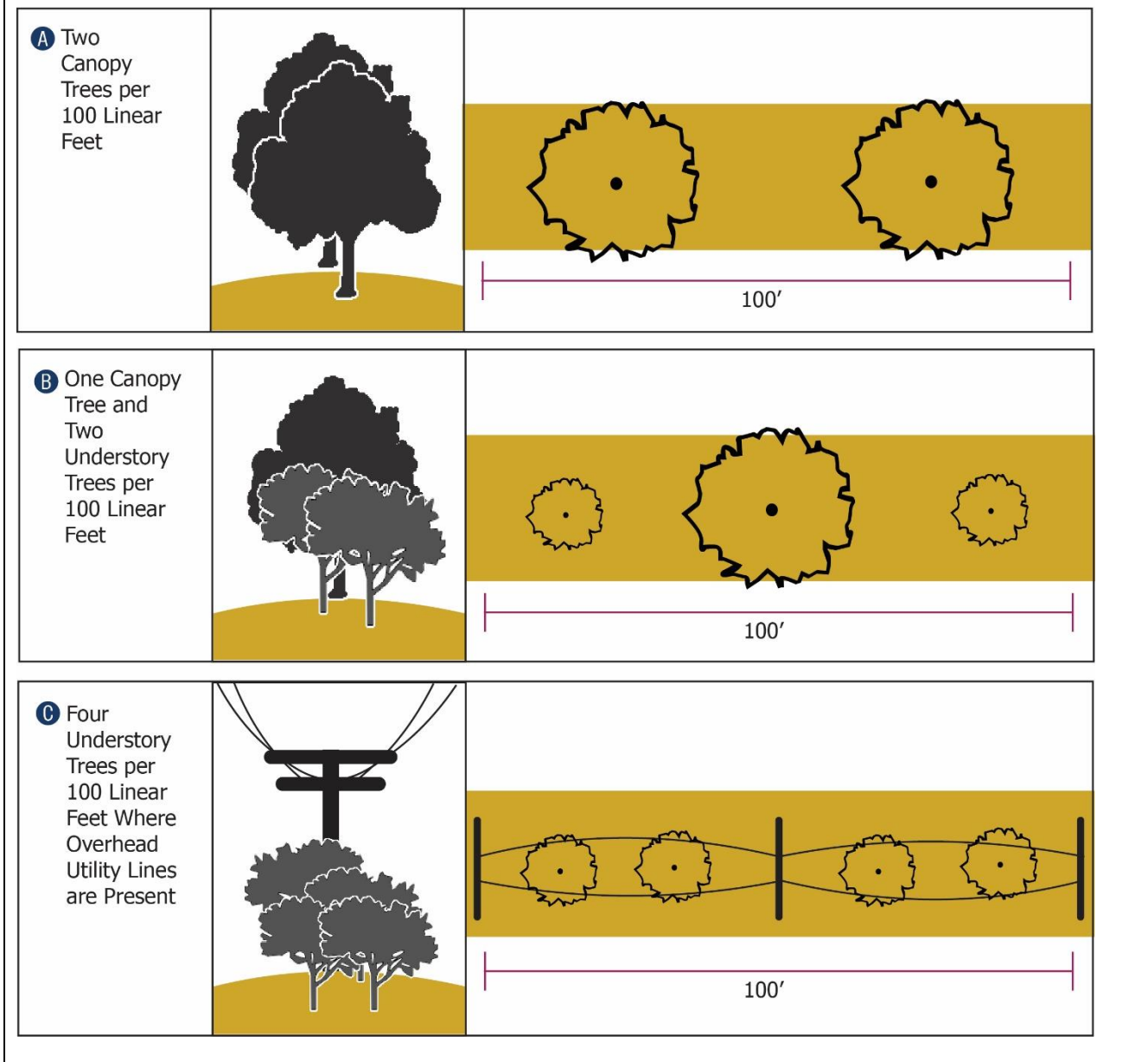
D. MINIMUM BUFFER WIDTH

1. Streetscape buffers shall maintain a minimum width of at least 15 feet from the lot lines subject to these standards.
2. Streetscape buffers shall not be located within required sight distance triangles (see [Section 5.1.7, Sight Distance Triangles](#)).

E. REQUIRED PLANT MATERIAL

Streetscape buffers shall be configured as a Type C semi-opaque buffer except that the minimum number of required shrubs is reduced from 25 to 20, and the on-center spacing is reduced to 5 feet.

FIGURE 5.6.12: STREETSCAPE BUFFER CONFIGURATION



F. PLACEMENT

1. Vegetation required as part of a streetscape buffer shall be located outside the street right-of-way.
2. Canopy trees shall be located within ten feet of the right-of-way edge.
3. Understory trees shall be located within five feet of the right-of-way edge.
4. An alternative location may be approved by the Planning Director in cases where underground utilities, drainage easements, topography, or other obstructions make placement of streetscape buffer vegetation in accordance with these standards impractical.

G. PROHIBITED FEATURES

Off-street parking, off-street loading, merchandise display, or outdoor storage shall not take place within a required streetscape buffer.

5.6.13. STREET TREES

Except for alleys and lawfully-established half-streets, all Town-maintained streets shall include street trees along both sides of the street.

A. WHERE REQUIRED

Street trees shall be located within tree pits or planting strips within the street right-of-way (see [Figure 5.6.13: Street Tree Configuration](#)).

B. LOCATION**1. WITHIN TREE PITS**

In cases where sidewalks, boardwalks, or paving are located in the right-of-way, street trees shall be located within tree pits, configured in accordance with the following standards:

- a. Tree pits shall have a minimum planting area of at least 25 square feet per tree pit;
- b. Tree pits shall be covered or configured with ground covering at the same general height as the pedestrian walkway to avoid being a tripping hazard; and
- c. Tree pits shall include structural soils or screened backfill to ensure appropriate drainage and backfill.

2. WITHIN PLANTING STRIPS

In cases where sidewalks are not present or where a portion of the right-of-way is not paved, street trees may be placed within planting strips, configured in accordance with the following standards:

- a. Tree planting strips shall be configured parallel to the street;
- b. Tree planting strips shall maintain a minimum width of five feet; and
- c. Tree planting strips shall be raised above the sidewalk or include edging that prevents pedestrians from walking in the planting strip.

C. TREE PLACEMENT

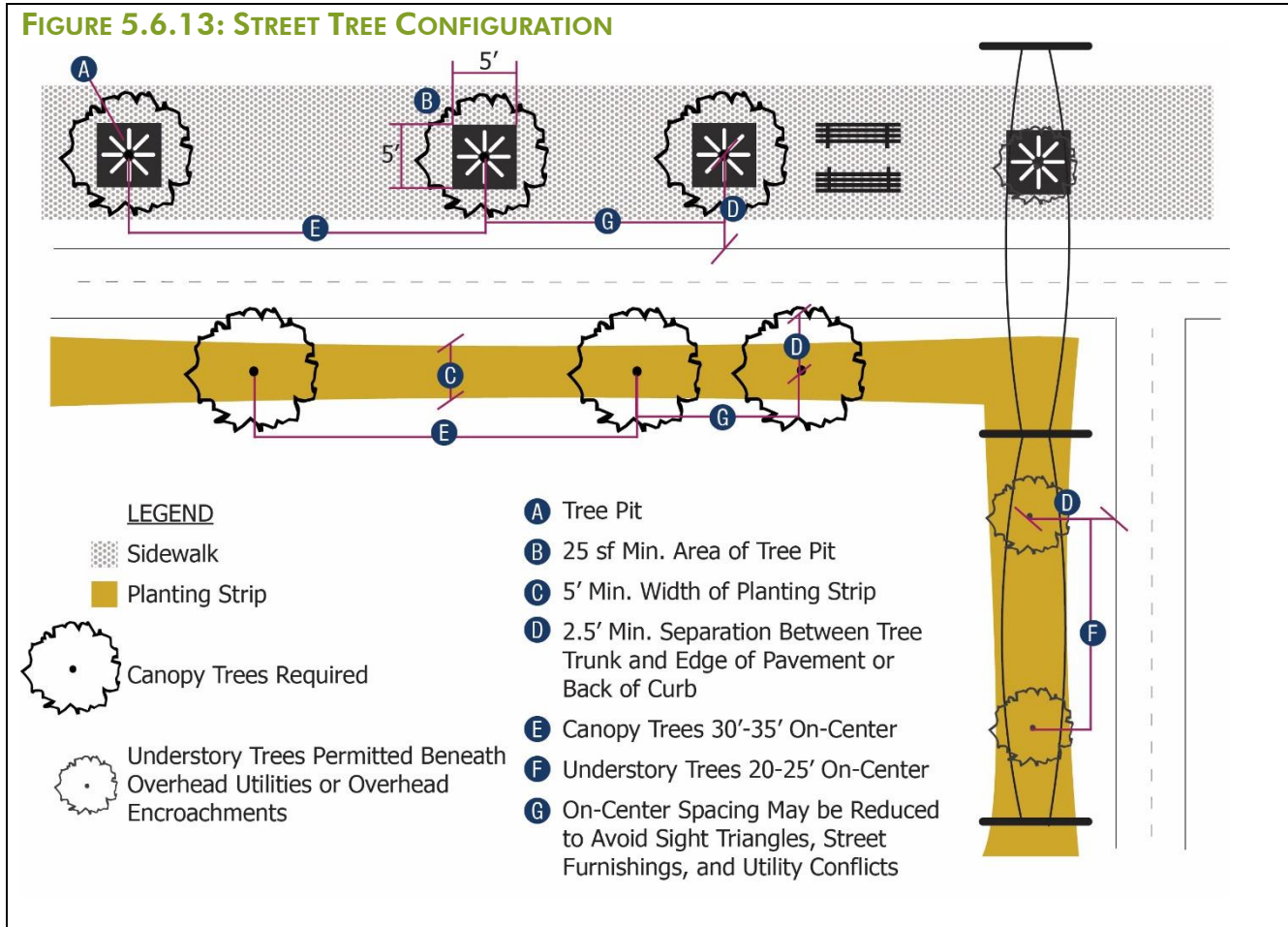
1. Street trees, when located within tree pits or planting strips, shall be located so that the trunk is at least two-and-one-half feet from the back of the curb or the edge of the pavement.
2. Street trees shall not be located within sight distance triangles (see [Section 5.1.7, Sight Distance Triangles](#)).

D. TYPES OF TREES

1. Except in areas underneath existing overhead utilities or upper story encroachments into the right-of-way, street trees shall be canopy trees that meet the standards in [Section 5.6.6: Plant Material Specifications](#).
2. In areas beneath existing overhead utilities or upper story encroachments into the right-of-way, street trees shall be understory trees that meet the standards in [Section 5.6.6: Plant Material Specifications](#).

E. ON-CENTER SPACING

1. Canopy trees shall be planted 45 to 50 feet on-center.
2. Understory trees shall be planted 20 to 25 feet on-center.
3. Grouping or clustering of street trees shall be prohibited, but on-center spacing may be reduced as necessary to avoid sight distance triangles, street furnishings, or other utility conflicts.



F. COMPLIANCE WITH NCDOT STANDARDS

In cases where street trees are located within street rights-of-way maintained by the NCDOT, street tree configuration shall be in accordance with NCDOT standards in addition to the standards in this section. In the event the standards in this section conflict with applicable NCDOT standards, the NCDOT standards shall control.

5.6.14. PLANTING FLEXIBILITY

A. CREDIT FOR EXISTING VEGETATION

1. In order to encourage the preservation of established, healthy vegetation, credit shall be given towards the landscaping requirements in this section for preservation of existing trees and shrubs that are pre-existing within required landscaping areas at a rate of 1.25 times the amount of existing, healthy vegetation to be retained.
2. Credit towards landscaping requirements shall be determined in accordance with Section 5.9.6, Credit Towards Other Ordinance Requirements.
3. Vegetation to be credited towards these requirements shall be protected in accordance with Section 5.9.5, Tree Protection Devices, before and during development of the site and maintained thereafter in a healthy growing condition.

B. REVISIONS TO APPROVED LANDSCAPE PLANS

Due to seasonal planting problems and/or a lack of plant availability, approved landscape plans may require minor revisions. Minor revisions to planting plans may be approved by the Planning Director if:

1. There is no reduction in the quantity of plant material.
2. There is no significant change in size or location of plant materials.

3. The new plants are of the same general category (i.e., canopy tree, understory tree, evergreen, or shrub) and have the same general design characteristics (mature height, crown spread, etc.) as the materials being replaced.

C. ALTERNATIVE LANDSCAPE PLANS

An alternate landscape plan that allows modifications to the requirements of this section may be approved by the Planning Director in accordance with the following.

1. CONDITIONS JUSTIFYING ALTERNATIVE LANDSCAPE PLAN

Any of the following natural physical conditions may be used as a justification for an alternative landscape plan:

- a. Wetland areas;
- b. Topography;
- c. Non-arable soils;
- d. Difficult or unusual lot configuration;
- e. Utility, access, drainage, or maintenance easements;
- f. A desire to retain existing on-site vegetation;
- g. Natural rock formations;
- h. Required landscaping areas that are shaded; and
- i. Impractical situations that would result from application of this section.

2. INTENT

To be approved, any alternative landscape plan shall meet the intent of the applicable planting yard(s) and the purpose and intent of the landscaping standards of this section.

3. ALLOWABLE MODIFICATIONS

- a. The following landscape standards may be modified by an alternate landscape plan.
 - i. The location of required plant materials;
 - ii. The width of required planting areas;
 - iii. The configuration of required plant materials; and
 - iv. The number of required plant materials.
- b. The alternative landscape plan shall include justification for the modifications requested, based upon but not limited to, the following:
 - i. The presence or planned location of public utilities, infrastructure, or easements;
 - ii. The location of existing healthy vegetation or other beneficial site features to be retained after development;
 - iii. The size, shape, or topographic elevation of the site relative to the street(s) it abuts; and
 - iv. The need to protect solar access or avoid permanently shaded areas on the site.

5.6.15. TIME OF INSTALLATION

- A. A certificate of occupancy shall not be issued, until all required plant materials have been placed in accordance with the approved site plan and requirements of this section.
- B. A temporary certificate of occupancy may be issued for a period of 180 days under circumstances that would affect the seeding and planting of the site, or until the proper planting season is reached to complete the landscaping requirements, and may be extended up to 90 days upon request to the Planning Director.
- C. In cases where a temporary certificate of occupancy is requested, the applicant shall furnish the following:
 1. A signed contract for the installation of all required landscape materials; and
 2. A performance guarantee for the amount of the contract configured in accordance with the standards in Section 6.6, Performance Guarantees.

5.6.16. REQUIRED MAINTENANCE

A. RESPONSIBILITY

1. The responsibility for maintenance of required landscaping areas shall remain with the owner of the property, their successors, heirs, assignees or any consenting grantee.
2. Maintenance is required in order to ensure the proper functioning of the plantings as a landscaped area which reduces or eliminates nuisance and/or conflict.
3. Failure to adequately maintain required landscaping material is a violation of this Ordinance subject to the remedies and penalties in Article 8: Enforcement.

B. MAINTENANCE

1. All plantings shall be maintained in an attractive and healthy condition. Maintenance shall include, but not be limited to: watering, mulching, fertilizing, pest management, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
2. Necessary pruning and trimming shall be accomplished in accordance with the Tree Care Industry Association (TCIA) Standards for the Professional Arborist, and shall not include:
 - a. The topping of trees;
 - b. Removal of 30 percent or more of the crown material in one calendar year;
 - c. Removal of the central leader; or
 - d. Any other similarly severe procedures that may cause irreparable harm to the natural form of the tree.
3. Dead or diseased plantings shall be removed. Unless specifically exempted (such as understory trees shaded by canopy trees), replacement plantings shall be provided for any dead, diseased, or removed vegetation when such replacement plantings are necessary to meet the standards or this Ordinance or maintain the screening objective of the landscaping material.
4. Landscape structural features such as walls, fences, berms, or water features shall be maintained in a structurally safe and attractive condition.
5. Where other uses, including pedestrian and bicycle accessways, are allowed within a required landscaping area, these uses shall be maintained to provide for their safe use.

C. EXCESSIVE PRUNING OR TRIMMING

Pruning or trimming exceeding the TCIA standards or activities exceeding necessary pruning or trimming as identified in subsection B above shall be a violation of this Ordinance, and shall require replacement of damaged vegetation in accordance with Section 5.6.18, Replacement of Required Vegetation.

D. FAILURE TO MAINTAIN

Failure to maintain required landscaping areas is a violation of this Ordinance, in accordance with Article 8: Enforcement.

5.6.17. SITE INSPECTION

A. POST CONSTRUCTION INSPECTION

1. A permanent certificate of occupancy for any development shall not be issued unless the landscaping required under this section is installed in accordance with these standards and in accordance with the approved site plan, preliminary plat, planned development master plan, or building permit, as appropriate.
2. No person shall refuse entry or access to any staff or authorized representative of the Town who requests entry for the purpose of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with that representative while in the process of carrying out official duties.

B. FOLLOW-UP INSPECTION

The Planning Director shall inspect the site one year after the issuance of a permanent certificate of occupancy in order to ensure compliance with this Ordinance.

C. PERIODIC INSPECTION

1. The Planning Director may periodically inspect sites subject to the provisions of this Ordinance. If, through inspection, it is determined that a site does not comply with the approved site plan, preliminary plat, planned development master plan, or building permit, a notice to comply shall be served upon the landowner by registered mail with return receipt or other means by the Town.
2. The notice shall set forth that which will be necessary to comply with the Ordinance.
3. The Town shall have the power to conduct investigations as it may reasonably deem necessary to carry out its duties as prescribed in this Ordinance and for this purpose may enter at reasonable times upon the property, public or private, for the purpose of inspecting the site(s) subject to the provisions of this Ordinance.

5.6.18. REPLACEMENT OF REQUIRED VEGETATION

A. DAMAGE OR REMOVAL OF VEGETATION IS A VIOLATION

The damage, disturbance, or removal of any landscaping area or vegetation required by this section shall constitute a violation of this Ordinance subject to the remedies described in [Article 8: Enforcement](#).

B. REPLACEMENT REQUIRED

1. Any disturbed landscaping areas, areas of preserved existing vegetation, or required plant material shall be replaced in accordance with the approved development application and these standards.
2. Trees or vegetation that die within one year of construction completion shall be removed and replaced with new vegetation of equal or greater size.
3. Replacement trees shall be planted within 180 days of removal of required vegetation.

C. REVEGETATION PLAN REQUIRED

In cases where required landscaping or existing vegetation required to be preserved is damaged, disturbed, or removed, a revegetation plan shall be submitted for review and approval by the Planning Director, in accordance with the following standards:

1. Any tree with a caliper of at least eight inches that is damaged or removed shall be replaced with one or more trees that have a caliper of at least two and one-half (2½) inches and a cumulative caliper equal to or greater than the original tree.
2. Trees damaged or destroyed less than eight inches in diameter shall be replaced to satisfy the performance criteria of this section.
3. Shrubs may also be required to restore the landscaping performance criteria for the disturbed area.

D. LOCATION OF REPLACEMENT TREES AND VEGETATION

1. Replanting shall be located within the vicinity of the violation.
2. If the area is too small for sufficient growth, a more suitable location on the site may be selected, as permitted by the Planning Director.

5.6.19. STORMWATER CONTROL MEASURE (SCM) LANDSCAPING

In cases when a stormwater control measure is constructed and improved for active outdoor recreation space, a landscape plan shall be provided subject to the following conditions.

- A.** Area surrounding the SCM shall be landscaped to the Type A buffer standard per [Table 5.6.10.C](#) unless otherwise restricted based on engineering or State of North Carolina requirements.
- B.** Shrubs may be clustered if a combination of canopy and understory trees are planted.
- C.** Plantings within the pond area shall meet the recommendations of the NC State Extension Office for Stormwater Wetland Construction.

5.7. OPEN SPACE

5.7.1. HOW TO USE THESE STANDARDS

- A. Developments subject to these open space set-aside standards (see [Section 5.7.3, Applicability](#)) shall provide the minimum amount of open space set-aside required for the zoning district where located as identified in [Article 3: Districts](#).
- B. The physical amount of open space to be set aside within a particular development is a percentage of total development size. These percentage requirements are found in the dimensional standards tables for the zoning districts in [Article 3: Districts](#). There is no limitation on the provision of additional open space set-aside beyond the minimum specified in [Article 3: Districts](#).
- C. Once the minimum amount of open space set-aside to be provided is determined, the type of open space set-aside, if specified, should also be determined.
- D. Applicants should consult [Section 5.7.5, Open Space Set-Aside Configuration](#), in order to understand any applicable design requirements or prohibited features.
- E. The required amount of open space set-aside may be reduced based on the provision of sustainable development features in accordance with [Section 5.12, Sustainability Incentives](#), or other aspects of this Ordinance.

5.7.2. PURPOSE AND INTENT

The purpose of this section is to help ensure the provision and maintenance of open space resources that encourage recreation and the gathering of Town residents and visitors. These standards are further intended to:

- A. Establish the standards under which residential, mixed-use, and nonresidential development shall set aside a portion of the development area as open space;
- B. Distinguish between the characteristics, requirements, and appropriate locations for open space set-asides, based on the zoning district designation; and
- C. Establish minimum ownership and maintenance standards for homeowner and property owner associations related to open space set-asides.

5.7.3. APPLICABILITY

- A. **GENERALLY**
 - 1. Unless exempted in accordance with [Section 5.7.3.C, Exemptions](#), the standards in this section shall apply to all new development and redevelopment in the City.
 - 2. Redevelopment conducted after January 1, 2020, shall comply with the standards in this section, to the maximum extent practicable, and shall provide its pro rata share of open space set-aside.
- B. **CONSERVATION SUBDIVISIONS**

Open space set-asides associated with a conservation subdivision shall be subject to the standards in [Section 6.2, Conservation Subdivision](#), in addition to these standards. In the event of a conflict, the standards in [Section 6.2, Conservation Subdivision](#), shall control.
- C. **EXEMPTIONS**

The following forms of development shall be exempted from the standards in this section:

 - 1. Development of an individual single-family dwelling (including manufactured homes) on lots platted prior to January 1, 2020;
 - 2. Subdivisions comprised solely of four or fewer lots where all lots intended for single-family detached residential dwellings;
 - 3. Development located within the LI, IC, HI, and DTC districts.

ARTICLE 5: DEVELOPMENT STANDARDS

5.7. Open Space

5.7.4. Minimum Open Space Set-Aside Requirements

5.7.4. MINIMUM OPEN SPACE SET-ASIDE REQUIREMENTS

A. AMOUNT

1. The minimum required amount of open-space set-aside, as a percentage of a development’s size, shall be provided in accordance with the Table 5.7.4.A: Minimum Open Space Set-Aside Required.
2. Nothing shall limit the provision of a greater minimum percentage or other type of open space set-aside, provided the minimum requirements in this section are met.

TABLE 5.7.4.A: MINIMUM OPEN SPACE SET-ASIDE REQUIRED

TYPE OF LAND USE [1]	AMOUNT OF OPEN SPACE SET-ASIDE REQUIRED (% OF DEVELOPMENT AREA) [2]	OPEN SPACE SET-ASIDE COMPOSITION [3] [4]		
		MIN. % ACTIVE	MIN. % PASSIVE	MIN. % URBAN
Residential, Single-Family Detached	10	At least 25% when outside of OI or DTC districts	No minimum requirement	Up to 50% when inside OI or DTP districts
Residential, All Use Types Except Single-Family Detached	10	At least 50% when outside of OI or DTC districts	No minimum requirement	At least 50% when inside OI or DTP districts
Institutional, Other Than Utility-Related	8	No requirement	No minimum requirement	Up to 100% when inside OI or DTP districts
Institutional, Utility-Related	None Required	N/A		
Mixed-Use, with Residential	5	At least 25% when outside of OI & DTC districts	No minimum requirement	Up to 100% when inside OI or DTP districts
Mixed-Use, no Residential	3	No minimum requirement	No minimum requirement	Up to 100% when inside OI or DTP districts
Commercial	3	No minimum requirement	No minimum requirement	Up to 100% when inside OI or DTP districts
Industrial	None Required	N/A		
Agricultural	None Required	N/A		

NOTES:

[1] Determined based on the Use Classification listing in Table 4.2.3, Principal Use Table.

[2] Applied at the time of subdivision or site plan if subdivision is not required.

[3] See Section 5.7.5, Open Space Set-Aside Configuration, for details on the distinctions between active, passive, and urban set-aside.

[4] In cases where the total amount of open space set-aside is insufficient to be useable in the opinion of the Planning Director, the Town may accept a fee-in-lieu (see Section 6.3, Fee-in-Lieu).

B. TYPE

1. Unless otherwise indicated in the appropriate dimensional standards table in Article 3: Districts, open space set-aside shall be configured in accordance with the standards in Section 5.7.5.A, Passive Open Space Set-Aside.
2. In cases where development must configure open space set-aside with active recreation features, it shall be configured in accordance with Section 5.7.5.B, Active Open Space Set-Aside.

3. In cases where open space set-aside shall be configured as urban, it shall be configured in accordance with [Section 5.7.5, Open Space Set-Aside Configuration](#).
4. Except in instances where open space set-aside must be configured for active recreation, nothing shall limit development from configuring required open space set-aside in accordance with the standards in [Section 5.7.5.C, Urban Open Space Set-Aside](#).

5.7.5. OPEN SPACE SET-ASIDE CONFIGURATION

Open space set-asides shall be configured in accordance with the following standards.

A. PASSIVE OPEN SPACE SET-ASIDE

Passive open space set-asides are intended to provide land area that is undeveloped, or that is developed with low-intensity recreational features (such as those for walking or sitting), landscaping, replacement trees, or stormwater management features that are configured as a site amenity (see [Figure 5.7.5.D: Types of Open Space](#)).

1. ALLOWABLE FEATURES

The land area occupied by any of the following types of features is credited towards required passive open space set-aside:

- a. Walking, bicycling, and equestrian trails;
- b. Boardwalks;
- c. Gardens and greenway trails;
- d. Benches and seating areas;
- e. Tables, shelters, grills, and related picnicking facilities;
- f. Lawn areas and community greens;
- g. Lakes, ponds, wetlands, swamps, canals, and streams;
- h. Piers and docks for fishing or viewing wildlife; and
- i. Undisturbed land subject to a deed restriction or conservation easement.

2. SITE FEATURES CREDITED TOWARDS PASSIVE OPEN SPACE SET ASIDE REQUIREMENTS

- a. The following site features shall be credited towards passive open space set-aside requirements:
 - i. Required landscaping areas;
 - ii. Reforestation areas;
 - iii. Tree protection areas;
 - iv. U.S. Army Corps of Engineers designated 404 wetlands;
 - v. Riparian buffer areas;
 - vi. Natural heritage areas; and
 - vii. Land area occupied by stormwater management facilities, including retention ponds, fully vegetated detention basins, and other bio-retention devices, provided these facilities are treated as a site amenity.
- b. In order to be considered a site amenity that is credited towards passive open space set-aside requirements, stormwater management facilities shall include all the following:
 - i. Pedestrian access to the facility;
 - ii. Gentle slopes of three-to-one (3:1) or less;
 - iii. Pedestrian elements such as paths, benches, and similar aspects to and around the facility; and
 - iv. Vegetation, whether planted or retained.

B. ACTIVE OPEN SPACE SET-ASIDE

Active open space set-asides provide for active recreational needs of the residents or visitors they serve. Active features include fields and courts as well as built structures (see [Figure 5.7.5.D: Types of Open Space](#)). Active open space set-asides shall meet the following standards:

1. CONFIGURATION

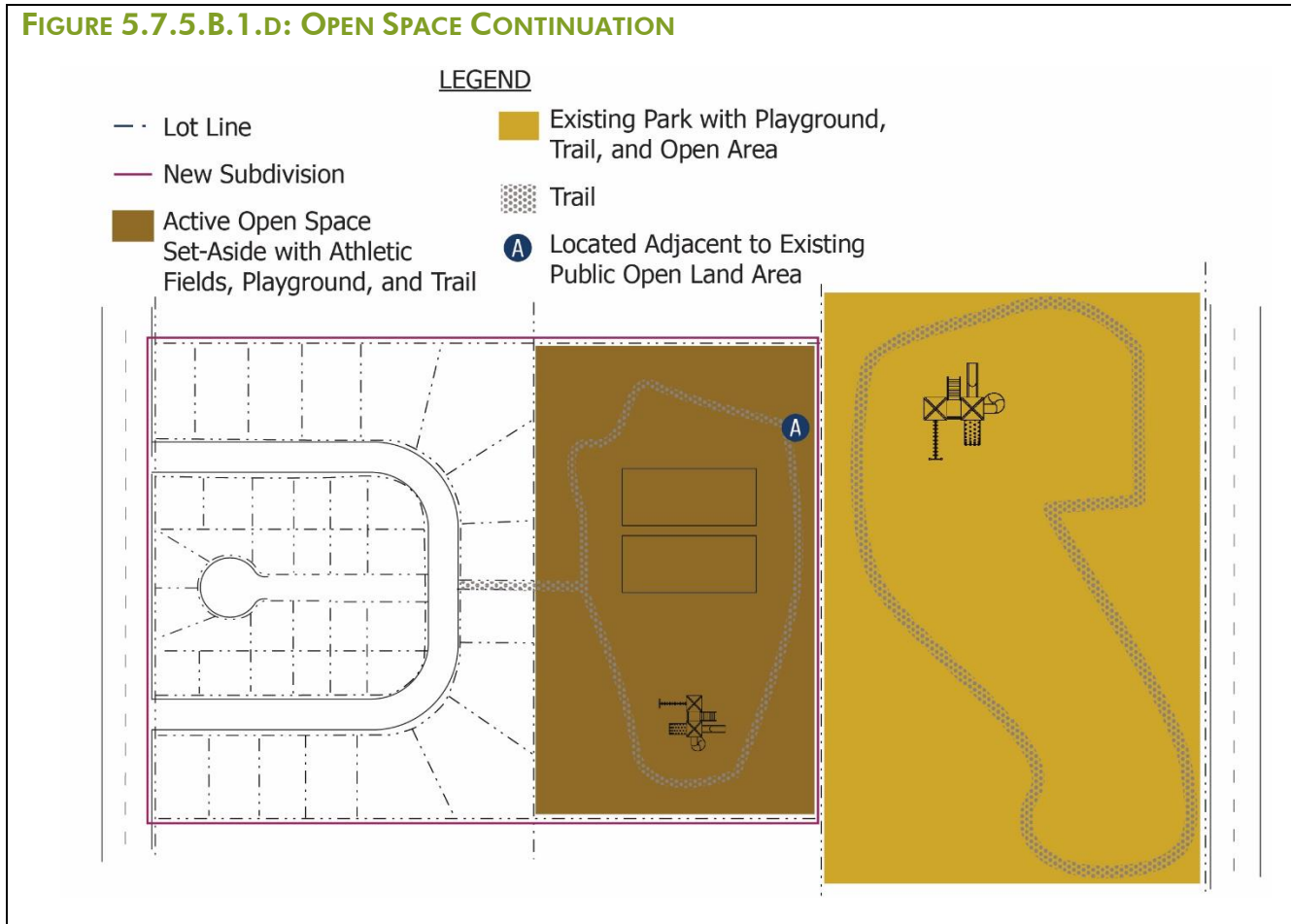
ARTICLE 5: DEVELOPMENT STANDARDS

5.7. Open Space

5.7.5. Open Space Set-Aside Configuration

- a. Lands set aside as active open space set-aside shall be compact and contiguous unless the land is used as a continuation of an existing trail, or specific natural or topographic features require a different configuration.
- b. Active open space set-aside areas shall be located so as to be readily accessible and useable by residents and users of the development.
- c. Where possible, a portion of the open space set-aside should provide focal points for the development.
- d. Where the development site is adjacent to existing or planned trails, parks, or other public open area land, the open space set-aside shall, to the maximum extent practicable, be located to adjoin, extend, and enlarge the trail, park, or other open area (see [Figure 5.7.5.B.1.d: Open Space Continuation](#)).

FIGURE 5.7.5.B.1.D: OPEN SPACE CONTINUATION



2. ALLOWABLE FEATURES

The following types of features are allowable in and credited towards active open space set-asides:

- a. Swimming pools, splash pads, and areas devoted to water play for children;
- b. Athletic fields and courts;
- c. Boat launches and swimming platforms;
- d. Club houses;
- e. Playgrounds and play structures for children; and
- f. Obstacle courses and exercise trails.

C. URBAN OPEN SPACE SET-ASIDE

Urban open space set-asides provide formal or informal gathering areas for people or locations for vegetation or stormwater uptake within urbanized portions of the Town’s jurisdiction. Urban open space can include outdoor dining areas, building atriums with plants and seating, or green roofs (see [Figure 5.7.5.D: Types of Open Space](#)).

1. ALLOWABLE FEATURES

The following types of features are allowable in urban open space set-asides:

- a.** Plazas and courtyards;
- b.** Roof gardens;
- c.** Indoor atriums with plantings and seating that are open to the general public;
- d.** Outdoor dining areas;
- e.** Fountains; and
- f.** Areas devoted to public gathering.

D. WITHIN CONSERVATION SUBDIVISIONS

Open space set-asides within conservation subdivisions may include any of the features allowed in active, passive, or urban open space set-aside areas in addition to farm fields, forestry lands, or lands used for agricultural purposes.

FIGURE 5.7.5.D: TYPES OF OPEN SPACE

PASSIVE



Greenways, Trails



Boardwalks



Picnic Shelters



Streams, Lakes, and Ponds

ACTIVE



Splash Pads and Pools



Playgrounds



Outdoor Fitness Equipment



Boat Launches

URBAN



Plazas



Outdoor Dining



Seating, Gathering Areas



Indoor Atriums

E. FEATURES NOT CREDITED TOWARDS OPEN SPACE SET-ASIDE

The following areas shall not be included in or credited towards any open space set-aside requirements:

1. Private yards not subject to a deed restriction or conservation easement;
2. Street rights-of-way;
3. Parking areas and driveways for dwellings or other uses;
4. Land covered by structures not designated for active recreational uses;
5. On-site wastewater treatment facilities, including septic tank drain fields
6. Stormwater management features not configured as a site amenity; and
7. Designated outdoor storage areas.

5.7.6. OWNERSHIP OF OPEN SPACE SET-ASIDES

Open space set-asides are intended to remain under private ownership while being available for use to residents and visitors in the development where located. Ownership of open space set-aside shall remain with the owner of the land, except in the following circumstances.

A. HOMEOWNERS' OR PROPERTY OWNERS' ASSOCIATION

All open space set-aside areas may be owned jointly or in common by the owners of the development through a recognized homeowners' or property owners' association, which shall be established in accordance with Section 6.5, Owners' Associations.

B. NONPROFIT ORGANIZATION

The landowners may decide to convey an open space set-aside to a nonprofit organization such as a land trust or land conservancy for management and maintenance if the Town is provided adequate assurance the set-aside will be properly managed and maintained.

C. DEDICATED TO TOWN OR OTHER PUBLIC AGENCY

In some cases, certain lands designated as open space set-asides, such as wildlife habitat or greenways, may be dedicated to the Town or other public agency during the development review process. The Board of Commissioners shall determine which lands and under what conditions open space set-asides may be dedicated to the Town or other public agency.

5.7.7. MAINTENANCE OF OPEN SPACE SET-ASIDES

- A. The owner of the land shall be responsible for maintenance of all open space set-aside areas (including land, vegetation, private infrastructure, greenways, and other features) in accordance with this Ordinance and any conditions of approval associated with the development.
- B. Failure to maintain open space set-aside areas is a violation of this Ordinance subject to the remedies and penalties in Article 8: Enforcement.

5.8. PARKING AND LOADING

5.8.1. PURPOSE AND INTENT

The purpose of this section is to ensure provision of off-street parking and loading facilities in proportion to the generalized parking, loading, and transportation demand of the different uses allowed by this Ordinance. The standards are further intended to:

- A. Provide for adequate off-street parking, off-street loading, and safe movement of vehicles into, out of, and through parking areas;
- B. Allow for flexibility to accommodate alternative solutions to off-street parking and loading needs, where such flexibility is consistent with the Town's adopted policy guidance;
- C. Reduce the aesthetic impact of surface parking lots in gateway corridors, downtown, and mixed-use areas through standards addressing on-site parking lot locations;
- D. Avoid excessive paved surface areas and the resulting problems associated with stormwater runoff and urban heat islands; and
- E. Protecting compatibility between adjacent uses of land and historic resources.

5.8.2. APPLICABILITY

The standards in this section shall apply to all development in the Town's planning jurisdiction, unless exempted in accordance with [Section 5.8.3, Exemptions](#).

A. GENERALLY

Whenever a building is constructed, an open-air use of land is conducted, or a principal or accessory use is established, the development shall meet the requirements of this section.

B. ADDITIONS AND EXPANSIONS

Whenever a building, open air use of land, or principal or accessory use is enlarged or increased in capacity, the development shall comply with the requirements in [Section 7.4, Nonconforming Sites](#).

C. CHANGES IN USE

1. If the principal use changes, then the new principal use shall meet the requirements of this section, except that if the use change results in an increase of less than five percent in the required number of parking spaces, or less than two additional parking spaces, no additional parking spaces are required.
2. In cases where an existing parking lot does not comply with the parking lot configuration requirements of this section, changes in use shall require the parking lot's configuration to be brought into compliance with these standards to the maximum extent practicable.

D. PRE-EXISTING DEVELOPMENT

Lawfully-established off-street parking and loading areas established prior to January 1, 2020, that do not comply with these standards shall be subject to the applicable standards in [Article 7: Nonconformities](#).

5.8.3. EXEMPTIONS

- A. The following forms of development are exempt from the requirements of this section:
 1. Lawfully-established lots of record existing prior to January 1, 2020, that are 33 feet wide or less, contain a single-family detached residential structure, and are not served by an alley;
 2. Re-striping an existing parking lot which does not create a deficient number of parking spaces or a nonconforming situation; and
 3. Rehabilitation or re-use of an historic structure in an LHO district.
- B. Development located in the DTC and DTP districts is exempted from the minimum off-street parking requirements in [Table 5.8.4.H, Minimum Off-Street Parking Requirements Table](#), but any off-street parking spaces shall comply with the standards in [Section 5.8.5, Parking Lot Configuration](#), and development is subject to the other standards in this section.

5.8.4. OFF-STREET PARKING REQUIREMENTS**A. PARKING PLAN REQUIRED**

Every application for a site plan or building permit shall include a parking plan or plot plan drawn to scale and fully-dimensioned as necessary in order to demonstrate compliance with the standards in this Ordinance.

B. MINIMUM OFF-STREET PARKING SPACES REQUIRED

1. The minimum number of off-street parking spaces required for development shall be in accordance with Table 5.8.4.H, Minimum Off-Street Parking Requirements Table.
2. Off-street parking shall be provided to meet the parking demand without the use of streets, except as specifically allowed by this section.

C. OFF-STREET PARKING SPACE MAXIMUM

1. Retail use types subject to the standards in Section 5.3.1.G, Standards for Large Format Retail Uses, shall limit the total number of off-street parking spaces provided to not more than 125 percent of the minimum parking spaces required in Table 5.8.4.H, Minimum Off-Street Parking Requirements Table.
2. Deviations from this standard may be requested in accordance with Section 5.8.11, Parking Alternatives.

D. USE TYPE NOT LISTED

1. For use types that do not correspond to the use types listed in Table 5.8.4.H, Minimum Off-Street Parking Requirements Table, any one of the following actions may be taken as part of determining the applicable off-street parking requirements:
 - a. The applicant may provide a parking study for the use(s) prepared by a professional engineer licensed by the State of North Carolina;
 - b. The applicant may propose a text amendment to this UDO in accordance with Section 2.2.20, UDO Text Amendment;
 - c. The applicant may request a formal interpretation of these off-street parking standards in accordance with Section 2.2.12, Interpretation; or
 - d. The Planning Director may determine the minimum parking space requirement based on a similar use in accordance with the standards of this Ordinance.
2. In cases where the applicant desires the Planning Director to make a determination, the application shall provide adequate information for review, which includes, but is not limited to: the type of use(s), number of employees, the availability of transit, the occupancy of the building, square feet of sales, service and office area, parking spaces proposed, and hours of operation.

E. DEVELOPMENTS WITH MULTIPLE USE TYPES OR LOTS

1. Development containing more than one principal use shall provide the minimum number of off-street parking spaces in an amount equal to the total required for all individual principal uses in the development, except as allowed by Section 5.8.11, Parking Alternatives.
2. Developments consisting of multiple lots that are planned and developed as a single, unified, or consolidated project may be configured to locate a portion of the required parking for one lot on another in the same development as allowed by Section 5.8.11, Parking Alternatives.

F. USE OF REQUIRED OFF-STREET PARKING SPACES

1. Off-street parking areas used for any of the following vehicles are not credited towards the minimum number of required off-street parking spaces in Table 5.8.4.H, Minimum Off-Street Parking Requirements Table, and such vehicles shall be located outside required off-street parking spaces and any street right-of-way:
 - a. Vehicles for sale or lease;
 - b. Vehicles being stored, serviced, or repaired; or
 - c. Vehicles belonging to the use, such as company vehicles.
2. Required off-street parking spaces shall not be used for any purpose other than the temporary parking of operable vehicles.

ARTICLE 5: DEVELOPMENT STANDARDS

5.8. Parking and Loading

5.8.4. Off-Street Parking Requirements

3. In no instance shall motor vehicle servicing or repair of a vehicle take place within a required off-street parking space except for washing and emergency service necessary to start the vehicle.

G. DRIVEWAYS USED TO MEET PARKING REQUIREMENTS

1. Driveways may be used to accommodate required off-street parking spaces only for the following uses:
 - a. Boarding/rooming houses;
 - b. Duplex dwellings;
 - c. Cemeteries;
 - d. Family care homes;
 - e. Group homes;
 - f. Live/work dwellings;
 - g. Manufactured dwellings;
 - h. Mobile homes;
 - i. Single-family attached dwellings when located in developments of six or fewer dwellings;
 - j. Single-family detached dwellings, including those in bungalow courts and pocket neighborhoods; and
 - k. Triplex/quadplex dwellings.
2. Driveways shall be of sufficient size to accommodate all the off-street parking spaces required by Table 5.8.4.H, Minimum Off-Street Parking Requirements Table. In no instance shall accommodation of vehicle parking in accordance with this subsection result in parked vehicles protruding into or over street rights-of-way, sidewalks, greenways, required sight distance triangles, areas used for refuse collection, or required landscaping areas.

H. MINIMUM OFF-STREET PARKING REQUIREMENTS TABLE

TABLE 5.8.4.H: MINIMUM OFF-STREET PARKING SPACES REQUIRED

USE TYPE	MINIMUM NUMBER OF REQUIRED OFF-STREET PARKING SPACES [1] [2]
RESIDENTIAL USE TYPES	
Assisted Living Facility	1 per employee on the largest shift + 0.25 per bed
Boarding/Rooming House	2 + 1 per each rental room
Bungalow Court	1 + 0.25 guest spaces per dwelling unit
Continuing Care Retirement Community	1.5 per every individual dwelling unit + 1 per every employee on the largest shift + per every 200 sf used by the public
Duplex Dwelling	2 per every dwelling unit
Family Care Home	2 + 1 per bedroom
Group Home	2 + 1 per bedroom
Halfway House	2 per bedroom
Live/Work Dwelling	2 + 1 per every 500 sf of non-residential floor area
Manufactured Dwelling	2 per dwelling unit
Manufactured Dwelling Park	2 per every home site
Mobile Home	2 per dwelling unit
Mobile Home Park	2 per every mobile home site
Multi-Family Dwelling	1.5 per every dwelling unit + 0.25 guest spaces per unit
Pocket Neighborhood	1 + 0.25 guest spaces per dwelling unit
Nursing Home	1 per employee on largest shift + 0.25 per bed
Single-Family Attached Dwelling	2 per every dwelling unit + 0.25 guest spaces per unit
Single-Family Detached Dwelling	2 per dwelling unit + 0.25 guest spaces per unit

ARTICLE 5: DEVELOPMENT STANDARDS

TABLE 5.8.4.H: MINIMUM OFF-STREET PARKING SPACES REQUIRED

USE TYPE	MINIMUM NUMBER OF REQUIRED OFF-STREET PARKING SPACES [1] [2]
Triplex/Quadriplex	2 per every dwelling unit
Upper-Story Residential	1 per dwelling unit
INSTITUTIONAL USE TYPES	
Adult Day Care Center	1 + 1 per every employee on largest shift
Airport and Related Facilities	1 per every 200 sf used by public + 1 per every 600 sf not used by the public [3]
Antenna Collocation, Major	None
Antenna Collocation, Minor	None
Arboretum or Formal Garden	1 per employee on largest shift + 1 per 5,000 sf of garden area
Auditorium	Greater of: 1 per every 4 seats or 1 per every 40 sf of seating area with moveable seating
Blood/Tissue Collection	1 per every 200 sf
Broadcasting Studio	1 per every 2 employees
Cemetery, Columbarium, or Mausoleum	1 per employee on the largest shift
Child Day Care Center	1 per every employee + 1 per every 10 children
College or University	5 per every classroom and office
Community/Youth/Senior Center	1 per every 300 sf
Community Garden	None
Coliseum or Arena	Greater of: 1 per every 4 seats or 1 per every 40 sf of seating area with moveable seating
Conference or Convention Center	Greater of: 1 per every 4 seats or 1 per every 40 sf of seating area with moveable seating
Cultural Facility, Library, or Museum	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Drug/Alcohol Treatment	Greater of: 1 per every 400 sf or 1 per bed
Fire/EMS/Police Station	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Fraternal Club or Lodge	1 per every 300 sf
Government Office	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Government Maintenance, Storage, Distribution	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Helicopter Landing Pad	2 per landing pad
Hospital	1 per every 2 beds + 1 per every doctor and nurse + 1 per every 4 other employees
Indoor Private Recreation	1 per every 200 sf
Outdoor Private Recreation	1 per every 1,000 sf of activity area
Park (public or private)	1 per employee on largest shift + 1 per acre
Passenger Terminal (rail or bus)	1 per every 200 sf [3]
Post Office	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Psychiatric Treatment Facility	1 per every 3 patient beds
Religious Institution	Greater of: 1 per every 6 seats or 1 per every 50 sf of floor area in main assembly room
School, Elementary	1 per employee
School, High/Middle	5 per every classroom and office
School, Vocational	5 per every classroom and office
Small Wireless Facility	None

ARTICLE 5: DEVELOPMENT STANDARDS

5.8. Parking and Loading

5.8.4. Off-Street Parking Requirements

TABLE 5.8.4.H: MINIMUM OFF-STREET PARKING SPACES REQUIRED

USE TYPE	MINIMUM NUMBER OF REQUIRED OFF-STREET PARKING SPACES [1] [2]
Telecommunications Tower, Major	None
Telecommunications Tower, Minor or Concealed	None
Temporary Wireless Facility	None
Urgent Care Facility	1 per employee on the largest shift + 1 per every 300 sf
Utility, Major	1 per every 1,500 sf
Utility, Minor	None
COMMERCIAL USE TYPES	
ABC Store	1 per every 250 sf
Adult Business	1 per every 150 sf
Aircraft Parts, Sales, and Maintenance	1 per every 600 sf
Animal Day Care/Grooming	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Animal Shelter	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Auction House	1 per every 300 sf of seating area + 1 per employee
Automobile Repair and Servicing (without painting/bodywork)	2 + 1 per every service bay
Automobile Sales and Rentals	1 per every 200 sf
Automotive Painting/Body Shop	2 + 1 per every service bay
Automotive Parts and Accessories Sales	1 per every 200 sf
Automotive Wrecker Yard	1 per employee on the largest shift
Bar, Cocktail Lounge, or Private Club	1 per every 150 sf
Bed and Breakfast	2 + 1 per every rental unit
Boat and Marine Rental, Sales, and Service	1 per every 600 sf
Bottle Shop (with on premise consumption)	1 per every 4 seats
Business Incubator	1 per every 450 sf
Campground	1 + 1 per every camping space
Car Wash or Automobile Detailing	2 per every washing bay
Catering Establishment	1 per every 300 sf
Check Cashing/Payday Lending Establishment	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Clothing Rental	1 per every 200 sf
Coffee Shop	1 per every 150 sf
Commercial Recreation, Indoor	1 per every 200 sf
Commercial Recreation, Outdoor	1 per every 1,000 sf of activity area (including building sf)
Computer-related Services	1 per every 600 sf
Convenience Store (no gasoline sales)	1 per every 200 sf
Convenience Store (with gasoline sales)	1 per every 200 sf
Co-Working Space	1 per every 250 sf
Equipment and Tool Rental	1 per every 600 sf
Event Venue	1 per every 150 sf
Fairgrounds	1 per every 600 sf of use area

ARTICLE 5: DEVELOPMENT STANDARDS

TABLE 5.8.4.H: MINIMUM OFF-STREET PARKING SPACES REQUIRED

USE TYPE	MINIMUM NUMBER OF REQUIRED OFF-STREET PARKING SPACES [1] [2]
Financial Services Establishment	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Flea Market	1 per every 200 sf
Funeral-related Services	Greater of: 1 per every 200 sf used by public, or 1 per every 4 seats in chapel
Games of Skill	1 per every 200 sf
Golf Course or Driving Range	1 per every 4 persons of design capacity or 2 + 1 per every tee
Grocery Store	1 per every 250 sf
Gymnasium/Fitness Center	1 per every 200 sf
Hair, Nails, and Skin-related Services	1 per every 200 sf
Heavy Equipment Sales, Rental, and Repair	1 per every 600 sf
Hotel or Motel	5 + 1 per every rental unit
Kennel, Indoor/Outdoor	1 per every 200 sf
Laundry or Cleaning Service	1 per every 200 sf used by the public
Microbrewery, Microwinery, or Microdistillery	1 per every 150 sf
Nightclub or Dance Hall	1 per every 150 sf
Office, Medical	4 per every doctor/practitioner
Office, Professional	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Office, Sales or Service	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Outdoor Storage	1 + 1 per employee on largest shift
Package and Printing Service	1 per every 200 sf
Park and Ride Facility	1 per employee on the largest shift
Parking Lot	1 per employee on largest shift
Parking Structure	1 per employee on largest shift
Pharmacy	1 per every 200 sf
Pool Hall	1 per every 150 sf
Racetrack	1 per every 4 persons of design capacity
Recreational Vehicle Park	1 per employee on largest shift + 0.25 per every recreational vehicle space
Repair Shop	1 per every 600 sf
Restaurant, Indoor/Outdoor Seating	1 per every 4 seats
Restaurant with Drive-Through/Drive-up Service	1 per every 4 seats
Restaurant, Walk-up Only	1 per employee on largest shift + 1 per every two outdoor seating locations
Retail, Bulky Item	1 per every 600 sf
Retail, Large Format	1 per every 200 sf
Retail Use, Other	1 per every 200 sf
Self Service Storage, External Access Only	1 + 1 per employee on largest shift
Self Service Storage, Internal Access Only	1 per every 5,000 sf
Shooting Range, Indoor	1 per firing station + 3
Specialty Eating Establishment	1 per every 4 seats
Tattoo and Piercing Establishment	1 per every 600 sf
Theatre	Greater of: 1 per every 4 seats or 1 per every 40 sf of seating area with moveable seating
Truck Stop	1 per every 200 sf + separate truck/trailer parking

ARTICLE 5: DEVELOPMENT STANDARDS

TABLE 5.8.4.H: MINIMUM OFF-STREET PARKING SPACES REQUIRED

USE TYPE	MINIMUM NUMBER OF REQUIRED OFF-STREET PARKING SPACES [1] [2]
Veterinary Clinic	4 per every doctor
INDUSTRIAL USE TYPES	
Asphalt or Concrete Plant	2 per every 3 employees on major shift
Contractor Services/Yard	Greater of: 1 per every 300 sf or 1 per every 1,000 sf of outdoor area
Electrical, Plastic, or Plumbing Fabrication	2 per every 3 employees on major shift
Extractive Industry	1 + 1 per employee on largest shift
Flex Space	1 per every 200 sf
Fuel Oil/Bottled Gas Distributor	1 per every 200 sf used by public + 1 per employee on largest shift
Gas Energy Conversion	1 + 1 per employee on largest shift
General Industrial Services	2 per every 3 employees on major shift
Landfill	2+ 1 per employee on largest shift
Makerspace	1 per every 400 sf
Manufacturing, Heavy	2 per every 3 employees on largest shift
Manufacturing, Light	2 per every 3 employees on largest shift
Metal Fabrication	2 per every 3 employees on major shift
Public Convenience Center/Transfer Station	10 + 1 per employee on the largest shift
Recycling Center	1 per every 1,000 sf (min. of 2 spaces)
Research and Development	1 per every 300 sf of office area + 1 per every 500 sf of other floor area
Salvage or Junkyard	3+ 1 per employee on the largest shift
Solar Farm	None
Truck or Freight Terminal	2 per every 3 employees on largest shift
Warehouse, Distribution	2 per every 3 employees on largest shift
Warehouse, Storage	2 per every 3 employees on largest shift
Waste Composting	1 per employee on the largest shift
Wholesale Sales	1 per every 900 sf
Wind Energy Conversion	None
AGRICULTURAL USE TYPES	
Agriculture and Horticulture	1 per every 1,500 sf of principal building floor area
Agriculture Support Services	1 per every 800 sf of principal building floor area
Animal Husbandry	1 per every 2,000 sf of principal building floor area
Farmer’s Market	1 per every 300 sf
Plant Nursery	5 + 1 per employee on the largest shift

NOTES:

- [1] See Section 9.3.11 Parking Space Computation, for details on how required parking spaces are computed.
- [2] “sf” means square feet.
- [3] Does not include long-term parking for travelers.
- [4] Excludes bona fide farm uses.

5.8.5. PARKING LOT CONFIGURATION

Except for driveways credited towards these parking standards in Section 5.8.4.G, Driveways Used to Meet Parking Requirements, or parking areas subject to an approved alternative parking plan (see Section 5.8.11, Parking Alternatives) all parking lots shall comply with the following standards:

A. GENERAL

1. All required off-street parking spaces shall be located on the same lot as the principal use they serve, except as allowed in Section 5.8.11, Parking Alternatives.
2. Required off-street parking shall be maintained for the duration of the principal use and shall not be reduced unless the principal use ceases or changes.
3. Except where allowed by this Ordinance, off-street parking spaces shall be not be located in any required landscaping or stormwater management area.
4. Off-street parking spaces shall not protrude into any street, fire lane, drive aisle, sidewalk, greenway, or pedestrian connection.

B. DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES

Off-street parking spaces and drive aisles serving them shall comply with the minimum dimensional standards established in Table 5.8.5.B: Dimensional Standards for Off-Street Parking Spaces, and Figure 9.3.11.F: Parking Space and Access Aisle Dimensions.

TABLE 5.8.5.B: DIMENSIONAL STANDARDS FOR OFF-STREET PARKING SPACES				
TYPE OF PARKING SPACE [1]	MINIMUM WIDTH (FEET)	MINIMUM DEPTH (FEET)	MINIMUM AISLE WIDTH (FEET) [2]	
			ONE WAY	TWO WAY [3]
Parallel (0°)	9	20	13	19
Angled (30°)	10	19	12	20
Angled (45°)	10	19	13	21
Angled (60°)	10	19	18	23
Perpendicular (90°)	10	19	20	24
Compact	8.5	18	20	24

NOTES:
 [1] All off-street parking spaces shall remain unobstructed from grade level to a height of at least 6½ feet above the parking space’s grade level.
 [2] Minimum aisle width shall be measured from edge-of-pavement to edge-of-pavement, and shall not include gutters or curbing.
 [3] The Town may require one direction of travel to maintain a wider width than the other direction.

C. MINIMUM PARKING LOT STEM LENGTH

All vehicular accessways serving off-street parking lots shall comply with the standards in Section 5.1.6.F Minimum Parking Lot Stem Length.

D. PARKING SPACE ACCESS

1. All off-street parking spaces shall be accessed directly from drive aisles or private driveways and not directly from arterial or collector streets.
2. All off-street parking areas shall be designed with an appropriate means of vehicular access to a street or alley in a manner that allows for safe vehicular movements.

E. VEHICLE BACKING

Vehicular use areas shall be designed so that a vehicle is not required to back onto a street to enter or exit the parking lot, a parking space, or a stacking space.

F. SURFACE MATERIALS

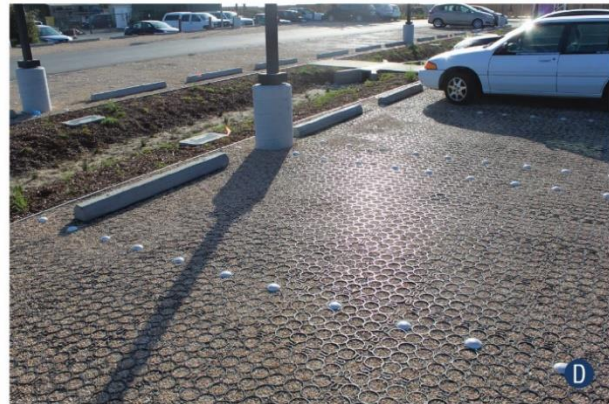
1. Except for use types identified in subsection (3) below, all off-street parking spaces, accessible parking spaces, drive aisles, and vehicular use areas shall be paved and maintained with concrete, asphalt, or similar material of sufficient thickness and consistency to support anticipated traffic volumes and weights (see [Figure 5.8.5.F: Parking Lot Surface Materials](#)).
2. The use of pervious or semi-pervious materials may be approved as part of an alternative parking plan (see [Section 5.8.11, Parking Alternatives](#)), provided it is demonstrated that the materials will function in a similar fashion as required materials.
3. Required off-street parking spaces (excluding accessible parking spaces), drive aisles, and vehicular use areas may be constructed with gravel or other approved comparable all-weather surface for the following:
 - a. Parking used on an irregular basis for religious institutions, private clubs or lodges, and other similar nonprofit organizations;
 - b. Parking for a bed and breakfast establishment where six or fewer spaces are required; and
 - c. Parking for an office use converted from a single-family detached dwelling where four or fewer spaces are required.
4. Configuration of parking lots in accordance with low impact development practices (see [Table 5.12.6: Menu of Sustainable Development Practices](#)) is encouraged.

FIGURE 5.8.5.F: PARKING LOT SURFACE MATERIALS



LEGEND

- A** Asphalt
- B** Concrete
- C** Pervious Concrete
- D** Permeable Paving Systems



G. GRADING AND DRAINAGE

1. The parking lot shall be graded, properly drained, stabilized, and maintained to minimize dust and erosion.
2. Parking lots shall not impound stormwater unless surface impoundment is required as a method of stormwater management. However, in no instance shall surface impoundment result in a fewer number of parking spaces than required by Table 5.8.4.H, Minimum Off-Street Parking Requirements Table.
3. Parking lots shall not drain onto or across public sidewalks, or into adjacent property except into a natural watercourse or a drainage easement unless alternative provisions for drainage are proposed and accepted by the Planning Director.

H. PEDESTRIAN WALKWAYS

Pedestrian walkways between the principal buildings on a development site and a sidewalk or other pedestrian way (like a greenway trail) shall be provided in accordance with Section 5.1, Access and Circulation.

I. MARKINGS

All parking spaces and lanes in parking lots shall be clearly delineated with paint lines, curbs, or other treatment.

J. CURBS AND WHEEL STOPS

All off-street parking spaces provided in accordance with Table 5.8.4.H, Minimum Off-Street Parking Requirements Table, shall have curbs or wheel stops located so that no part of the parked vehicle extends onto or over a sidewalk, walkway of six feet in width or less, adjacent property, or landscape area, whether the vehicular use area is paved or unpaved.

K. SEPARATION FROM FIRE PROTECTION FACILITIES

- 1. No required off-street parking space shall be located within 15 feet of a fire hydrant or other fire protection facility.
- 2. Parking shall not take place within designated fire lanes or other areas demarcated for fire protection.

L. EXTERIOR LIGHTING

- 1. Exterior lighting in parking lots shall be designed to provide illumination of parking lot areas for the purposes of safe vehicle and pedestrian circulation.
- 2. Exterior lighting within a parking lot shall be configured to prevent glare or illumination exceeding maximum allowable levels on adjacent land and shall comply with the standards of Section 5.4, Exterior Lighting, as appropriate.

M. LANDSCAPING

Parking lot landscaping shall be provided in accordance with Section 5.6, Landscaping.

5.8.6. ACCESSIBLE PARKING SPACES

Accessible parking spaces for the disabled are required for all forms of development except single-family detached dwellings, and shall meet the following criteria:

A. CONFIGURATION

Handicapped parking spaces shall be in accordance with the regulations set forth by the Americans with Disabilities Act and the North Carolina Building Code.

B. NUMBER PROVIDED

Accessible (handicapped) parking spaces shall be provided in accordance with the North Carolina Building Code requirements.

5.8.7. GUEST PARKING SPACES

- A. Multi-family, single-family attached, and mixed-use development shall provide 0.25 guest parking spaces per residential unit.
- B. New single-family detached residential developments shall provide guest parking spaces at a rate of 0.25 spaces per dwelling.
- C. In cases when guest parking is provided, it shall be in a central location, well lit, served by pedestrian access, located no farther than 1,320 feet from the dwelling units it serves, and within a common area, either within the right of way in marked on-street parking spaces or within an HOA controlled area.

5.8.8. COMPACT PARKING SPACES

- A. Compact car off-street parking spaces with a minimum width of 8.5 feet and a minimum depth of 18 feet may be provided for up to 30 percent of the minimum parking requirements in Table 5.8.4.H, Minimum Off-Street Parking Requirements Table.

ARTICLE 5: DEVELOPMENT STANDARDS

5.8. Parking and Loading

5.8.9. Stacking Spaces

- B.** In no instance shall the minimum size of a compact parking space be further reduced through an alternative parking plan, administrative adjustment, conditional rezoning application, or other flexibility mechanism in this Ordinance.

5.8.9. STACKING SPACES

A. GENERAL

Uses with drive-through facilities and other auto-oriented uses where vehicles queue up to access a service shall provide adequate stacking spaces on-site for the uses or buildings in accordance with Table 5.8.9.A: Stacking Spaces Required.

ARTICLE 5: DEVELOPMENT STANDARDS

TABLE 5.8.9.A: STACKING SPACES REQUIRED

USE OF ACTIVITY	MINIMUM # OF STACKING SPACES REQUIRED	ORIGIN POINT FOR MEASUREMENT
Assisted living facility and nursing home	3	Building entrance adjacent to stacking spaces
Automated teller machine (drive through)	2	Teller machine
Automobile repair and servicing/Automotive painting or body shop	1 per bay	Bay entrance
Car wash or automobile detailing	1 per bay for manual car washes, otherwise 3	Bay/wash process entrance
Child day care center	2	Building entrance adjacent to stacking spaces
Convenience store with gasoline sales	1	Each end of the outermost gas pump
Coffee shop with a drive through	[1]	[1]
Equipment and tool rental	2	Security gate
Financial services with a drive through	3 per lane	Agent window
Funeral-related service	2	Building entrance adjacent to stacking spaces
Gasoline sales, whether as a principal or accessory use	1	Each end of the outermost gas pump
Heavy equipment sales, rental, and repair	2 [2]	Security gate
Hospital	4	Building entrance adjacent to stacking spaces
Hotel or motel	2	Building entrance adjacent to stacking spaces
Laundry and cleaning service with a drive through	3	Agent window or door intended for service to vehicles
Outpatient treatment facility	4	Building entrance adjacent to stacking spaces
Pharmacy with a drive through	3 per lane	Agent window
Post office	2	Each mailbox intended for access via automobile
Public convenience center/transfer station	5	Front edge of scale
Restaurant with a drive through	[1]	[1]
School (elementary, middle, or high school)	3	Building entrance adjacent to stacking spaces
Truck of freight terminal	1 [3]	Security gate

NOTES:

[1] Stacking spaces shall be provided in accordance with a stacking space needs study prepared for the specific use type proposed and in accordance with the business model and local experience of similar establishments and authored by professional engineer licensed by the State of North Carolina

[2] The stacking space shall be of sufficient length to accommodate a trailer attached to a cab.

[3] Subject to the standards for gasoline sales if provided to individual passenger automobiles.

B. DESIGN

Stacking spaces are subject to the following design and layout standards (see [Figure 5.8.9.B: Stacking Spaces](#)):

1. SIZE

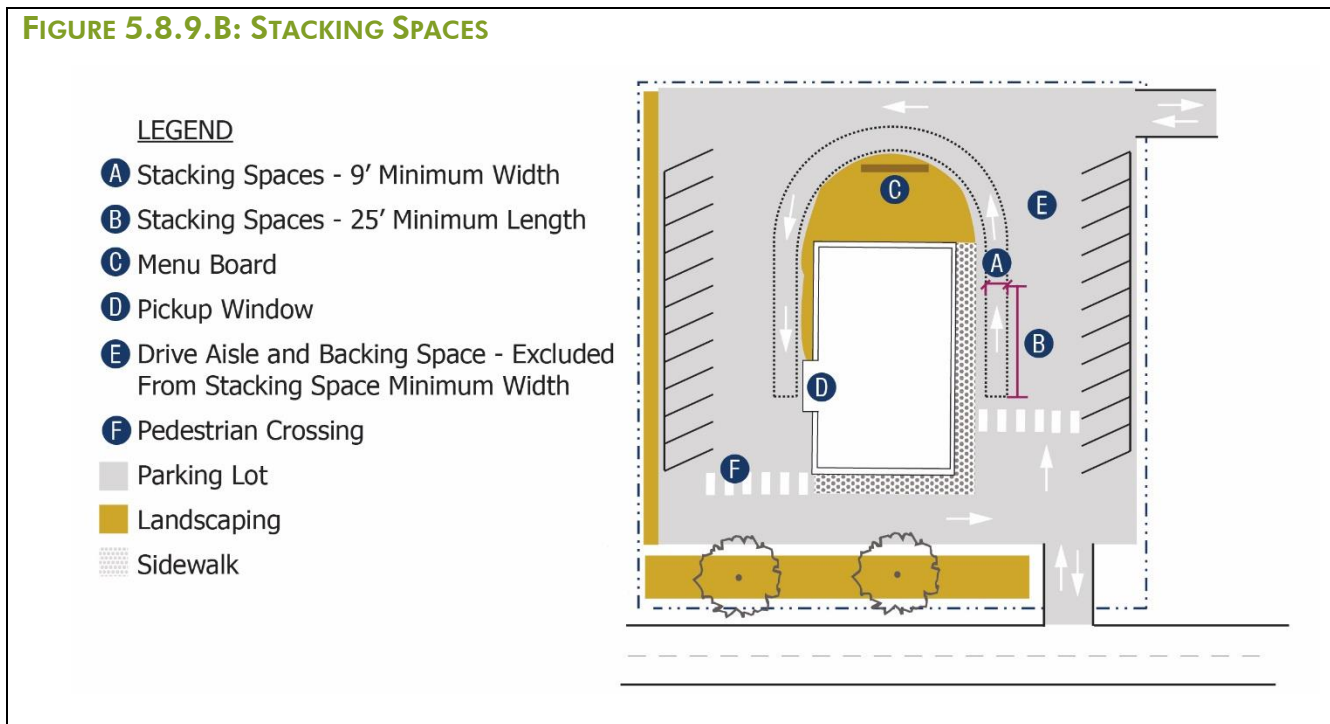
Stacking spaces shall be a minimum of nine feet wide and 25 feet long.

2. TRAFFIC MOVEMENTS

Required stacking spaces shall not impede vehicular traffic movements or movements into or out of parking spaces, whether on-site or off-site.

3. BICYCLE AND PEDESTRIAN MOVEMENT

Required stacking spaces shall not impede on-site or off-site bicycle or pedestrian traffic movements, whether on-site or off-site.



5.8.10. BICYCLE PARKING

Bicycle parking shall be provided in accordance with the following standards:

A. APPLICABILITY

1. Bicycle parking facilities shall be provided on all new commercial, mixed-use, multi-family, and institutional use types served by 20 or more off-street parking spaces for vehicles.
2. Bicycle parking shall not be required for industrial use types.

B. RATE OF PROVISION

Bicycle parking spaces shall be provided at a rate of one bicycle parking space for every 20 off-street parking spaces for automobiles. Nothing shall limit the provision of more bicycle parking spaces than are otherwise required.

C. CONFIGURATION

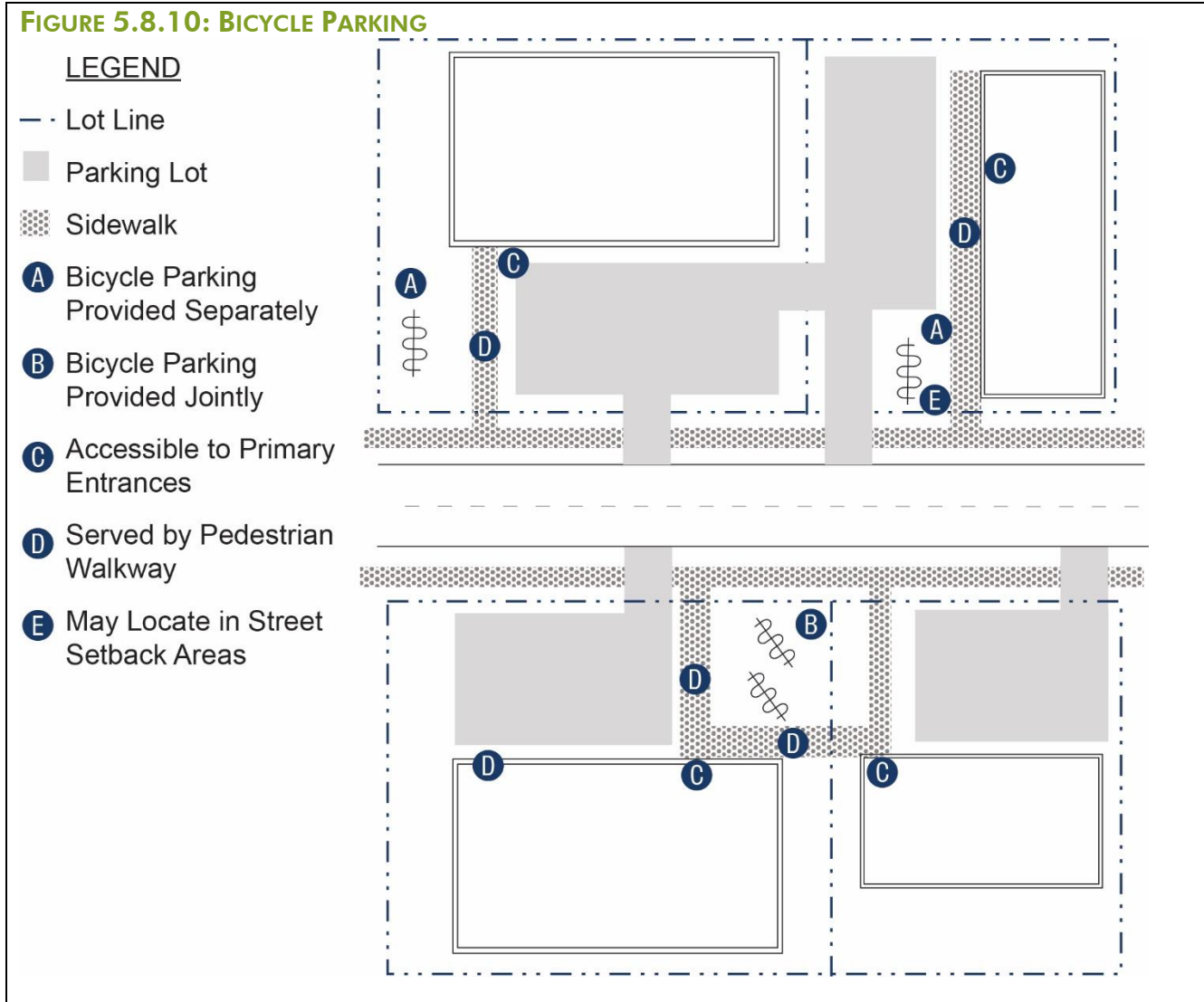
1. Bicycle parking should be accessible to the primary entrances of the development and located in a visible, well-lit area (see [Figure 5.8.10: Bicycle Parking](#)).

ARTICLE 5: DEVELOPMENT STANDARDS

5.8. Parking and Loading

5.8.11. Parking Alternatives

2. Bicycle parking shall be served by a pedestrian walkway connecting the bicycle parking to the closest primary building entrance.
3. Bicycle parking shall be located where it does not interfere with pedestrian traffic and is protected from conflicts with vehicular traffic.
4. Bicycle parking may be accommodated within street setback areas.
5. A bicycle rack or other device shall be provided to enable bicycles to be secured.



D. SHARED PARKING SPACES

Nothing shall limit uses on the same block face from establishing shared or consolidated bicycle parking spaces in central or mid-block locations, provided there are sufficient bicycle parking spaces for all uses sharing the required bicycle parking.

5.8.11. PARKING ALTERNATIVES

Development may deviate from the off-street parking requirements in this section through the requirements and procedures in Section 2.2.1, Administrative Adjustment, and Section 2.2.21, Variance, or through approval of an alternative parking plan accepted by the Planning Director and configured in accordance with the following:

A. DEVIATION FROM REQUIRED MINIMUM

ARTICLE 5: DEVELOPMENT STANDARDS

5.8. Parking and Loading

5.8.12. Off-Street Loading

An applicant may propose a reduced rate of provision for off-street parking less than that specified in Table 5.8.4.H, Minimum Off-Street Parking Requirements Table, in accordance with a parking study prepared by a professional engineer licensed by the State of North Carolina. The parking study shall document why fewer spaces than required will be adequate while still protecting the public's health, safety, and welfare.

B. PROVISION OVER THE MAXIMUM ALLOWED

An applicant proposing development subject to the standards in Section 5.8.4.C, Off-Street Parking Space Maximum, may propose a total number of off-street parking spaces that exceeds the maximum allowed only through the provision of a parking study prepared by a professional engineer licensed by the State of North Carolina. The parking study shall document why the provision of off-street parking spaces beyond the maximum authorized is necessary for the public's health, safety, or welfare.

C. OFF-SITE PARKING

Up to 50 percent of off-street parking space requirements for an existing building may be met by locating required parking in an off-site location, in accordance with the following standards:

1. The off-site parking is located within 1,000 feet from the use it serves, as measured from the entrance of the use to the nearest off-site parking space.
2. A sidewalk or paved pedestrian walkway is provided to the off-site parking area from the use.
3. In cases where the off-site parking is located on land under separate ownership from the use it serves, the off-site parking shall be subject to a written agreement executed by the owners involved and filed with the Planning Director prior to the use of off-site parking facilities. The agreement shall guarantee the long-term availability of the off-site parking in question.
4. Should an off-site parking agreement cease, then the use shall be considered a nonconformity subject to the standards in Article 7: Nonconformities, unless the use is brought into compliance with the minimum off-street parking requirements of this section.

D. SHARED PARKING

The required off-street parking for a use may be met with shared use of the required off-street parking spaces of another use, only in accordance with the following standards:

1. The use of shared off-street parking spaces shall be subject to a shared parking agreement executed by the landowners of the uses involved, approved by the Planning Director, and recorded in the office of the Wake County Register of Deeds.
2. The shared parking agreement shall guarantee the long-term availability of the shared parking spaces in question. Nothing shall limit the percentage of required off-street parking spaces that may be provided through a shared parking agreement.
3. The shared parking is located within 1,000 feet, as measured from the entrance of the use to the nearest shared parking space.
4. A sidewalk or paved pedestrian walkway is provided to the shared parking area from the use.
5. The uses served by the shared parking must have different peak parking demands, differences in hours or days of operation, or otherwise operate such that the uses sharing parking have access to the required minimum number of off-street parking spaces when in operation.
6. Should the shared parking agreement cease, then the use(s) formerly served by shared parking shall be considered a nonconformity subject to the standards in Article 7: Nonconformities, unless the use(s) is brought into compliance with the minimum off-street parking requirements of this section.

E. ALTERNATIVE SURFACING

The use of pervious or semi-pervious parking area surfacing materials—including, but not limited to, "grasscrete," "turfstone," cellular reinforced paving systems, porous concrete, crushed stone, or recycled materials such as glass, rubber, used asphalt, brick, block, and concrete—may be proposed for required off-street parking spaces, drive aisles, or vehicular surface areas on a site, provided such areas are properly maintained. Where possible, such materials should only be used in areas proximate to and in combination with on-site stormwater control mechanisms or tree protection measures.

5.8.12. OFF-STREET LOADING

A. LOADING FACILITIES REQUIRED

Every application for a non-residential use shall ensure that adequate off-street loading facilities are provided so that loading vehicles do not occupy required off-street parking spaces, block vehicular access, or prevent appropriate on-site maneuvering.

B. MINIMUM OFF-STREET LOADING SPACE REQUIREMENTS

1. A minimum number of off-street loading spaces is not established; however, if off-street loading spaces are provided, they shall be provided and maintained in sufficient numbers to adequately handle the needs of a non-residential use.
2. Failure to provide or maintain off-street loading spaces when they are necessary to serve the development is a violation of this Ordinance.
3. In no instance shall an off-street loading space occupy a required off-street parking space or interrupt the safe operation of vehicles or circulation of pedestrian or bicycles.
4. Each off-street loading space shall be designed with an appropriate means of vehicular access to a street or alley in a manner that will least interfere with traffic circulation.

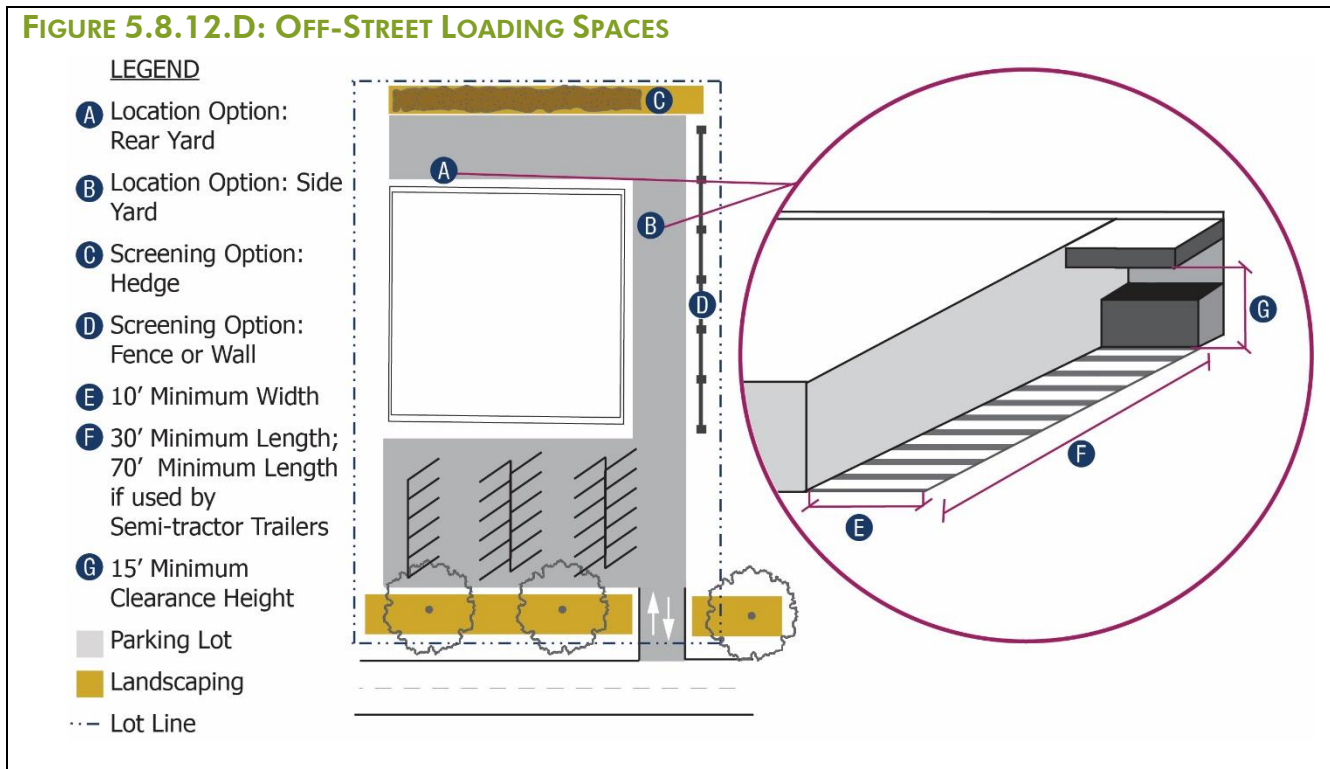
C. LOCATION

No off-street loading space shall be located within a required setback or within 30 feet of a street intersection.

D. DIMENSIONAL STANDARDS FOR LOADING SPACES

When off-street loading spaces are provided, they shall comply with the following minimum requirements (see Figure 5.8.12.D: Off-Street Loading Spaces):

1. Except for loading spaces used by semi-tractor trailers, off-street loading spaces shall be at least 10 feet wide and at least 30 feet long.
2. Off-street loading spaces used by semi-tractor trailers shall be at least 70 feet long.
3. Overhead clearance for an off-street loading space shall be at least 15 feet.
4. Off-street loading spaces shall be designed so that no backing onto or from a public street is necessary.



5.9. REFORESTATION

5.9.1. PURPOSE AND INTENT

This section is proposed to ensure that the Town's planning jurisdiction includes areas of mature tree canopy cover during and after development. These standards are further intended to:

- A. Promote sequestration of carbon dioxide through the establishment of new trees or the retention of existing trees on lots following the development process;
- B. Protect species diversity and habitat through the establishment of connected or linked areas of protected urban forest;
- C. Encourage the retention of existing trees during the development process through accelerated credit towards landscaping requirements; and
- D. Establish tree protection requirements for trees voluntarily proposed for retention during the development process.

5.9.2. APPLICABILITY

Unless exempted in accordance with [Section 5.9.3, Exemptions](#), the standards in this section shall apply to all lands and development, including subdivisions of land for single-family detached residential dwellings, in the Town's planning jurisdiction.

5.9.3. EXEMPTIONS

The following activities are exempt from the standards of this section:

- A. Activity on a bona fide farm;
- B. Tree removal associated with normal forestry activity that is conducted:
 1. On land taxed on the basis of its present-use value as forestland pursuant to Chapter 105, Article 12 of the North Carolina General Statutes; or
 2. In accordance with a forest management plan prepared or approved by a forester registered in accordance with Chapter 89B of the North Carolina General Statutes;
- C. Development or redevelopment within the DTC and DTP districts;
- D. Development or redevelopment within the LHO district;
- E. Construction of an individual single family detached home on its own lot; and
- F. Construction of an individual duplex dwelling on one or two individual lots.

5.9.4. REQUIREMENTS

A. GENERALLY

New development subject to these standards shall either reforest a portion of the development site after construction in accordance with the standards in [Section 5.9.4.B, Reforestation Standards](#), or shall retain existing trees on the site in accordance with the standards in [Section 5.9.4.C, Tree Retention Standards](#).

B. REFORESTATION STANDARDS

1. AMOUNT

Development seeking to meet the standards of this section through reforestation shall identify and reserve a portion of the development site corresponding to at least five percent of the site's total developable area.

2. LOCATION

The preferred location(s) for reforestation areas on an individual development site are listed in the following priority order (see [Figure 5.9.4.B.2: Reforestation Location](#)):

- a. Areas adjoining unbuildable lands such as riparian buffers, wetlands, steep slopes, or lands within a floodway;
- b. Areas that directly abut reforestation areas on adjoining lots;
- c. Areas adjacent to existing forest land on adjoining lots;
- d. Areas adjacent to parks or conservation lands on adjoining lots;

- e. Areas within the flood fringe on the same lot; or
- f. Other areas as determined by the Planning Director.

3. CONFIGURATION

a. SPECIES

- i. Trees shall be native or local to Wake County and should be of a variety that can be expected to survive for at least 25 years under normal conditions.
- ii. Nuisance species, such as the Tree of Heaven, Mimosa, Bradford Pear, or Chinese Tallowtree shall not be included in reforestation areas.

b. SPECIES DIVERSITY

Trees provided as part of reforestation activity shall be comprised of at least three different species, and differing species shall be interspersed throughout the reforestation planting area.

c. MATURE HEIGHTS

Trees proposed for planting in a reforestation area shall have a range of heights at maturity.

d. MINIMUM SIZE AT TIME OF PLANTING

Trees proposed for planting shall be from containerized stock. Bare-root stock is not recommended, and use of seeds or cuttings is prohibited.

e. SPACING

- i. Newly planted trees shall be planted to follow contours of land and not planted in rows so as to avoid the appearance of being planted.
- ii. Trees shall be located at least six feet from one another and from the edge of the reforestation area boundary, but no greater than eight feet from one another or the reforestation area boundary.

f. MINIMUM NUMBER OF TREES REQUIRED

Trees shall be planted at a rate to ensure uniform coverage throughout the reforestation area based on the maximum spacing requirements.

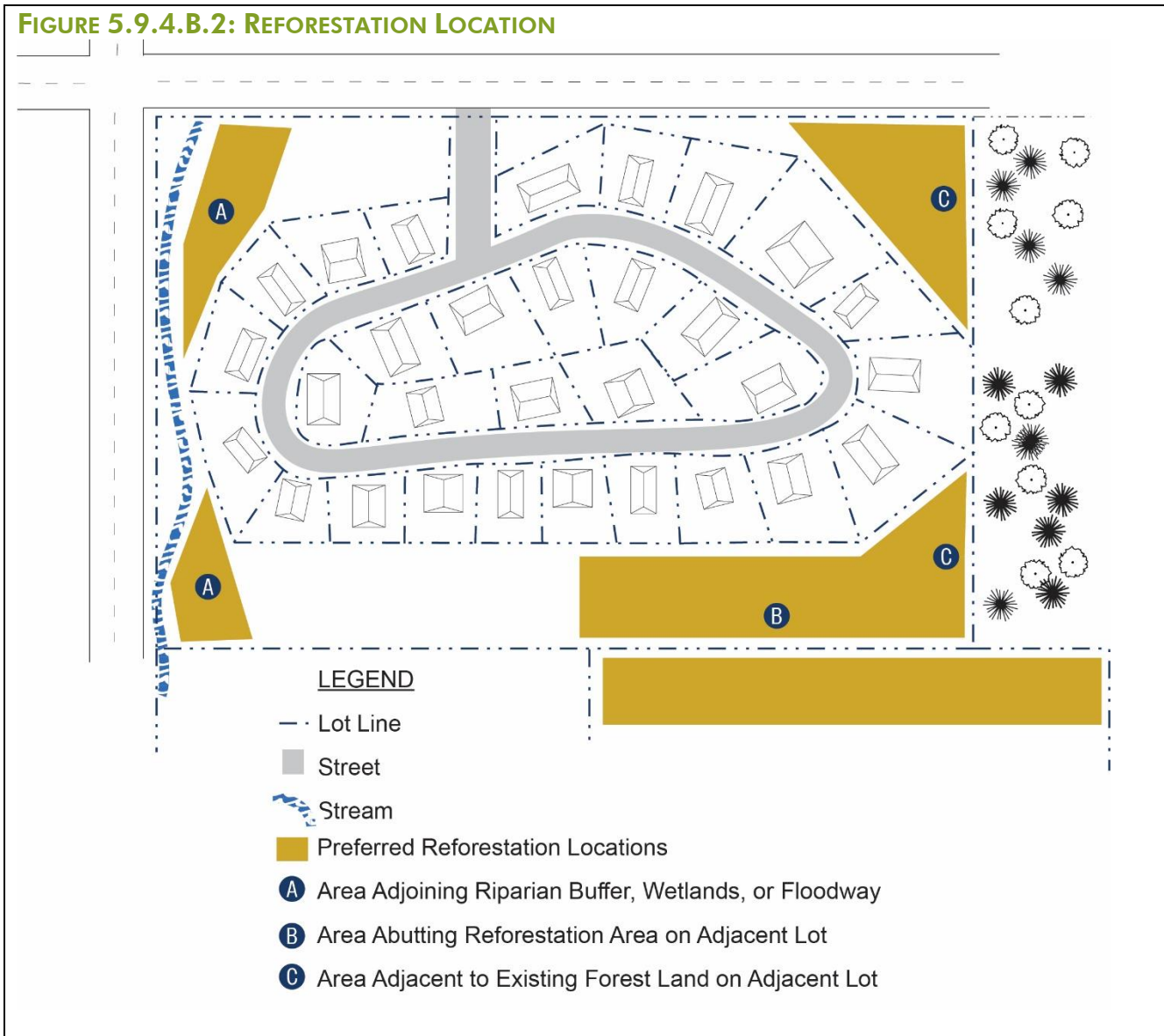
g. CONTIGUITY

- i. Reforestation areas shall be contiguous and shall not be separated from one another on a lot or development site of less than 30 acres in size
- ii. In cases where reforestation is proposed on a lot or site of more than 30 acres in size, individual reforestation areas may occupy two or more separate locations, provided that each individual reforestation area is at least one-half acre in area.

h. WITHIN A RESIDENTIAL SUBDIVISION

When required as part of a subdivision of land for residential purposes, a reforestation area shall be located outside the boundary of individual building lots.

FIGURE 5.9.4.B.2: REFORESTATION LOCATION



C. TREE RETENTION STANDARDS

Retention of existing trees on a development site, in accordance with the following standards, may be proposed as an alternative to the reforestation requirements in Section 5.9.4.B, Reforestation Standards.

1. AMOUNT

The number of existing trees to be retained during and after development shall be the minimum necessary to ensure that at least five percent of the total buildable area of the lot or site is located beneath existing tree canopy.

2. CONFIGURATION

The portion of the site to be retained under tree canopy shall be compact and contiguous, to the maximum extent practicable (see Figure 5.9.4.B.3: Tree Canopy Retention).

3. LOCATION

The tree canopy retention area shall be located away from areas proposed for grading or the installation of impervious surface.

4. WITHIN A RESIDENTIAL SUBDIVISION

ARTICLE 5: DEVELOPMENT STANDARDS

5.9. Reforestation

5.9.5. Tree Protection Devices

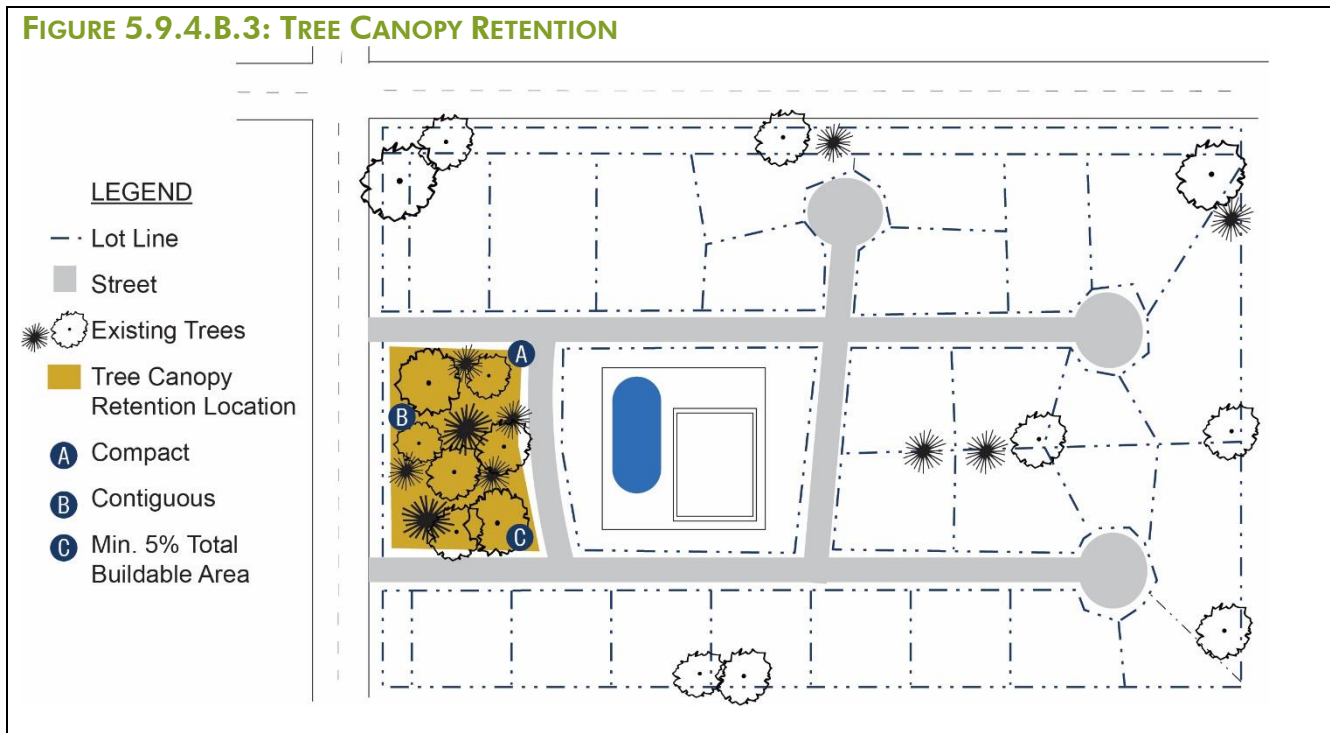
When required as part of a subdivision of land for residential purposes, a reforestation area shall be located outside the boundary of individual building lots.

5. SIZE OF RETAINED TREES

- a. Only the tree canopy associated with trees of four inches in DBH or larger shall be credited towards the tree retention standards.
- b. An applicant shall not be required to submit a tree survey unless trees within the retention area are proposed for credit towards the requirements in [Section 5.6, Landscaping](#).

6. COMPLIANCE WITH TREE PROTECTION DEVICE STANDARDS

In cases where a development is proposing retention of existing trees as a means of compliance with these reforestation standards, the area of tree retention shall be surrounded by tree protection devices during the construction process in accordance with [Section 5.9.5, Tree Protection Devices](#).



5.9.5. TREE PROTECTION DEVICES

A. RESPONSIBILITY

During any development activity (including demolition activity) on a lot or site containing trees to be retained for credit towards reforestation requirements or to be credited towards requirements in [Section 5.6, Landscaping](#), the landowner or developer shall be responsible for protecting existing trees to be retained in accordance with the standards in this section.

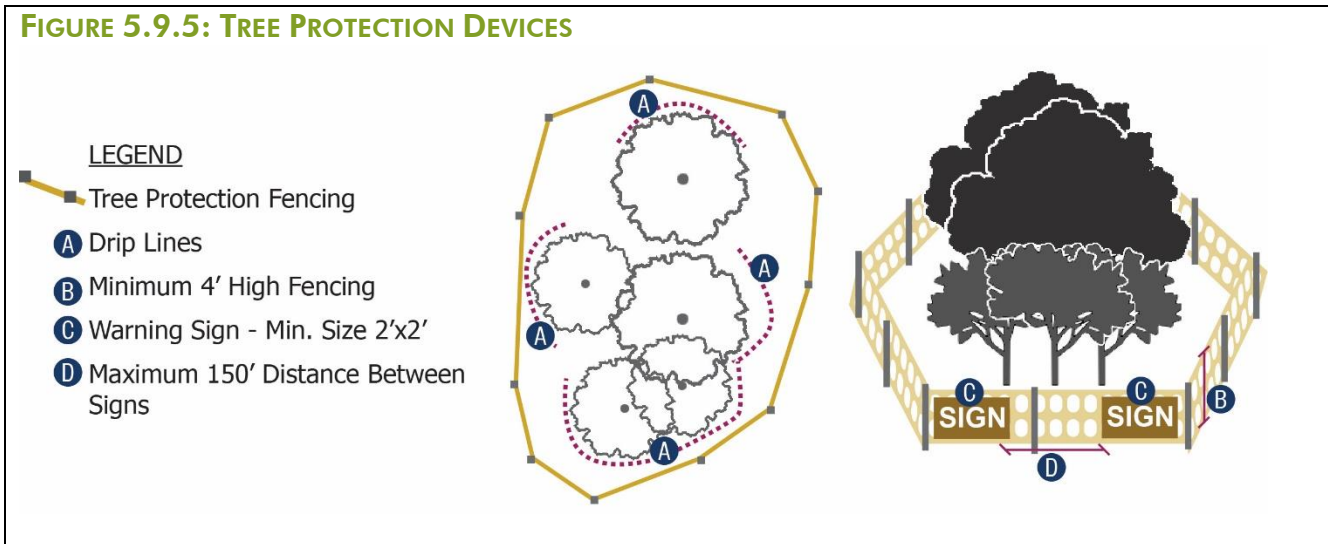
B. PROTECTIVE FENCING AND SIGNAGE

1. PROTECTIVE FENCING

- a. Continuous fencing consisting of a bright orange plastic mesh at least four feet high shall be provided along the driplines of trees to be retained for credit towards any Ordinance requirements (see [Figure 5.9.5: Tree Protection Devices](#)).
- b. Retained trees that are inaccessible to development activities or separated from all development activities by a distance of at least 300 linear feet are exempted from the requirement for tree protection fencing.

2. WARNING SIGNAGE

- a. Warning signs shall be installed along any required tree protective fencing.
- b. The signs shall be clearly visible from all sides around the outside of the fenced-in area.
- c. The size of each sign must be a minimum of two feet by two feet.
- d. The sign message shall, in both English and Spanish, identify the fenced or marked area as a tree protection area and direct construction workers not to encroach into the area (e.g., “Tree Protection Area: Do Not Enter”). For the purposes of this Ordinance, these warning signs are considered government signs exempted from First Amendment protections regarding regulation of sign content.



C. DURATION OF PROTECTIVE FENCING AND SIGNAGE

Required protective fencing and signage shall be erected before any grading or other development activity begins and shall be maintained until issuance of a certificate of occupancy following completion of all development in the immediate area of the fencing or signage.

D. TREE PROTECTION REQUIREMENTS

- 1. No development activity—including grade changes, the operation or parking of heavy equipment, or the washing down of concrete or cement handling equipment, or the storage of fuel, chemicals, materials, supplies, or construction waste and debris—shall be allowed within areas surrounded by tree protection fencing.
- 2. No structures or hard surfaces shall be located within areas surrounded by tree protection fencing.
- 3. Retaining walls and drywells may be used to protect trees to be preserved from severe grade changes if venting adequate to allow air and water to reach tree roots is provided through any fill.

E. DAMAGE OR DEATH OF A PROTECTED TREE

If a violation of this section occurs and a protected tree is removed or dies within two years after a certificate of occupancy is granted for that portion of a development where the tree is or was located, then the landowner, owners’ association, or occupancy permit recipient, or their successor, as appropriate, shall be required to install replacement trees at the rate necessary to re-establish the tree canopy coverage requirements.

5.9.6. CREDIT TOWARDS OTHER ORDINANCE REQUIREMENTS

A. OPEN SPACE SET-ASIDE

Land area devoted to reforestation or to the retention of existing trees during and after development activity shall be credited towards any passive open space set-aside requirements in Section 5.7.4, Minimum Open Space Set-Aside Requirements.

ARTICLE 5: DEVELOPMENT STANDARDS

5.9. Reforestation

5.9.7. Maintenance

B. REQUIRED LANDSCAPING

1. Existing healthy, well-formed canopy and understory trees that are retained on site during and after development shall be credited toward the minimum landscaping requirements in Section 5.6, Landscaping, provided:
 - a. The vegetation to be credited shall meet the minimum size standards for required landscaping;
 - b. The vegetation to be credited conforms with all species requirements and does not include noxious weeds or other nuisance vegetation;
 - c. The vegetation to be credited is protected before and during development in accordance with Section 5.9.5: Tree Protection Devices, prior to the start of any land-disturbing activities; and
 - d. The location of the existing vegetation contributes to the screening or buffering functions of the landscaping.
2. As an incentive for retention of existing trees, existing trees meeting the standards in (a) above that are retained during and after development shall be credited towards the minimum landscaping requirements in this Ordinance at a rate of 1.25 times the tree's actual caliper or diameter at breast height.

5.9.7. MAINTENANCE

- A. Reforestation and tree retention areas are intended to remain undisturbed by clearing or development. Any disturbance of these areas shall be a violation of this Ordinance in accordance with Article 8: Enforcement.
- B. Trees located within reforestation or tree retention areas are intended to remain until their natural death. In the event of disease or the creation of an unsafe situation, the Planning Director may allow selective clearing or removal of trees subject to an approved replanting plan.

5.10. SCREENING

5.10.1. PURPOSE AND INTENT

These standards are intended to reduce the visual and auditory impact upon adjacent lots and the public realm from certain site features and activities occurring on individual nonresidential, multi-family and mixed use lots. In addition to mitigating negative impacts, these standards are also proposed to enhance the aesthetics of development in the Town's planning jurisdiction.

5.10.2. USING THESE STANDARDS

- A.** These standards identify a series of use types, site features, and activities that are required to be screened from off-site views (see [Section 5.10.3, Applicability](#), and [Section 5.10.4, Exemptions](#)).
- B.** The standards establish a series of screening methods organized into differing levels (e.g., Level 1 through Level 10). The higher the screening method's level number, the greater its opacity, or its ability to obscure a particular site feature from off-site view (see [Table 5.10.5, Screening Methods](#)).
- C.** The standards identify which methods of screening may be used to screen a site feature or activity from view from a particular location, such as an adjacent street or abutting lot with residential zoning (see [Table 5.10.6, Views to Be Screened](#)). Nothing prohibits a landowner from using a more intense or opaque screening technique than is required by [Table 5.10.6, Views to Be Screened](#).

5.10.3. APPLICABILITY

A. GENERALLY

Unless exempted in accordance with [Section 5.10.4, Exemptions](#), the standards in this section apply to the following site features and activities for all development in the Town's planning jurisdiction:

1. Refuse collection containers of more than 100 gallons in size;
2. Recycling containers of more than 100 gallons in size, including cardboard recycling containers;
3. Waste and cardboard compactors;
4. Ground-based mechanical equipment, including but not limited to wireless telecommunications equipment, permanently-mounted electrical generators, compressors, climate control equipment, breaker panels, meters, electrical service risers, and similar equipment;
5. Roof-mounted equipment of any kind;
6. Above ground storage tanks for gases, solids, or liquids;
7. Outdoor equipment storage or repair areas;
8. Outdoor storage of raw, or semi-finished materials (including tires), or finished products for sale;
9. Impounded vehicles and equipment;
10. Vehicles and equipment being repaired; and
11. Inoperable vehicles being used for parts.

B. PRE-EXISTING DEVELOPMENT

Lawfully-established development established prior to January 1, 2020, that is subject to, but that does not comply with these standards shall be subject to applicable the standards in [Article 7: Nonconformities](#).

C. EXPANSIONS OR REMODELING

All expansions or remodeling of principal buildings or open uses of land existing on or before January 1, 2020, shall comply with these standards, subject to the requirements in [Section 7.4, Nonconforming Sites](#).

5.10.4. EXEMPTIONS

The following items are exempted from the screening requirements of this section:

- A.** Any of the features listed in [sub-section 5.10.3.A](#) above that are located entirely within a building;
- B.** Refuse collection containers serving individual single-family detached, single-family attached, duplex, triplex, or quadplex dwellings;
- C.** Utility meters, whether wall or ground mounted;
- D.** Small wireless facilities;
- E.** Roof-mounted solar energy or wind energy conversion devices;

ARTICLE 5: DEVELOPMENT STANDARDS

5.10. Screening



5.10.5. General Requirements

- F. Transformers and similar devices serving electric vehicle charging stations;
- G. Family health care structures;
- H. Outdoor display/sales as a principal or accessory use subject to an approved building permit; and
- I. Outdoor seasonal sales and portable storage containers subject to an approved temporary use permit (see Section 2.2.19, Temporary Use Permit) and Section 4.5, Temporary Uses.

5.10.5. GENERAL REQUIREMENTS




- A. Items or activities subject to the requirements in this section shall be fully screened from one or more off-site views in accordance with Section 5.10.6, Views to Be Screened, using one of the allowable methods identified in Table 5.10.5, Screening Methods.
- B. Table 5.10.5, Screening Methods, sets out the various methods for screening site features and activities subject to these standards. Screening, when required, shall comply with the configuration requirements listed below.
- C. In the event a ground-based site feature or activity to be screened exceeds a height of eight feet above grade, evergreen understory trees configured in accordance with the standards for Screening Level 2 shall be included as part of any required screening method.

TABLE 5.10.5: SCREENING METHODS

LEVEL OF SCREENING		REQUIREMENTS
1. Screening Level 1:	Understory Tree Hedgerow	
		<ul style="list-style-type: none"> a. All trees shall be of the same species and all shrubs shall be of an evergreen species. b. A hedgerow shall include one row of evergreen understory trees and one row of evergreen shrubs. c. The hedgerow shall include plants capable of providing a fully opaque screen of at least 36 inches in depth from the grade to the minimum height required. d. Trees shall maintain an on-center spacing of no greater than 60 inches. Shrubs shall maintain an on-center spacing of no greater than 48 inches. e. Trees shall be of a minimum height necessary at time of planting to achieve a minimum height of 8 feet above grade within 3 years. f. Shrubs shall be of a minimum height necessary at time of planting to achieve a minimum height of 6 feet above grade within 3 years. g. If damaged in a manner that impairs the performance of the screening, vegetative material shall be promptly replaced.
2. Screening Level 2:	Evergreen Shrub Hedge	
		<ul style="list-style-type: none"> a. All shrubs shall be evergreen and of the same species. b. The screening material shall be configured as two staggered rows of shrubs that together form a hedge. c. The screening shall maintain a minimum width of at least 36 inches at the time of planting. d. Shrubs shall be capable of providing a fully opaque screen of at least 36 inches in depth from the grade to the minimum height required. e. Shrub rows shall be planted no more than 30 inches apart. f. Shrubs shall maintain an on-center spacing of no greater than 36 inches. g. Shrubs shall be of a minimum height necessary at time of planting to achieve a minimum height of 6 feet above grade within 3 years. h. If damaged in a manner that impairs the performance of the screening, vegetative material shall be promptly replaced.

ARTICLE 5: DEVELOPMENT STANDARDS

TABLE 5.10.5: SCREENING METHODS

LEVEL OF SCREENING		REQUIREMENTS
3. Screening Level 3:	Chain Link Fence with Opaque Slats/Fabric	
		<ul style="list-style-type: none"> a. Fencing must be configured in accordance 5.3.H.2, Fences and Walls. b. All fencing shall maintain the minimum height necessary to fully screen the site feature or activity. c. Fencing shall be at least 60 percent opaque, when viewed from a distance of ten feet or more. d. All gates shall maintain a complimentary level of opacity excluding gaps for mounting hardware, latches, and hinges. e. Slats or fabric shall extend downwards to the grade. f. The fence and screening material shall be comprised of consistent materials and shall maintain a single color. g. Slats may be plastic or wood and shall be promptly repaired if damaged in a manner that reduces the screening function.
4. Screening Level 4:	Building Wall Projection	
		<ul style="list-style-type: none"> a. Building wall projections must be attached to a principal or accessory structure. b. All walls shall maintain the minimum height necessary to fully screen the site feature or activity. c. The wall shall be comprised of consistent materials and colors to those used on the principal or accessory structure. d. Building walls may incorporate louvers, grates, or similar features, provided the screening function is maintained. e. All gates shall be comprised of a complimentary material and be opaque excluding gaps for mounting hardware, latches, and hinges. f. Screening materials shall be promptly repaired if damaged in a manner that reduces the screening function.
5. Screening Level 5:	Wooden Opaque Fence	
		<ul style="list-style-type: none"> a. Fencing shall be configured in accordance 5.3.H.2, Fences and Walls, and the North Carolina Building Code. b. All fencing shall maintain the minimum height necessary to fully screen the site feature or activity, but shall not exceed a maximum height of 8 feet. c. All gates shall maintain a complimentary level of opacity excluding gaps for mounting hardware, latches, and hinges. d. The fence shall be comprised of consistent materials and colors. e. Enclosures for refuse and recycling containers shall meet all applicable City requirements. f. Screening material shall be promptly repaired if damaged in a manner that reduces the screening function.
6. Screening Level 6:	Opaque Masonry Wall	

ARTICLE 5: DEVELOPMENT STANDARDS

5.10. Screening

5.10.5. General Requirements

TABLE 5.10.5: SCREENING METHODS






LEVEL OF SCREENING		REQUIREMENTS
		<ul style="list-style-type: none"> a. Walls shall be configured in accordance 5.3.H.2, Fences and Walls. b. All walls shall maintain the minimum height necessary to fully screen the site feature or activity, but shall not exceed a maximum height of 8 feet. c. The wall shall be comprised of consistent materials and colors to those used on the principal structure. d. Masonry walls may incorporate louvers or similar features provided the screening function is maintained. e. All gates shall be comprised of a complimentary material and be opaque, excluding gaps for mounting hardware, latches, and hinges. f. Support columns may exceed the maximum height as necessary for wall construction. g. Enclosures for refuse and recycling containers shall meet all applicable City requirements. h. Screening material shall be promptly repaired if damaged in a manner that reduces the screening function.
7. Screening Level 7:	Berms and Mounds	
		<ul style="list-style-type: none"> a. Berms shall be configured in accordance with the standards in Section 5.3.H.1, Berms. b. Nothing shall limit the use of retaining walls, as necessary. c. Berms shall be supplemented with walls, fencing, or vegetation as necessary to meet screening objectives.
8. Screening Level 8:	Concealment by Other On-site Structures	
		<ul style="list-style-type: none"> a. Site features and activities subject to these standards may be screened by other permanent buildings or structures on the same lot. b. Buildings or structures used to provide screening shall be permanent and shall be of a minimum height necessary to provide required screening. <p>(note: red circle in photo added for clarity)</p>
9. Screening Level 9:	Roof Screening	
		<ul style="list-style-type: none"> a. Roof screening shall be 100 percent opaque, and shall only be used to screen items on a roof. b. Roof screening shall extend the minimum height necessary to fully screen roof-mounted equipment as seen at grade from any lot line. c. Roof-mounted equipment on pitched roofs shall be located on the side of the roof least visible from the street, to the maximum extent practicable.
10. Screening Level 10:	Parapet Wall	

TABLE 5.10.5: SCREENING METHODS

LEVEL OF SCREENING	REQUIREMENTS
	<ul style="list-style-type: none"> a. Parapet walls shall be comprised of the same exterior material or be the same color as the building and shall be capped with a cornice, coping, or other decorative molding. b. Parapet walls shall be in alignment with the exterior building wall below. c. Parapet walls shall extend above the roof deck the minimum height necessary to screen roof-mounted equipment as seen from grade-level at the lot line. d. Parapet walls shall be engineered to comply with all applicable North Carolina Building Code requirements, including wind loading.
<p>NOTES: [1] Screening provided in accordance with this section shall be credited towards perimeter buffer and parking lot landscaping requirements (see Section 5.6, Landscaping) when the screening methods contribute to the performance objective of required landscaping.</p>	

ARTICLE 5: DEVELOPMENT STANDARDS

5.10.6. VIEWS TO BE SCREENED

Site features and activities subject to these standards shall be screened from identified locations in Table 5.10.6, Views to Be Screened. The level of screening provided is at the applicant or landowner’s discretion, provided it meets or exceeds the minimum screening level specified in the table below.

TABLE 5.10.6: VIEWS TO BE SCREENED				
FEATURE OR ACTIVITY TO BE SCREENED	REQUIRED SCREENING LEVEL, BY LOCATION			
	FROM AN ABUTTING PUBLIC STREET, SIDEWALK, GREENWAY, OR OPEN SPACE	FROM ABUTTING LAND IN A RESIDENTIAL OR MIXED-USE ZONING DISTRICT	FROM ABUTTING LAND IN AN COMMERCIAL ZONING DISTRICT	FROM ABUTTING LAND IN AN INDUSTRIAL ZONING DISTRICT
Refuse or Recycling Containers or Compactors	4 or higher	3 or higher	1 or higher	1 or higher
Ground-based Mechanical Equipment	3 or higher	2 or higher	1 or higher	1 or higher
Roof-mounted Equipment	10	9 or higher		1 or higher
Above Ground Storage Tanks	4 or higher	3 or higher	1 or higher	1 or higher
Outdoor Equipment Storage or Repair	4 or higher	3 or higher	2 or higher	1 or higher
Outdoor Storage of Raw or Semi-finished Materials	3 or higher		2 or higher	1 or higher
Outdoor Storage of Finished Products for Sale	1 or higher	2 or higher	1 or higher	1 or higher
Impounded Vehicles and Equipment	4 or higher	5 or higher	3 or higher	1 or higher
Vehicles and Equipment Being Repaired				
Inoperable Vehicles Being Used for Parts				

5.11. SIGNAGE

5.11.1. SECTION ORGANIZATION

- A.** These signage standards are comprised of eight subsections that address the purpose and intent of these regulations, the types of signage subject to or excluded from these regulations, the prohibited forms of signage, a subsection on general standards applied to all forms of signage subject to these regulations, a subsection on removal of dilapidated or obsolete signage, and a subsection that sets out a series of standards applied to each specific type of sign.
- B.** The subsection on general standards applied to all forms of signage (see [Section 5.11.6, General Standards Applicable to All Signs](#)) addresses the following topics:
1. Sign permit requirements;
 2. Distinctions for public art and murals;
 3. Allowance for signs in the right-of-way;
 4. Prohibited sign locations;
 5. How signage is measured;
 6. Changeable copy;
 7. Sign illumination;
 8. Structural configuration; and
 9. Maintenance of signage.
- C.** The subsection on standards applied to specific types of signs (see [Section 5.11.9, Sign Standards by Sign Type](#)) is organized into standardized tables that establish the standards for the following types of signs:
1. Awning Signs;
 2. Banners;
 3. Electronic Message Boards;
 4. Flags;
 5. Ground (or monument or pedestal) Signs;
 6. Incidental Signs;
 7. Political Signs;
 8. Projecting Signs;
 9. Sidewalk Signs;
 10. Subdivision Signs;
 11. Supplemental Signs;
 12. Suspended Signs;
 13. Wall Signs; and
 14. Window Signs.

5.11.2. PURPOSE AND INTENT

This section provides guidance and standards for signage across the Town's planning jurisdiction. The erection and maintenance of signs is controlled and regulated in order to promote the health, safety, welfare, convenience, and enjoyment of travel on streets and sidewalks. These provisions are also intended to balance between the promotion of beneficial commerce and the protection of community character. More specifically, these standards are intended to:

- A.** Promote traffic safety;
- B.** Avoid interference with protected free speech;
- C.** Regulate the content of signs to the least extent possible and only when absolutely necessary to protect health and safety;
- D.** Regulate off-premise signage in accordance with federal jurisprudence;
- E.** Ensure that any content-based signage standards serve a compelling public purpose and are as narrowly-tailored as possible;
- F.** Promote economic development and beneficial commerce;

ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.3. Applicability

- G. Ensure residents and visitors can locate desired goods, services, and destinations;
- H. Avoid conflicts between advertising and public safety signage;
- I. Reflect the aesthetic character and design quality anticipated in the Town's adopted policy guidance; and
- J. Minimize any detrimental effects of signage on adjacent properties.

5.11.3. APPLICABILITY

Except for the sign types exempted from these standards identified in [Section 5.11.4, Exclusions](#), all signs shall be constructed, erected, affixed, placed, posted, painted, repainted, hung, or otherwise established only in accordance with the standards in this section and [Section 2.2.16, Sign Permit](#).

5.11.4. EXCLUSIONS

The following forms of signage shall not be subject to these signage standards, but may be subject to other applicable standards in this Ordinance, such as the requirement to obtain a building permit. Applicants shall be responsible for securing all required permits prior to erecting or modifying any of the following forms of excluded signage:

- A. Fence-wrap signs affixed to fences surrounding a construction site in accordance with the standards in Section 160D-908 of the North Carolina General Statutes;
- B. Legal notices required by governmental bodies, public utilities, or civic associations;
- C. Governmental signage, including flags, street signs, traffic warning signs, and other signage provided solely for public health and safety;
- D. Building cornerstones, historical plaques, or grave markers;
- E. Signage associated with public transit stops;
- F. Holiday displays on lots within all zoning districts;
- G. Signage that is not visible from any off-site areas (e.g., entirely enclosed by opaque walls that prevent the visibility of signage from any off-site areas); and
- H. Signage associated with off-street parking spaces or the prohibition of parking in certain locations like fire lanes, bus lanes, or loading zones.

5.11.5. PROHIBITED SIGN TYPES

The following signs, sign construction, and displays are prohibited throughout the Town's planning jurisdiction:

- A. Off-premise signs or signage that advertises goods or services provided on a different lot, tract, or site from where the sign is located, provided that this prohibition shall not apply to subdivision signs configured in accordance with the applicable standards in [Section 5.11.9, Sign Standards by Sign Type](#);
- B. Outdoor advertising, except for outdoor advertising lawfully established prior to January 1, 2020, which may be permitted to continue as a nonconforming use only in accordance with [Article 7: Nonconformities](#), and Sections 136-126 through 136-140.1 of the North Carolina General Statutes;
- C. Feather flags, bow signs, pennants, and streamers;
- D. Moving signs, excluding flags, banners, and clocks;
- E. Flashing, scrolling, twirling, or blinking signs;
- F. Gas- or air-filled balloons, figures, and other inflatable signs;
- G. Signs on the roof or above the parapet of a building;
- H. Any sign which the Planning Director determines obstructs the view of bicyclists, pedestrians, or motorists using any street, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device, or signal;
- I. Signs, lights, rotating features, words, and other devices, which resemble or may be erroneously construed as traffic signals, traffic signs, or emergency vehicle lights;
- J. Illuminated or highly reflective signs that law enforcement determines hampers the vision of motorists, pedestrians, or bicyclists;
- K. Any sign which interferes with free passage from or obstructs any fire escape, downspout, door, stairway, ladder, or opening intended as a means of ingress or egress;
- L. Any sign placed on a utility pole, street sign post, traffic signal support, hydrant, bridge, tree, aspect of public infrastructure, or street paving that is not installed or approved by an appropriate governmental agency;

ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.6. General Standards Applicable to All Signs

- M. Signage affixed to a stationary motor vehicle, boat, or trailer that remains in the same or essentially the same location for more than 30 days; and
- N. Signs with speakers intended for audio playback.

5.11.6. GENERAL STANDARDS APPLICABLE TO ALL SIGNS

A. SIGN PERMIT REQUIRED

1. Unless exempted by Section 5.11.4, Exclusions, or included in Section 5.11.6.B, Signs Not Subject to Sign Permit, all signs shall require issuance of a sign permit in accordance with Section 2.2.16, Sign Permit, prior to construction, installation, revision, or display.
2. Some signs may also require building and electrical permits in accordance with the North Carolina Building Code.

B. SIGNS NOT SUBJECT TO SIGN PERMIT

1. The following sign types shall not be required to obtain a sign permit, but shall comply with all applicable requirements in this section and this Ordinance:
 - a. The placement of one or more incidental signs, subject to the applicable standards in Table 5.11.9, Sign Standards by Sign Type;
 - b. The placement of a supplemental sign, subject to the applicable standards in Table 5.11.9, Sign Standards by Sign Type; and
 - c. Public art, subject to the standards in Section 5.11.6.C, Public Art.
2. Failure to comply with the standards for these sign types shall be a violation of this Ordinance subject to the provisions in Article 8: Enforcement.

C. PUBLIC ART

1. DISTINGUISHED FROM SIGNS

- a. Painted or printed murals or other forms of public art shall not be considered as signage subject to these standards in cases where the art or mural does not incorporate a direct or indirect reference to a tradename, trademark, or the name of the establishment associated with the mural or artwork.
- b. All other forms of public art or murals shall be considered as signage subject to the standards in this section.

2. STANDARDS FOR PUBLIC ART

In cases where public art or a mural does not constitute a sign, it shall be subject to any applicable adopted policy guidance and the following standards:

- a. A mural or public art installation shall require approval of a site plan in accordance with the standards in Section 2.2.17, Site Plan.
- b. Murals and public art shall be maintained and periodically cleaned, refreshed, or refurbished so that the mural remains visible and consistent with its approval.
- c. In the event the owner of a building with a mural no longer wishes to maintain the mural, it shall be removed or covered with paint or other material consistent with the existing exterior material on the building wall where the mural is located. In cases where an approved mural is removed or concealed, it may only be re-established through approval of a site plan in accordance with Section 2.2.17, Site Plan.

D. SIGNS IN STREET RIGHTS-OF-WAY

1. GENERALLY

No sign shall be permitted within a street right-of-way except in accordance with Section 5.11.6.D.2, Signs Allowed in the Right-of-Way.

2. SIGNS ALLOWED IN THE RIGHT-OF-WAY

- a. Only the following signs may be permitted in a street right-of-way:
 - i. Regulatory signage erected by the Town of Zebulon;
 - ii. Signage erected by NCDOT;

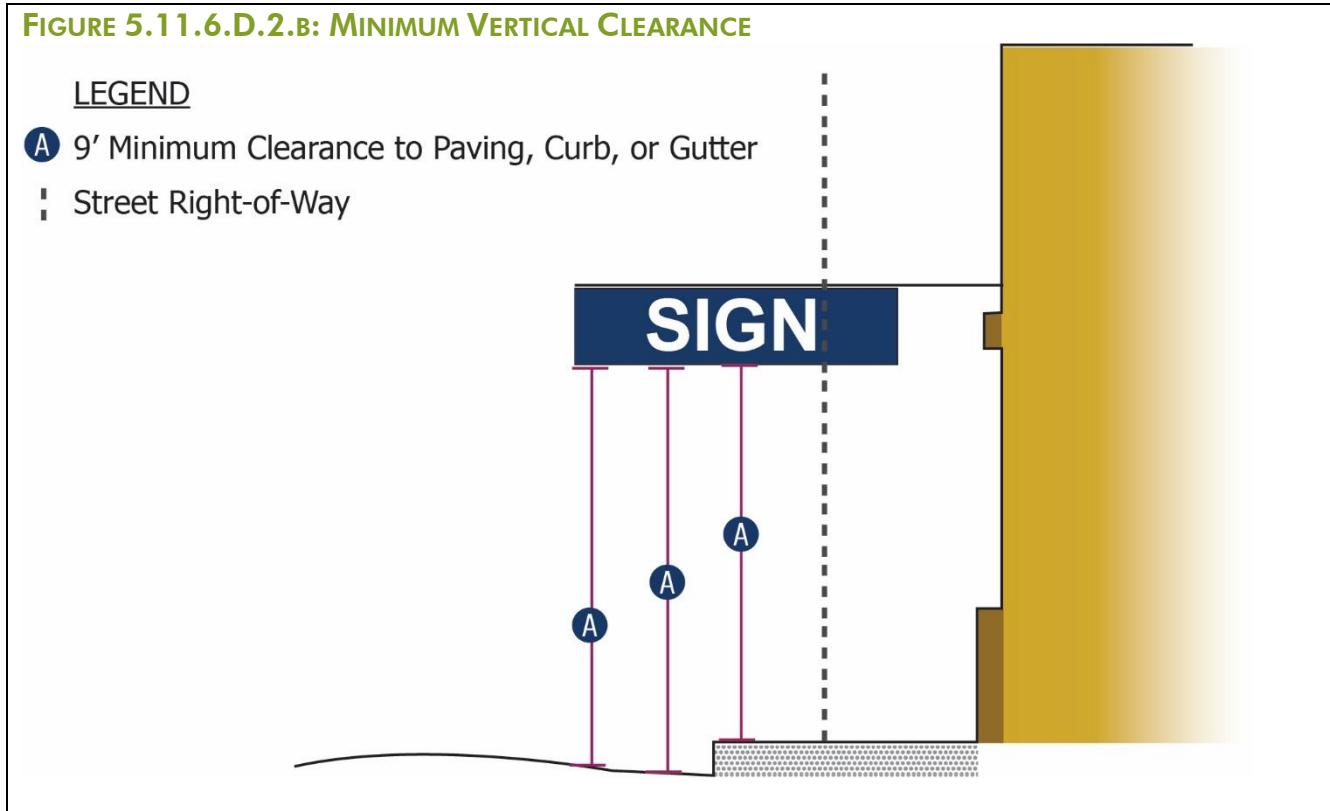
ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.6. General Standards Applicable to All Signs

- iii. Emergency warning signage erected by a governmental agency, public utility, or contractor performing work within the right-of-way;
 - iv. Signage in the DTC and DTP districts; and
 - v. Political signs.
- b. Except for sidewalks signs, signs permitted within a street right-of-way shall maintain a minimum vertical clearance of at least nine feet above the paving, curb, gutter, sidewalk, or grade, as appropriate (see [Figure 5.11.6.D.2.b: Minimum Vertical Clearance](#)).
- c. In the event the establishment or realignment of a street results in an existing sign becoming wholly or partially within the right-of-way in violation of these standards, the sign shall be removed at the expense of the person or agency establishing or realigning the street.

FIGURE 5.11.6.D.2.B: MINIMUM VERTICAL CLEARANCE



3. REMOVAL OF ILLEGAL SIGNS IN RIGHT-OF-WAY AND PUBLIC PROPERTIES

- a. The Planning Director may remove any sign placed on public property or within any public right-of-way in violation of this Ordinance.
- b. Signage determined to be in violation of this Ordinance and removed from public property or a public right-of-way shall be discarded.
- c. Penalties may be levied for each such illegal sign as prescribed [Article 8: Enforcement](#).

E. PROHIBITED LOCATIONS

- 1. In no instance shall a sign or sign support structure be located within the following areas:
 - a. Within five feet of the street right-of-way, except as allowed in [Section 5.11.6.D.2, Signs Allowed in the Right-of-Way](#);
 - b. Sight distance triangles, unless required by NCDOT;
 - c. Required open space set-asides; or
 - d. Within a recorded access or drainage easement.

ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.6. General Standards Applicable to All Signs

- Nothing shall limit the placement of a sign or sign support structure within a required zoning district setback, provided it complies with the applicable standards in this section and does not interfere with landscaping materials required by [Section 5.6, Landscaping](#).

F. MEASUREMENT

Sign face area, maximum sign height, and other measurement standards pertaining to signage are determined in accordance with the standards in [Section 9.3.13, Signage Measurement](#).

G. CHANGEABLE COPY

Areas devoted to changeable copy on a sign shall be subject to the following standards:

- Changeable copy areas may only be located on ground or wall signs;
- No more than 50 percent of the sign face area may be devoted to changeable copy area;
- The display of copy shall not change more than once per minute;
- Outdoor advertising signs shall not include areas devoted to changeable copy;
- Signage copy shall not be animated, and shall not blink, scroll, flash, or have other moving effects. This provision shall not restrict the copy from changing from one message to another.

H. ILLUMINATION

Where authorized, signs may only be illuminated in accordance with the following standards:

1. GENERALLY

- Illuminated signs shall obtain a building permit and be configured in accordance with North Carolina Building Code, applicable electric code, and the adopted fire code.
- All wiring to ground, pole, or other freestanding signs erected after January 1, 2020, shall be located underground.

2. INTERNAL ILLUMINATION

- Internally illuminated signs are prohibited within all residential districts.
- Signs facing residentially-zoned lots or lots used solely for residential purposes shall not be internally illuminated. Nothing shall require a pre-existing internally illuminated sign to be removed if the lot it faces becomes used solely for residential purposes.

3. INDIRECT OR EXTERNAL ILLUMINATION

- All external or indirectly illuminated signs shall illuminate only the face of the sign and shall not shine directly into or create glare on a right-of-way or residential use.
- Indirect or externally illuminated signs shall comply with the standards in [Section 5.4.7, Maximum Illumination Levels](#).

4. FLASHING OR INTERMITTENT LIGHTS PROHIBITED

- Flashing lights are prohibited.
- Sign illumination shall not vary in degrees of brightness or intensity.

I. STRUCTURAL CONFIGURATION

All signs and sign supporting structures shall be constructed and designed according to generally accepted engineering practices to withstand wind pressures and load distribution as specified in the current North Carolina Building Code.

J. MAINTENANCE REQUIRED

- All signs and sign supports shall be maintained in good repair.
- In the event a sign or sign support is poorly maintained or becomes unsafe, the Planning Director shall notify the sign owner of the condition, and the sign owner shall take whatever action is required to maintain public safety.
- Failure to correct the unsafe condition is a violation of this Ordinance and shall be subject to the remedies in [Section 8.8, Remedies](#).

5.11.7. REMOVAL OF DILAPIDATED OR OBSOLETE SIGNS

A. DILAPIDATED SIGNS

1. Dilapidated signs shall be removed or repaired by a landowner or other responsible party in accordance with the requirements described in a notice of violation by the Planning Director.
2. An existing sign shall be considered dilapidated if it:
 - a. Is in disrepair or exhibits a state of being broken or neglected;
 - b. Fails to maintain its form as originally constructed or permitted;
 - c. Fails to perform its intended function;
 - d. Suffers from support pole or structural failure;
 - e. Has borders that are falling off or are already removed;
 - f. Has panels that are missing or that have fallen off;
 - g. Has its message falling off or in a state of disrepair such that it cannot be interpreted by the motoring public; or
 - h. Signs that are overgrown by vegetation.

B. OBSOLETE SIGNS

1. PERMANENT SIGNS

- a. Permanent signs identifying business establishments that are no longer in operation shall be removed from the premises within 180 days from the date of termination.
- b. In cases where the cabinet associated with an obsolete sign is removed, all sign supports, sign framework, mounting hardware, or similar features shall also be removed.
- c. In no instance shall a sign cabinet be left in place without sign faces.

2. SUPPLEMENTAL SIGNS

- a. Supplemental signs advertising shows, displays, meetings, or similar events shall be removed within 3 days from the date the event is completed.
- b. Removal of supplemental signs shall include removal of any frames, supports, or hardware used exclusively for the display of signage.

C. FAILURE TO REMOVE SIGNAGE

Failure of an owner to remove an obsolete or dilapidated sign may result in removal of the sign at the owner's expense following provision of notice to the owner by the Planning Director.

D. INSPECTION

If, through inspection, the Planning Director determines that a sign or sign supporting structure does not comply with the provisions of these regulations, the Town shall take action in accordance with the standards in Article 8: Enforcement.

E. NONCONFORMING SIGNAGE

Nonconforming signage shall be subject to the standards in Section 7.3, Nonconforming Signs.

5.11.8. NONCONFORMING SIGNAGE

- A. Lawfully established nonconforming signage may remain in place after January 1, 2020, in accordance with the standards in Section 7.3, Nonconforming Signs, or Section 5.11.7, Removal of Dilapidated or Obsolete Signs, as applicable.
- B. After January 1, 2020, all lots shall comply with the incidental, window, and supplemental signage requirements in this section.

5.11.9. SIGN STANDARDS BY SIGN TYPE

Table 5.11.9: Sign Standards by Sign Type, sets out the standards applicable to each sign type regulated by this Ordinance.

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE






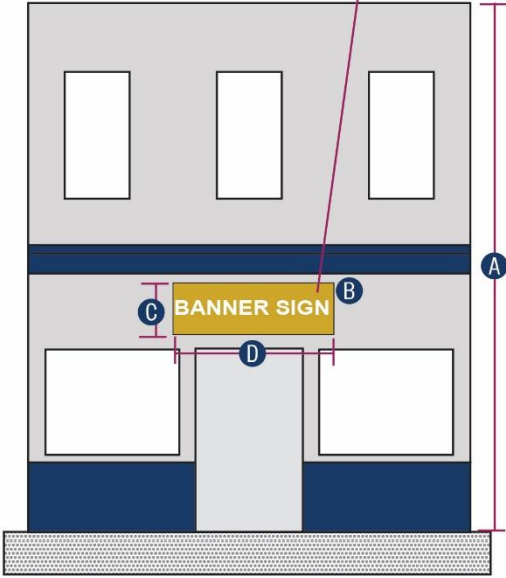
A. AWNING SIGN							
		 <p>LEGEND</p> <ul style="list-style-type: none"> A Max. Height: Roof or Top of Parapet Wall B Max. Sign Face Area: 25% of Awning Area C Max. Area of All Awning Signs: 5% of Facade Facing Street 					
		<p style="text-align: center;">EXAMPLE:</p> <p style="text-align: center;">Total Awning Area of Lower Awning = 90 sf Total Area of Facade Facing Street = 600 sf</p> <p style="text-align: center;">Max. Awning Sign Area on Lower Awning = 25% x 90 = 22.5 sf Max. Area of All Awning Signs: 5% x 600 sf = 30 sf</p>					
1. DEFINITION		A sign that is part of or attached to an awning, canopy, or other protective canvas, plastic, or metal cover affixed to a building and located over a door, entrance, window, or other outdoor area. Colors, stripes, or patterns on an awning's surface shall not be considered as signage.					
2. WHERE PERMITTED		Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
		No	No	Yes	Yes	Yes	Yes
3. DIMENSIONAL STANDARDS							
Maximum Number of Awning Signs per Lot		1 per every ten linear feet of building façade facing a street [1]					
Maximum Height		Under the roof or top of a parapet wall [2]					
Maximum Sign Face Area per Individual Awning Sign		25 percent of the awning area upon which it is located, including the drip flap, if provided					
Maximum Sign Face Area of all Awning Signs per Lot		5 percent of each façade facing a street [1]					
NOTES:							
[1] Signage on umbrellas or shade structures associated with an outdoor dining area are not counted as awning signs and are exempted from the awning sign number and face area standards.							
[2] Awning signs shall maintain a minimum height of at least eight feet above grade.							
4. ADDITIONAL STANDARDS							
a. Signage may be located on the drip flap, subject to the maximum sign face area standards.							
b. No awnings above the 3rd building story may be internally illuminated.							
c. Awning signs, when allowed within a street right-of-way, shall not project more than five feet into a right-of-way, nor closer than two feet from the curbline.							
d. Signage may be subject to additional standards identified in Section 3.8.3, Gateway Corridor Overlay (GCO) District.							

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE

B. BANNER SIGN						
	<p style="text-align: center;">EXAMPLE:</p> <p style="text-align: center;">Facade Length = 30'</p> <p style="text-align: center;">Max. Banner Length = 30% x 30' = 9'</p> <p style="text-align: center;">Potential Banner Area Calculation = 4' x 9' = 36'</p> <p style="text-align: center;">Max. Sign Face Area = 20 sf</p> <div style="text-align: center;">  </div>					
						<p>LEGEND</p> <ul style="list-style-type: none"> Ⓐ Max. Height: Roof or Top of Parapet Wall Ⓑ Max. Sign Face Area: 20 sf Ⓒ Max. Banner Width: 4' Ⓓ Max. Banner Length: Lesser of 30% of the Façade Length or 20 Linear Feet
1. DEFINITION	A sign made of a flexible fabric or plastic material that is affixed to a building or other vertical projection, except utility poles, but is not an awning sign or a flag. Feather flags and bow signs are not banners and are prohibited by this Ordinance.					
2. WHERE PERMITTED	Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
	No	No	No	Yes	Yes	No
3. DIMENSIONAL STANDARDS						
Maximum Number of Banners per Lot	1 per use or non-residential tenant in a multi-tenant building [1]					
Maximum Mounting Height	Below the roof or parapet [2] [3]					
Maximum Sign Face Area per Individual Banner	20 square feet					
Maximum Banner Length	Lesser of: 30% of the façade length or 20 linear feet					
Maximum Banner Width	4 linear feet					
NOTES:						
[1] Maximum of 3 banners per multi-tenant site at any one time.						
[2] When located over a street right-of-way, at least 18 feet above the street pavement and at least 9 feet above a sidewalk.						
[3] When located on a fence, wall, or as a freestanding banner, a maximum height of 12 feet to the highest point. When located on a building wall, the banner shall not be mounted above the first floor.						
4. ADDITIONAL STANDARDS						
a. Banners shall be adequately secured through the use of grommets, d-rings, brackets, or similar fastening devices.						
b. Banners over 9 square feet in size shall incorporate wind slits.						

ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.9. Sign Standards by Sign Type

c. Banners shall not be placed within required sight distance triangles or in locations that obstruct the safe movement of vehicles and pedestrians.

d. Signage may be subject to additional standards identified in Section 3.8.3, Gateway Corridor Overlay (GCO) District.

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE

C. Construction Sign/Development Advertising Signs



- A** Maximum Height = 8'
- B** Maximum Sign Face Area = 32 sf Per Side
- C** Min. Setback from Lot Line = 10'



1. DEFINITION	A temporary sign located on a lot for the duration of its construction/development.					
2. WHERE PERMITTED	Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
	Yes	Yes	Yes	Yes	Yes	Yes
3. DIMENSIONAL STANDARDS						
Maximum Number of Construction /Development Advertising Signs Per Lot	One sign per frontage with public Right-of-Way access which must maintain at least a 200 ft separation from a construction sign on the same site.					
Maximum Sign Height [1]	8 Feet					
Maximum Sign Face Area	32 Square Feet per side (max. 2 sides)					
Minimum Setback from any Lot Line	10 feet from any lot line					
NOTES: [1] Sign support structures shall be included in maximum sign height and face area.						
3. DURATIONAL STANDARDS						
Maximum Duration of the Sign	All Residential Districts	2 Years				
	Non Residential and Mixed Use Districts	1 Year				
Removal	All Construction/Development Advertising signs must be removed once the development is determined to be complete					
Notes: [1] Renewal of the existing sign permit may be obtained once the duration of the previous sign permit is complete.						
4. ADDITIONAL STANDARDS						


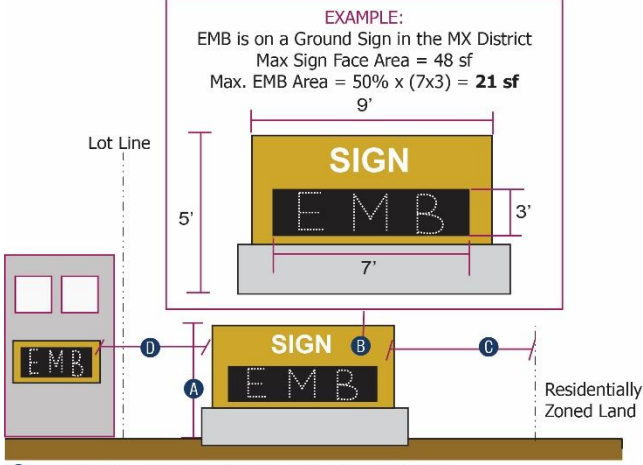

ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.9. Sign Standards by Sign Type

a. Supports and braces should be hidden from public view to the fullest extent possible.
b. Construction/Development Advertising signs shall not be located within a street right-of-way.
c. Construction/Development Advertising signs shall not be placed within required sight distance triangles or in locations that obstruct the safe movement of vehicles and pedestrians.
d. Construction/Development Advertising signs shall not include permanent modifications to a site or building.
e. Construction/Development Advertising signs may not be illuminated.
f. Construction/Development Advertising signs shall not block windows or doors.
g. Construction/Development Advertising signs must be maintained in good condition.

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE



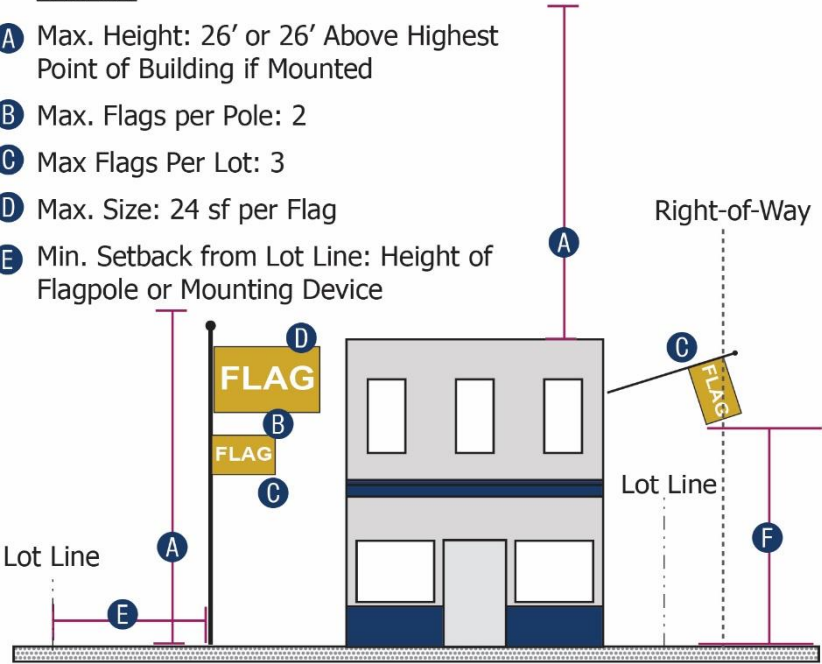

C. ELECTRONIC MESSAGE BOARD							
		 <p>EXAMPLE: EMB is on a Ground Sign in the MX District Max Sign Face Area = 48 sf Max. EMB Area = 50% x (7x3) = 21 sf</p>					
		<p>A Max Height = According to Sign Type (Ground, Wall) B Maximum Sign Face Area = According to Sign Type (Ground, Wall); Maximum EMB Area = Lesser of 50% Total Allowable Sign Face Area or 32 sf C Minimum Separation from Residentially-Zoned Land = 150' D Minimum Separation from Another EMB = 35'</p>					
1. DEFINITION		A wall or ground sign, or portion thereof that displays electronic, non-pictorial, or text information that may or may not change. Sign content is displayed by light emitting diodes (LED's), fiber optics, light bulbs, or other illumination devices arranged in a matrix within the display area. Electronic message boards ("EMBs") do not display animation or imagery that appears to move.					
2. WHERE PERMITTED		Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
		No	No	No	Yes	Yes	No
3. DIMENSIONAL STANDARDS							
Maximum Number of EMBs per Lot		One per lot or development					
Minimum Separation of EMB from Residentially-Zoned Land		150 linear feet					
Minimum Separation from Another EMB		35 linear feet					
Maximum Height		In accordance with wall or ground sign standards, as appropriate [1]					
Maximum EMB Face Area		In accordance with wall or ground sign standards, as appropriate [2]					
Maximum Percentage of Total Sign Face Area Devoted to an EMB		Lesser of: 32 square feet or 50% of the total allowable sign face area for the type of sign proposed (i.e., wall, ground)					
Minimum Static Hold Time Between Message Changes		1 minute [3]					
Maximum Brightness		465 lumens per square foot during daytime hours; 70 lumen per square foot during dawn, dusk, and nighttime hours					
NOTES:							
[1] In no instance shall an EMB extend higher than 30 feet above grade.							
[2] The face area shall include all mounting hardware, framework, and sign supports.							
[3] Transition between images shall take place within one second or less.							
4. ADDITIONAL STANDARDS							
a. EMBs may only be configured as a wall or ground sign, or portion thereof.							
b. EMBs may only be allowed as part of a permanent sign, not a temporary sign.							
c. Use of the terms "stop", "caution", or "danger" is prohibited on an EMB for reasons of public safety.							
d. Appearance of animation or message movement is prohibited.							
e. Signage may be subject to additional standards identified in Section 3.8.3, Gateway Corridor Overlay (GCO) District.							
f. The owner or operator of an EMB shall attest to the installation of a power supply system that will power the EMB off after a power outage or other condition that causes the sign to blink, flash, or have the appearance of movement.							

ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.9. Sign Standards by Sign Type

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE

D. FLAGS						
	<p>LEGEND</p> <ul style="list-style-type: none"> A Max. Height: 26' or 26' Above Highest Point of Building if Mounted B Max. Flags per Pole: 2 C Max Flags Per Lot: 3 D Max. Size: 24 sf per Flag E Min. Setback from Lot Line: Height of Flagpole or Mounting Device 					
						
	<p>F If Projecting into Street Right-of-Way, Min. Vertical Clearance: 18' Above Street Cartway; 9' Above Sidewalk</p>					
1. DEFINITION	A piece of cloth or similar material, typically rectangular or square in shape, that is attached to a pole or rope along the shorter side of the material. Flags flown by a governmental agency, located on land owned or operated by a governmental agency, or on a building owned or operated by a governmental agency are exempted from these standards. Flags affixed to two or more poles at the same time are subject to the standards for banners. Feather flags and bow signs are prohibited.					
2. WHERE PERMITTED	Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
	Yes	Yes	Yes	Yes	Yes	Yes
3. DIMENSIONAL STANDARDS						
Maximum Number of Flags per Lot	3					
Maximum Mounting Height	25 feet above grade or 25 feet above the highest point of a building if building-mounted [1]					
Maximum Number of Flags per Flag Pole	2					
Maximum Size per Flag	24 square feet					
Minimum Setback from any Lot Line for a Flagpole or other Mounting Device	The height of the flagpole or mounting device					
NOTES:						
[1] In cases where a flag projects out into a street right-of-way, the flag shall maintain a minimum vertical clearance of 18 feet above the street pavement and 9 feet above a sidewalk.						
4. ADDITIONAL STANDARDS						
i. Flags and flagpoles shall not be placed within required sight distance triangles or in locations that obstruct the safe movement of vehicles and pedestrians.						
ii. Except on lots in residential districts, flags on poles shall be located no more than 10 feet from the front building line.						
iii. Signage may be subject to additional standards identified in Section 3.8.3, Gateway Corridor Overlay (GCO) District.						

ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.9. Sign Standards by Sign Type

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE

E. GROUND SIGNS						
 	<p style="text-align: center;"><u>LEGEND</u></p> <ul style="list-style-type: none"> A Maximum Sign Face Area = 36 SqFt. (LxW) B 6' Max. Height in Residential District; 15' in Mixed-Use and Commercial Districts C 5' Minimum Setback from Lot Line <div style="text-align: center;">  </div>					
1. DEFINITION	<p>Any sign, other than a pole sign, that is attached directly to the ground by means of a supporting system comprised of a solid pedestal, or other bracing system where there is no open space between the bottom of the sign face area and the ground. Ground signs are configured so that the base of the sign support structure is at least as wide as the sign face area. Ground signs may also be referred to as “pedestal” signs or “monument” signs. Any sign with an opening between the bottom of the sign’s face area and ground or where the sign face area is wider than the sign support structure shall be considered as a pole or “freestanding” sign, which are prohibited. Ground signs are not mounted to a building wall, and are not located within a street right-of-way.</p>					
2. WHERE PERMITTED	Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
	Yes	Yes	Yes	Yes	Yes	Yes
3. DIMENSIONAL STANDARDS						
Maximum Number of Ground Signs Per Lot	1 [1]					
Maximum Height [2] [3] [4]	Residential 3 Feet	OI 4 Feet	NC 4 Feet	GC & HC 6 Feet	DTP & DTC 3 Feet	LI, CI, HI 15 Feet
Maximum Sign Face Area [5]	36 Square Feet					
Minimum Setback from any Lot Line	5 feet [6]					
Minimum Separation between Ground Signs on Adjacent Lots	50 feet [7]					
<p>NOTES:</p> <p>[1] Developments on lots of 2 acres in size or greater and corner lots may have a ground sign for each roadway fronting the perimeter of the development.</p> <p>[2] Sign height shall be determined based on the higher of: the adjacent grade level or the grade level of the adjacent street.</p> <p>[3] In nonresidential districts, the maximum height of a ground sign may be increased by 1 foot for every 10 feet of setback beyond the minimum applicable setback to a maximum ground sign height of 25 feet.</p> <p>[4] The support structure shall be included within the measurement of the sign’s maximum height.</p> <p>[5] The maximum sign face area may be increased by 4 square feet for every 10 feet of setback beyond the minimum applicable setback to a maximum ground sign face area of 175 square feet.</p> <p>[6] Except within the DTC and DTP districts, all portions of a ground sign shall be at least 5 feet from a street right-of-way.</p> <p>[7] In cases where a ground sign is proposed and it is impossible to meet the minimum separation distance requirements from an existing ground sign, the proposed sign shall maintain the minimum street setback necessary to ensure an unimpeded view of the existing ground sign on an adjacent lot.</p>						

ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.9. Sign Standards by Sign Type

4. ADDITIONAL STANDARDS

a. Ground signs shall not be placed within required sight distance triangles or in locations that obstruct the safe movement of vehicles and pedestrians.

b. Ground signs with support structures of three feet in height or more above grade shall include evergreen plantings around the base of the sign support structure in sufficient number to screen its view from off-site areas.

c. Signage may be subject to additional standards identified in Section 3.8.3, Gateway Corridor Overlay (GCO) District.

ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.9. Sign Standards by Sign Type

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE



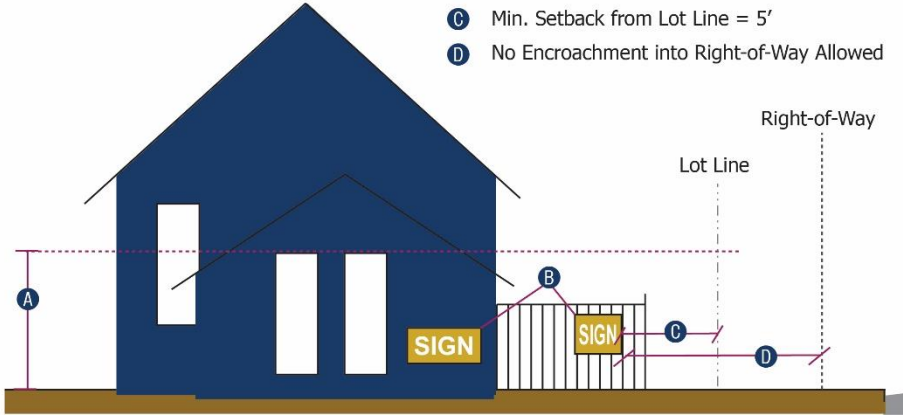

F. INCIDENTAL SIGN						
	<p>LEGEND</p> <p>A Maximum Height 6' in Residential Districts 12' in Mixed-Use and Nonresidential Districts</p> <p>B Maximum Sign Face Area: Max. Area 1.5 sf Per Sign Up to Two Signs May Have Area Up to 3 sf Max. Area Per Lot or Development = 36 sf</p> <p>C Min. Setback from Lot Line = 5'</p> <p>D No Encroachment into Right-of-Way Allowed</p>					
						
						
1. DEFINITION	Any small or nondescript sign that only provides directional information or safety information for the public. Examples of incidental signs include signs addressing on-site traffic circulation (such as “entrance” or “exit” signs), public safety (such as “high voltage” or “beware of dog” signs), or address signs.					
2. WHERE PERMITTED	Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
	Yes	Yes	Yes	Yes	Yes	Yes
3. DIMENSIONAL STANDARDS [1]						
Maximum Number of Incidental Signs Per Lot	Lots with an existing single family detached dwelling, mobile home, or manufactured home				1 per principal structure	
	Lots with a duplex, triplex, or quadplex dwelling unit				1 per dwelling unit	
	Single family attached dwelling				1 per dwelling unit	
	Multi-family development				1 per building + 5	
	Lots in a mixed-use or commercial district				[2]	
Maximum Height	6 feet for lots in residential districts; 12 feet for lots in mixed-use and nonresidential districts [3]					
Maximum Sign Face Area	1½ square feet per sign [4]					
Total Incidental Sign Face Area per Mixed-use or Nonresidential Lot or Development	20 square feet					
Minimum Setback from any Lot Line	5 feet [5]					
NOTES:						
[1] Incidental signs that exceed the maximum height or sign face area shall be considered as a wall sign, ground sign, pole sign, or projecting sign, as appropriate.						
[2] See total incidental sign face area per lot or development.						
[3] Sign height shall be determined based on the grade immediately adjacent to the sign.						
[4] Up to two incidental signs on any single lot may be up to three square feet in sign face area size.						
[5] In no instance shall an incidental sign be located within a right-of-way, a sight distance triangle, or in locations that obstruct the safe movement of vehicles and pedestrians						
4. ADDITIONAL STANDARDS						
a. No sign permit shall be required for the establishment of incidental signs, but all incidental signage shall comply with the standards in this section.						
b. Signage may be subject to additional standards identified in Section 3.8.3, Gateway Corridor Overlay (GCO) District.						

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE



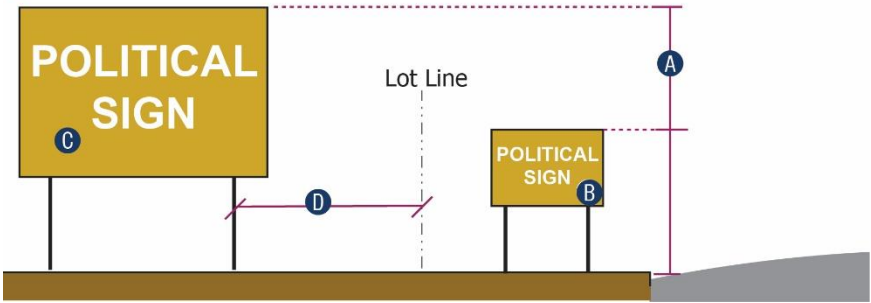
G. POLITICAL SIGNS						
	<p>LEGEND</p> <ul style="list-style-type: none"> A Maximum Height = 60" Above Adjacent Grade When on an Individual Lot; 42" Above Pavement of Adjacent Roadway when in a Street Right-of-Way B Maximum Sign Face Area within ROW= 6 sf C Maximum Sign Face Area on a Lot= 32 sf D No Min. Setback from Lot Line 					
						
1. DEFINITION	Any sign that advocates for a particular political candidate, party, position, or political action that is made available for view by the public before and during the portion of a calendar year when elections are underway as described in Section 136-32 of the North Carolina General Statutes. Political signs are also referred to as “campaign” signs or “election” signs. Signs of a political nature that are placed on private property outside the period of time when elections are underway shall be considered as an incidental sign.					
2. WHERE PERMITTED	Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
	Yes	Yes	Yes	Yes	Yes	Yes
3. DIMENSIONAL STANDARDS						
Maximum Number of Political Signs Per Lot	6 [1]					
Maximum Height	In a right-of-way		42 inches above the edge of the pavement of the adjacent roadway			
	On an individual lot		60 inches above adjacent grade			
Maximum Sign Face Area	In a right-of-way		6 square feet per sign			
	On an individual lot		32 square feet per sign			
Minimum Setback from any Lot Line	None					
Minimum Separation between Political Signs	[2]					
NOTES:						
[1] There is no limit on the number of political signs that may be placed within the right-of-way in front of a lot during the portion of the year when elections are underway provided the owner of the sign obtains the consent of the lot’s owner to place the sign in front of the lot.						
[2] No political sign may be placed in any manner that obscures another sign from view.						
4. ADDITIONAL STANDARDS						
a. Political signs shall not be placed within required sight distance triangles or in locations that obstruct the safe movement of vehicles and pedestrians.						
b. Political signs may not be placed on utility poles or traffic control signal poles.						
c. Political signs may be placed in the right-of-way only during the period of time when elections are underway as identified in Section 136-32 of the North Carolina General Statutes.						
d. Political signs may not be illuminated.						
e. Political signs found to be in violation of these standards or the applicable standards in Section 136-32 of the North Carolina General Statutes may be removed by the Planning Director.						

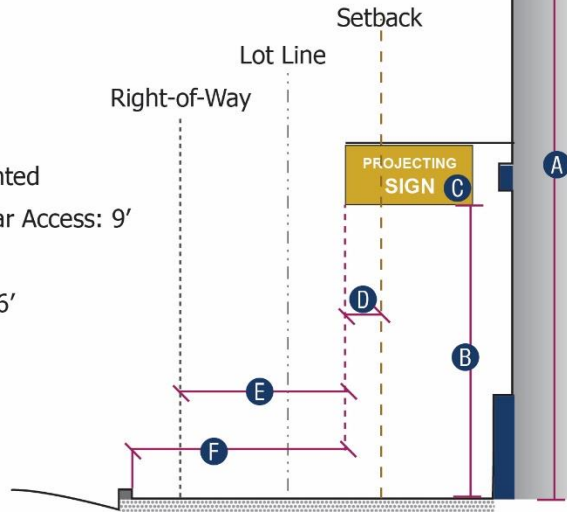
TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE

H. PROJECTING SIGNS



LEGEND

- A** Max. Height: Wall on Which Sign is Mounted
- B** Min. Clearance Over Sidewalk or Vehicular Access: 9'
- C** Max. Sign Face Area: 40 sf
- D** Max. Encroachment into Required Yard: 6'
- E** Max. Projection into Right-of-Way: 36"
- F** Minimum Distance from Back of Curb: 2'



1. DEFINITION	Any sign that projects outward from a building’s exterior wall where the sign face area is not parallel to the building wall upon which is mounted. Projecting signs are also referred to as “marquee” signs. Signs mounted to a building wall with sign face areas that are parallel to the building wall are considered “wall” signs. A sign comprised of fabric or similar material is a “flag” or a “banner” sign.					
2. WHERE PERMITTED	Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
	Yes	Yes	Yes	Yes	Yes	Yes
3. DIMENSIONAL STANDARDS						
Maximum Number of Projecting Signs Per Lot	One per building façade					
Maximum Height	A projecting sign shall not project above the height of the wall it is mounted to [1]					
Maximum Sign Face Area	40 square feet [2]					
Minimum Setback from any Lot Line	A projecting sign shall not encroach into a required yard by more than 6 feet [3]					
NOTES:						
[1] Any projecting sign that projects into a right-of-way or that projects over a sidewalk or vehicular accessway shall maintain a minimum clearance of at least 9 feet above grade.						
[2] Projecting signs with 3 sides may have up to 80 square feet of sign area.						
[3] A projecting sign shall not project into a right-of-way by more than 36 inches, and shall maintain a minimum of two feet of horizontal distance from the back of the curb.						
4. ADDITIONAL STANDARDS						
a. Projecting signs of 1½ square feet in total sign area or less shall be considered incidental signs.						
b. Any electrical wiring shall be located within the sign or the wall it is affixed to.						
c. Signage may be subject to additional standards identified in Section 3.8.3, Gateway Corridor Overlay (GCO) District.						

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE


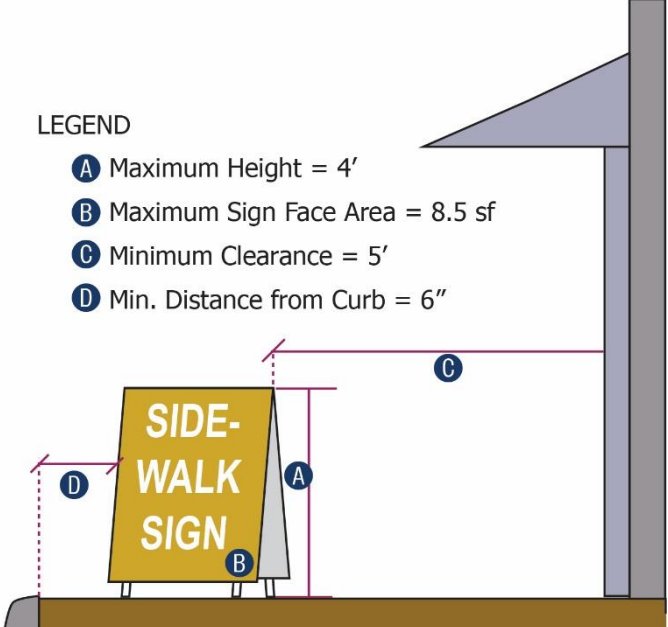

I. SIDEWALK SIGNS						
	<p>LEGEND</p> <ul style="list-style-type: none"> A Maximum Height = 4' B Maximum Sign Face Area = 8.5 sf C Minimum Clearance = 5' D Min. Distance from Curb = 6" 					
						
1. DEFINITION	A pedestrian-oriented movable sign that sits on the grade located proximate to the primary entrance of the nonresidential or mixed use being advertised. Sidewalk signs are also referred to as “A-frame” signs or “Board” signs. The sign shall be self-supporting and only visible during operating hours. Sidewalk signs are configured with a broader base than a top or are equipped with supports to ensure they remain stable in normal wind conditions.					
2. WHERE PERMITTED	Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
	No	No	Yes	Yes	Yes	No
3. DIMENSIONAL STANDARDS						
Maximum Number of Sidewalk Signs Per Lot			1 per street frontage, regardless of the number of tenants [1] [2]			
Minimum Clearance Around Sidewalk Sign			5 feet [3] [4]			
Maximum Height			4 feet			
Maximum Sign Face Area			8.5 square feet			
Maximum Number of Sidewalk Sign Sides			2			
Maximum Distance from Primary Entrance of Use Being Advertised			25 linear feet			
NOTES:						
[1] Sidewalk signs may only be permitted on a sidewalk or on-site pedestrian walkway.						
[2] Nothing shall limit the rotating of different sidewalk signs on an individual lot provided the total number of signs does not exceed the maximum.						
[3] A sidewalk sign may only be placed in a manner that allows for unrestricted pedestrian access around all sides of the sign, and shall not be located within an access ramp, proximate to an accessible parking space, or within a sight distance triangle.						
[4] A sidewalk sign shall be no closer than 6 inches from the curb.						
4. ADDITIONAL STANDARDS						
a. A sidewalk sign shall not be permanently attached to the sidewalk, signs, street trees, landscaping, bicycle rack, or any other fixtures on the sidewalk.						
b. Each sidewalk sign shall be removed each day by the close of business.						
c. Sidewalks signs may include changeable copy.						
d. Sidewalks signs shall not be illuminated.						
e. Signage may be subject to additional standards identified in Section 3.8.3, Gateway Corridor Overlay (GCO) District .						

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE


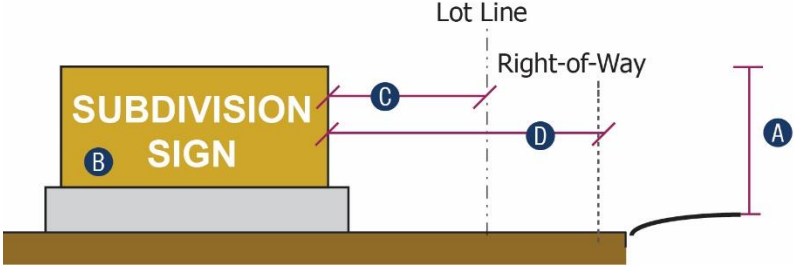
J. SUBDIVISION SIGNS							
		<p>LEGEND</p> <ul style="list-style-type: none"> A 6' Maximum Height B Maximum Sign Face Area = 32 sf (Support Structure Not Counted as Sign Area) C No Min. Setback from Lot Line D Minimum Setback from Right-of-Way = 5' 					
1. DEFINITION		A ground sign located at the entrance to a subdivision consisting of two or more lots. Subdivision signs shall be located outside all street rights-of-way, and shall not be located on a lot with a principal building.					
2. WHERE PERMITTED		Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
		Yes	Yes	Yes	Yes	Yes	Yes
3. DIMENSIONAL STANDARDS							
Maximum Number of Subdivision Signs Per Development			1 per development entrance				
Maximum Height			6 feet [1]				
Maximum Sign Face Area			32 square feet [2] [3]				
Minimum Setback from any Lot Line			None				
Minimum Setback from Right-of-Way			5 feet				
NOTES:							
[1] Sign height shall be determined based on the higher of: the adjacent grade level or the grade level of the adjacent street.							
[2] The support structure for a subdivision sign configured as a ground sign shall not be included with the calculation of the maximum allowable sign face area.							
[3] Developments with 2 or more entries may have up to 64 square feet of subdivision sign provided that no single entry has a subdivision sign with a sign face area exceeding 32 square feet.							
4. ADDITIONAL STANDARDS							
a. Subdivision signs may only be configured as a ground sign.							
b. Subdivision signs shall not be placed within required sight distance triangles or in locations that obstruct the safe movement of vehicles and pedestrians.							
c. Subdivision signs that are illuminated shall comply with the applicable limitations on glare in Section 5.4, Exterior Lighting .							
d. Signage may be subject to additional standards identified in Section 3.8.3, Gateway Corridor Overlay (GCO) District .							

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE



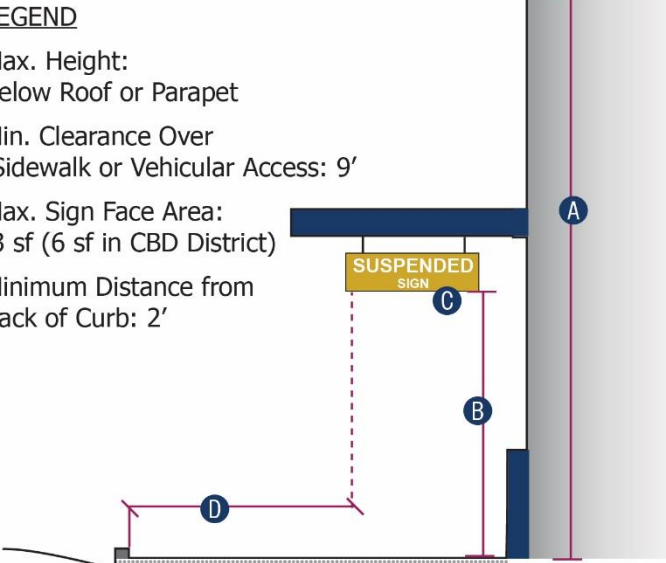
K. SUSPENDED SIGNS						
 	<p>LEGEND</p> <ul style="list-style-type: none"> A Max. Height: Below Roof or Parapet B Min. Clearance Over Sidewalk or Vehicular Access: 9' C Max. Sign Face Area: 3 sf (6 sf in CBD District) D Minimum Distance from Back of Curb: 2' 					
1. DEFINITION	<p>A sign that is suspended from the underside of a principal building's overhang or canopy that is intended for view by pedestrians or patrons already on a site. The sign may be parallel or perpendicular to the building wall. A sign that is not suspended from a canopy or overhang of a building is not a suspended sign. A sign mounted on a building wall parallel to the wall is a "wall" sign. A sign mounted on a building wall perpendicular to the building wall is a "projecting" sign. Signs visible through a window are "window" signs.</p>					
2. WHERE PERMITTED	Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
	No	Yes	Yes	Yes	Yes	Yes
3. DIMENSIONAL STANDARDS						
Maximum Number of Projection Signs Per Development			1 per lot or 1 per tenant in a multi-tenant building			
Maximum Mounting Height			Below the roof or parapet [1]			
Maximum Sign Face Area			3 square feet; 6 square feet in the CBD district			
Minimum Setback from any Lot Line			[2]			
NOTES:						
[1] Any suspended sign that projects into a right-of-way or that projects over a sidewalk, walkway, or vehicular accessway shall maintain a minimum clearance of at least 9 feet above the grade or the walkway.						
[2] A suspended sign shall maintain a minimum of two feet of horizontal distance from the back of the curb.						
4. ADDITIONAL STANDARDS						
a. Suspended signs shall not project beyond the canopy or overhang they are mounted to.						
b. Suspended signs shall be flush mounted or drop mounted with metal pipe, chain, wire, or other comparable material and permanently affixed to the overhang or canopy where mounted.						
c. Suspended signs shall not be mounted to an accessory structure.						
d. Signage may be subject to additional standards identified in Section 3.8.3, Gateway Corridor Overlay (GCO) District.						

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE





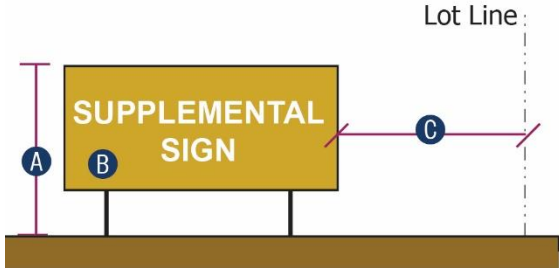
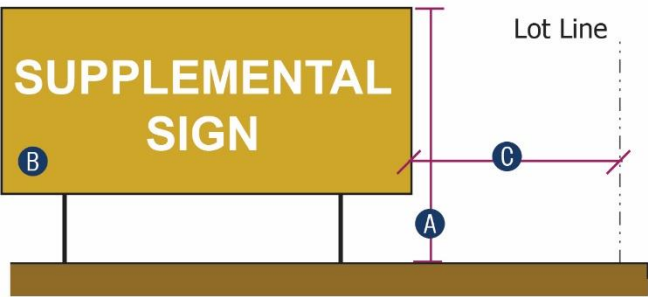
L. SUPPLEMENTAL SIGNS							
							
<p>In Residential Districts</p> <ul style="list-style-type: none"> A Maximum Height = 6' B Maximum Sign Face Area = 6 sf C Min. Setback from Lot Line = 10' 			<p>In Nonresidential Districts</p> <ul style="list-style-type: none"> A Maximum Height = 12' B Maximum Sign Face Area = 20 sf C Min. Setback from Lot Line = 10' 				
							
1. DEFINITION		Any sign that is not permanently affixed to the ground or a building which can be removed without special handling and that may be located on a lot or site in addition to other forms of signage. Banners and incidental signs are not supplemental signs. Ideological signs are considered supplemental signs.					
2. WHERE PERMITTED		Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
		Yes	Yes	Yes	Yes	Yes	Yes
3. DIMENSIONAL STANDARDS							
Maximum Number of Supplemental Signs Per Lot		1 per lot; 1 per nonresidential tenant in a multi-tenant development					
Maximum Sign Height [1]		Residential Districts			6 feet		
		All Other Districts			12 feet		
Maximum Sign Face Area [2]		Residential Districts			6 square feet		
		All Other Districts			20 square feet		
Minimum Setback from any Lot Line		10 feet from any lot line					
NOTES:							
[1] Sign support structures shall be included in maximum sign height and face area.							
[2] Signs visible through a window are also subject to the standards for window signs.							
4. ADDITIONAL STANDARDS							
a. Supplemental signs shall not require issuance of a sign permit and are not subject to a maximum duration.							
b. Supplemental signs shall not be located within a street right-of-way.							
c. Supplemental signs shall not be placed within required sight distance triangles or in locations that obstruct the safe movement of vehicles and pedestrians.							
d. Supplemental signs shall not include permanent modifications to a site or building.							
e. Supplemental signs may not be illuminated.							
f. Supplemental signs shall not block windows or doors.							
h. Signage may be subject to additional standards identified in Section 3.8.3, Gateway Corridor Overlay (GCO) District.							

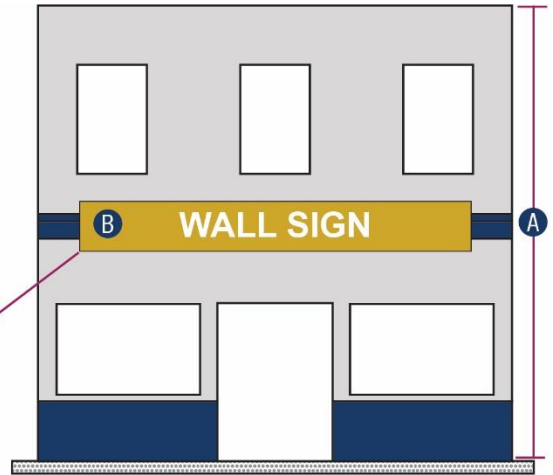
TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE

M. WALL SIGNS



- A** Max. Height: Height of Building
- B** Max. Sign Face Area:
 - 16 sf Residential Districts
 - 32 sf OI and NC Districts
 - DTC and DTP Districts = 1/2 sf area per lineal foot of facade fronting a street; max. 32 sf
 - GC, HC and Industrial Districts = 1/2 sf area per lineal foot of facade fronting a street; max. 64 sf

EXAMPLE:
 Building is in DTP District
 30' Facade Fronting Street
 Max. Wall Sign Area = 30 x 1/2 = **15 sf**



1. DEFINITION	Any sign, other than a projecting sign, that is mounted to or painted on an exterior building wall. Wall signs have only one sign face and are configured to be parallel to the building wall upon which they are located. Signs mounted perpendicular to a wall are “projecting” signs. Signs mounted from the ceiling of a building’s canopy or overhang are “suspended” signs. Signs made of fabric or other material that moves are “banners” or “flags.” Signs visible through a window are “window” signs.					
2. WHERE PERMITTED	Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
	RMF Only	Yes	Yes	Yes	Yes	Yes
3. DIMENSIONAL STANDARDS						
Maximum Number of Wall Signs Per Development	Lots in residential districts			1		
	Lots in all other districts – single tenant building			1 per building façade		
	Lots in all other districts – multi-tenant building			1 per tenant		
Maximum Mounting Height	No wall sign shall extend above, below or beyond the building wall to which it is attached [1]					
Maximum Sign Face Area [2]	Lots in residential districts			16 square feet		
	Lots in OI and NC districts			32 square feet		
	Lots in DTC and DTP districts			½ square foot of sign face area per lineal foot of building façade upon which the sign is located [3]		
	Lots in GC, HC, and industrial districts			½ square foot of sign face area per lineal foot of building façade upon which the sign is located [4]		
Minimum Setback from any Lot Line	Same as the building [5]					
NOTES:						
[1] Wall signs that project into a right-of-way shall maintain a minimum vertical clearance of at least 9 feet above grade.						
[2] In the case of multi-tenant nonresidential buildings, the total sign area per tenant shall be determined based on the portion of the building frontage occupied by each storefront. End units may have a wall sign on each building façade, subject to the maximum sign face area standards.						
[3] No individual wall sign shall exceed 32 square feet of sign face area.						
[4] No individual wall sign shall exceed 64 square feet of sign face area.						

ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.9. Sign Standards by Sign Type

[5] Wall signs shall not project into a right-of-way by more than six inches.
4. ADDITIONAL STANDARDS
i. No wall sign shall be located in a manner that covers or blocks ingress or egress from a door, window, or fire escape.
ii. Any electrical wiring shall be located within the sign or the wall it is affixed to.
iii. Wall signs that are illuminated shall comply with the applicable limitations on glare in <u>Section 5.4, Exterior Lighting</u> .
iv. Signage may be subject to additional standards identified in <u>Section 3.8.3, Gateway Corridor Overlay (GCO) District</u> .

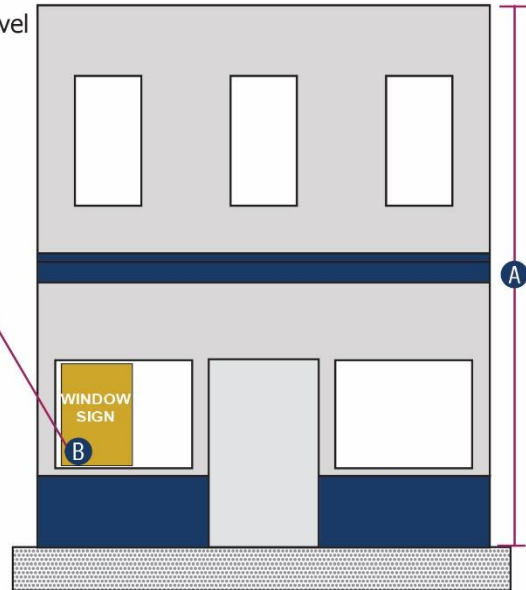
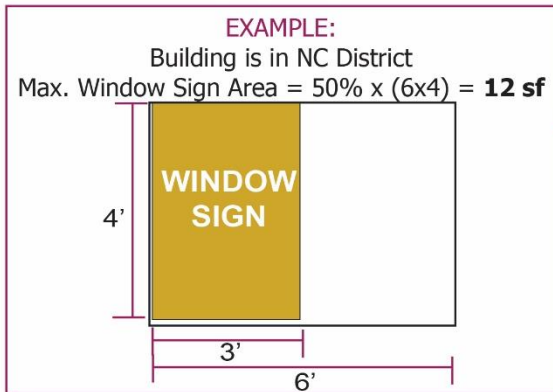
TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE

N. WINDOW SIGNS



LEGEND

- A** Max. Height: Second Story or 25' Above Ground Level
- B** Max. Sign Face Area:
 DTP & DTC Districts = 25% of Window or Door
 All Other Districts = 50% of Window or Door



1. DEFINITION
 A sign affixed to or visible through the surface of a window or glass door that is intended to be visible to the public from outside the building. Signs painted on glass and etched or frosted glass that includes text or symbols shall be considered as a window sign. Signs not visible from off-site areas are exempted from these standards. Signs mounted to a building's exterior wall are "wall" signs.

2. WHERE PERMITTED	Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
	No	Yes	Yes	Yes	Yes	Yes

3. DIMENSIONAL STANDARDS

Maximum Number of Window Signs Per Development	No limit, subject to the maximum sign face area standards	
Maximum Mounting Height	Window signs are not permitted above the second story or higher than 25 feet above ground level	
Maximum Sign Face Area [1]	DTP & DTC districts	25% of the outer extent of any single window or door [2][3]
	All other districts	40% of the outer extent of any single window or door [2]

NOTES:
 [1] Groups of multiple windows or doors within six inches of one another on the same building façade shall be considered as one window or door for the purposes of sign face area calculation.
 [2] Window signs shall not be located or configured in ways that prevent patrons operating doors safely.

ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.9. Sign Standards by Sign Type

[3] The Planning Director may allow for the maximum sign area to be up to 25% of the cumulative surface area of all the windows on the face of a wall if there are no other signs located on that wall and if the positioning of the window to which the window signs are attached do not accomplish the transparency intent.

4. ADDITIONAL STANDARDS

a. Window signs may not be externally illuminated.

b. Material used to block views into a vacant building (such as brown paper) is not considered to be a window sign.

c. Blinds, shades, or curtains bearing symbols or text that is visible from off-site areas shall be considered to be a window sign subject to these standards.

d. Signage may be subject to additional standards identified in Section 3.8.3, Gateway Corridor Overlay (GCO) District.

5.12. SUSTAINABILITY INCENTIVES

5.12.1. HOW TO USE THESE INCENTIVES

These sustainable development incentives are intended to reward applicants and forms of development that are configured in ways that conserve resources or are better able to withstand damaging natural hazards. Rewards take the form of increased maximum residential densities, increased maximum building heights, or reductions from other kinds of development standards such as required parking or maximum sign face area.

- A. Applicants seeking to take advantage of these sustainable development incentives should first understand the type of incentives available in accordance with Section 5.12.4, Type of Incentives.
- B. Once the preferred type of incentive(s) is determined, an applicant should review Section 5.12.5, Procedure, in order to determine the minimum number and type(s) of sustainable development practices required to take advantage of the desired incentive(s).
- C. Each type of incentive requires provision of one or more types of sustainable development practice from each of two different schedules (Schedule A and Schedule B).
- D. The sustainable development practices are listed, by schedule type, in Table 5.12.6: Menu of Sustainable Development Practices.
- E. The types of sustainable development practices to be provided are at the applicant's discretion, but the minimum number of practices from each schedule must be provided. Nothing shall limit the Board of Commissioners from including a condition of approval that specifies the use of one or more particular types of sustainable development practice should an applicant decide to pursue a sustainable development incentive.
- F. Site plans, subdivision plats, and other application materials shall identify the type(s) of incentives sought and the sustainable development practices provided.

5.12.2. PURPOSE AND INTENT

In an effort to encourage sustainable development practices as a means of addressing climate change and the need for more resilient development practices, the protection of natural resources, and ensuring a high quality of life for future Town residents, the UDO provides the following sustainable development practice incentives.

5.12.3. APPLICABILITY

The incentives included in this section are available to new development in the residential, commercial, industrial, and planned development districts.

5.12.4. TYPE OF INCENTIVES

- A. Development integrating sustainable development practices in accordance with the provisions of this section shall be eligible for the following incentives:
 1. A density bonus of up to one additional dwelling unit per acre beyond the maximum allowed in the base zoning district;
 2. An increase in the maximum allowable height by up to one story or ten feet beyond the maximum allowed in the base zoning district, with approval of the Fire Marshal;
 3. A modification to the off-street parking requirements resulting in a reduction from the minimum requirements by 15 percent, or an increase to the maximum allowable number of spaces provided by 15 percent (without an alternative parking plan); or
 4. An increase in the maximum allowable sign area or maximum height for signs by 10 percent.
- B. Development may include a sufficient number of sustainable development practices to take advantage of more than one type of incentive, but in no instance shall the amount of an incentive be increased or decreased (as appropriate) beyond the maximum listed in this sub-section.

5.12.5. PROCEDURE

- A. Development seeking to use incentives shall include a written request with the development application that demonstrates how compliance with the standards will be achieved.

ARTICLE 5: DEVELOPMENT STANDARDS

5.12. Sustainability Incentives

5.12.6. Menu of Sustainable Development Practices

- B.** Review for compliance with this section, and granting of requests in accordance with this section shall occur during review of a site plan, subdivision, planned development master plan, special use permit, or building permit, as appropriate. The review authority responsible for review of the development application shall also be responsible for the review of sustainable development incentive request.
- C.** Approval of use of a particular incentive shall be based on the number of sustainable development practices provided, in accordance with Table 5.12.5: Sustainable Development Practice Incentives, and Table 5.12.6: Menu of Sustainable Development Practices. To obtain the right to a particular incentive, development shall provide the minimum number associated of sustainable development practices from both schedule A and schedule B in the table below.
- D.** In cases where a proposed development seeks to combine two or more development incentives, the minimum number of required sustainable development practices for each individual incentive shall be provided.

TABLE 5.12.5: SUSTAINABLE DEVELOPMENT PRACTICE INCENTIVES		
TYPE OF INCENTIVE	MINIMUM NUMBER OF SUSTAINABLE DEVELOPMENT PRACTICES PROVIDED	
	FROM SCHEDULE A	FROM SCHEDULE B
A density bonus of up to one additional dwelling unit per acre beyond the maximum allowed in the base zoning district	2	4
An increase in the maximum allowable height by up to one story or ten feet beyond the maximum allowed in the base zoning district	2	3
A reduction from the minimum parking space requirements by 15 percent, or an increase to the maximum allowable number of parking spaces provided by 15 percent	2	2
An increase in the maximum allowable sign area or maximum height for wall or freestanding signs by 10 percent	1	3

5.12.6. MENU OF SUSTAINABLE DEVELOPMENT PRACTICES

One or more of the sustainable development practices in Table 5.12.6: Menu of Sustainable Development Practices, may be offered by an applicant for proposed development in accordance with Table 5.12.5: Sustainable Development Practice Incentives. An applicant may suggest a practice not listed, which shall be considered by the Planning Director as part of review.

TABLE 5.12.6: MENU OF SUSTAINABLE DEVELOPMENT PRACTICES		
SCHEDULE	TYPE OF PRACTICE	DOCUMENTATION OF COMPLIANCE
Energy Conservation		
A	Inclusion of solar photovoltaic panels or small wind energy facilities in an amount capable of producing 900 kilowatt hours of electricity per month for each dwelling or principal use in the development	Indication on site plan
A	Use of central air conditioners that are Energy Star qualified	Provision of manufacturer's certification statement
A	Use of only solar or tankless water heating systems throughout the structure	Inclusion on construction drawings
A	Use of a white roof or roofing materials with minimum reflectivity rating of 60 percent or more	Provision of materials sample and manufacturer's

ARTICLE 5: DEVELOPMENT STANDARDS

5.12. Sustainability Incentives

5.12.6. Menu of Sustainable Development Practices

TABLE 5.12.6: MENU OF SUSTAINABLE DEVELOPMENT PRACTICES

SCHEDULE	TYPE OF PRACTICE	DOCUMENTATION OF COMPLIANCE
		certification statement (statement not required for white roofs)
A	Pre-plumb and pre-wire structures for solar water heating and photovoltaic installation	Indication on site plan
B	Provision of skylights in an amount necessary to ensure natural lighting is provided to at least 15 percent of the habitable rooms in the structure	Indication on site plans
B	Roof eaves or overhangs of three feet or more on southern or western elevations	Indication on site plans
B	Structure design that can accommodate the installation and operation of solar photovoltaic panels or solar thermal heating devices (including appropriate wiring and water transport systems)	Inclusion on construction drawings
B	Inclusion of shade features (e.g., awnings, louvers, shutters, etc.) to shade all windows and doors on the southern building facade	Indication on site plan
B	Shade impervious surfaces and southern/western building exposures to limit heat gain	
B	Inclusion of on-demand hot water systems instead of tank-based systems	
B	Configuration of new buildings with one axis at least 1.5 times longer than the other, and the long axis oriented in an east-west configuration for solar access	
Certification		
AAA [1]	Construction of the principal structure(s) to meet or exceed LEED Platinum certification standards	Provision of verification of project compliance by certifying agency (may be provided within one year following occupancy)
AA [2]	Construction of the principal structure(s) to meet or exceed LEED Gold certification standards	
BBB	Construction of the principal structure(s) to meet or exceed LEED Silver certification standards	
BB	Construction of the principal structure(s) to meet or exceed LEED Bronze certification standards	
AAA	Construction of the principal structure(s) to meet or exceed BREEAM "Excellent" certification standards	
AA	Construction of the principal structure(s) to meet or exceed BREEAM "Very Good" certification standards	
BBB	Construction of the principal structure(s) to meet or exceed BREEAM "Good" certification standards	
BB	Construction of the principal structure(s) to meet or exceed BREEAM "Pass" certification standards	
AAA	Construction of the principal structure(s) to meet or exceed National Green Building Standard's "Emerald" certification standards	
AA	Construction of the principal structure(s) to meet or exceed National Green Building Standard's "Gold" certification standards	
BBB	Construction of the principal structure(s) to meet or exceed National Green Building Standard's "Silver" certification standards	
BB	Construction of the principal structure(s) to meet or exceed National Green Building Standard's "Bronze" certification standards	
AA	Green Globes certification for new construction or an existing building, as appropriate	
A	Construction of the principal structure(s) to meet some other recognized organization's sustainability standards, as determined by the TRC	

ARTICLE 5: DEVELOPMENT STANDARDS

5.12. Sustainability Incentives

5.12.7. Failure to Install or Maintain Sustainable Development Practices

TABLE 5.12.6: MENU OF SUSTAINABLE DEVELOPMENT PRACTICES

SCHEDULE	TYPE OF PRACTICE	DOCUMENTATION OF COMPLIANCE
Water Conservation and Quality Protection		
AA [2]	Configuration of the principal structure’s roof so that at least 50 percent of the roof is a “green” roof intended to capture and hold rainwater	Indication on site plan
A	Inclusion of rainwater capture and re-use devices such as cisterns, rain filters, and underground storage basins with a minimum storage capacity of 500 gallons	Inclusion on construction drawings
A	Provision of bio-retention area(s) or other appropriate stormwater infiltration system(s) of at least 700 square feet in area	Indication on site plan
A	Provision of open space set-asides at a rate 200 percent or more beyond the minimum required	
B	Provision of bio-retention area(s) or other appropriate stormwater infiltration SCM systems of at least 100 square feet in area	
B	Removal of all lawn or turf in favor of living ground cover	
B	Use of xeriscape landscaping techniques without irrigation	
B	Provision of 150-foot undisturbed buffers adjacent to/surrounding all wetlands or surface waters	
B	Use of permeable surfacing on 50 percent or more of the vehicular use area	
Building Configuration		
A	Construction of principle structure in accordance with Barrier Free Design Standards (ANSI A1171.1)	Inclusion on construction drawings
A	Construction of the principal structure to a design wind speed standard of 150 mph	Signed attestation from a qualified NC licensed engineer
A	Inclusion of underground parking or parking structures sufficient to accommodate 51 percent or more of the off-street parking requirements	Indication on site plan
B	Include operable windows on all building sides	
B	Provision of on-site transit facilities (e.g., designated park-and-ride parking spaces, bus shelters, or similar features)	
B	Inclusion of showering and dressing facilities in nonresidential developments for employees using alternative forms of transportation	Inclusion on construction drawings
B	Provision of at least one enclosed recycling station per building suitable for storage and collection of recyclables generated on-site	Indication on site plan
Site Configuration		
AAA	Configuration of the lots in a subdivision so that at least one-third of the lots created in any particular phase have a minimum lot area that differs from the average lot area in the subdivision by 33 percent or more	Indication on the preliminary plat

NOTES:

[1] Credited as provision of three schedule “A” features

[2] Credited as provision of two schedule “A” features

5.12.7. FAILURE TO INSTALL OR MAINTAIN SUSTAINABLE DEVELOPMENT PRACTICES

The failure to install or maintain approved sustainable development practices is a violation of this Ordinance, shall render the subject development nonconforming, and may result in revocation of the authorization for use of sustainable development practice incentives.

