
ZEBULON

NORTH CAROLINA

**TOWN OF ZEBULON
JOINT PUBLIC HEARING
January 13, 2025
6:00 PM**

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. NEW BUSINESS

- a. **TA 2025-01 – Regional Mixed Use** – A proposed Text Amendment to add a Regional Mixed Use Zoning District.

IV. ADJOURNMENT

STAFF REPORT
TA 2025-01
REGIONAL MIXED USE
JANUARY 13, 2025

Topic: Text Amendment 2025-01 Regional Mixed Use
Speaker: Matthew Lower, Planning Director
From: Matthew Lower, Planning Director
Prepared by: Catherine Farrell, Planner II
Approved by: Kellianne Williams, Assistant Town Manager

Executive Summary:

The Planning Board and Board of Commissioners will consider text amendment updates to multiple sections in the Unified Development Ordinance (UDO) for the addition of a Regional Mixed-Use District (RMU).

Discussion:

The proposal for the addition of the Regional Mixed-Use District is a direct outcome of staff evaluation of gaps in the Unified Development Ordinance (UDO). Addressing these gaps introduces a crucial “tool for the toolkit” to help achieve the goals and policies outlined in the Comprehensive Plan.

While the UDO is highly effective at implementing the Comprehensive Plan, managing growth, supporting downtown, and connecting neighborhoods, it lacks a clear by-right process for large-scale mixed-use and regional activity centers. These centers are critical components of the urban fabric because they concentrate goods and services, create opportunities for social and economic engagement, offer diverse and often mixed-income housing options, and typically generate a high property tax return per acre, which contributes significantly to the town’s fiscal health over time.

At present, Planned Development (PD) districts are the primary mechanism for entitling large-scale mixed-use, commercial, and master-planned developments. PD districts offer a high degree of flexibility in project design, provided they align with the goals and policies of the Comprehensive Plan. PD districts are sometimes described as “alternate means of compliance”. However, this flexibility comes at a cost. The case-by-case nature of PD districts can make the entitlement process lengthy, unpredictable, and, at times, challenging for both developers and municipalities.

The proposed Regional Mixed-Use District addresses these challenges by establishing clear expectations for large-scale mixed-use developments while ensuring alignment with the town’s vision and goals. This new district is not intended to replace the PD process, but rather to serve as the standard means of compliance by providing a predictable, by-right pathway for developments that meet specific criteria.

This new district includes:

- **A Dimensional Standards Table** similar to the Downtown Mixed Use
- **A Master Plan requirement** similar to that of PD District
- **Clear District Specific Standards** to provide baseline design expectations
- **Compatibility Standards** to ensure consistent application of buffering and screening
- **Update Table of Uses** that exclude uses unaligned with a regional, mixed-use destination development

This approach creates an efficient process for by-right mixed-use development while upholding the town’s vision and goals for these critical areas. It is important to note that supporting regional mixed-use through

a by-right process is not novel, and several municipalities in our region, including Morrisville, Clayton, and Burlington, have similar districts.

Outcomes:

The following updates to the UDO will require approval by the Planning Board and Board of Commissioners. By approving this text amendment, we aim to achieve the following outcomes:

1. **By-Right Development Pathway:** Introduces a method to entitle large-scale mixed-use, commercial, and master-planned developments, ensuring alignment with the Comprehensive Plan while simplifying the process.
2. **Predictable Investment Environment:** Codifies clear standards for regional mixed-use developments, fostering investor confidence.
3. **Streamlined Process:** Reduces entitlement timelines from 6-8 months (for Conditional Rezoning or PD) to 2-3 months, accelerating market readiness while maintaining robust design standards and board oversight.
4. **Alignment with Public Objectives:** Ensures redevelopment adheres to public goals and the Comprehensive Plan through codified design standards, even in projects outside of the town's direct involvement.

This proposal balances the need for flexibility, predictability, and efficiency, ultimately enhancing the town's ability to manage growth and achieve its vision for vibrant, mixed-use regional activity centers.

Comprehensive Plan:

The proposed Regional Mixed-Use District aligns with several goals and policies outlined in the Zebulon Comprehensive Land Use Plan (CLUP). Specifically, the district supports the following:

1. **Goals for Land Use and Development:**
 - o **Goal 1:** Advance a land use allocation and pattern that supports greater housing variety, economic development, and a complete community with access to schools, recreation, shopping, and services (Land Use and Development, p. 2).
 - o **Goal 3:** Facilitate ongoing collaboration between land use and transportation planning to ensure a well-connected community (Land Use and Development, p. 2).
2. **Policies for Land Use and Development:**
 - o **Policy B:** Accommodate a range of character settings within its planning area to address diverse market preferences, including walkable, mixed-use environments (Land Use and Development, p. 3).
 - o **Policy C:** Emphasize compatible intensities and character when evaluating applications for intensive development near neighborhoods (Land Use and Development, p. 3).
 - o **Policy D:** Promote land use outcomes that prevent traffic congestion, ensure pedestrian- and cyclist-friendly design, and support public transit options (Land Use and Development, p. 3).

3. Economic Development Goals and Policy:

- **Goal 2:** Establish Zebulon as a regional destination supporting employment, commerce, and cultural activities (Economic Development, p. 2).
- **Policy C:** Maintain a regulatory framework and processes that signals its interest in attracting businesses, revenue generating uses, life-style and leisurely uses that support quality of life (Economic Development, p.3).

4. Framework for Urban Downtown Mixed Use:

- Aligns with the objective to encourage redevelopment and prevent auto-oriented patterns, fostering vibrant, walkable mixed-use districts (Future Land Use, p. 18).

Staff Recommendation for Joint Public Hearing:

Staff recommends approval and consideration of the text amendment. After public hearing and discussion closes, refer the matter to the Planning Board for consideration.

Staff Recommendation for Planning Board:

Staff recommends the Planning Board recommend the approval the text amendment. The matter will then be considered at a future Board of Commissioners' Meeting.

Attachments:

1. Draft Text Amendment
2. Public Hearing Notification Affidavit

Regional Mixed Use (Draft)

A: District Character

The Regional Mixed Use (RMU) district is established to facilitate the development of vibrant, compact, and pedestrian-friendly "town center" areas. It aims to integrate a mix of residential, commercial, civic, and open space uses within a single cohesive development. This district encourages a high quality of life, efficient land use, and reduced dependency on automobiles by fostering a walkable urban environment.

B: Example lot pattern (hold)

C: Dimensional Standards

Minimum Lot Area	N/A
Minimum Lot Width	100 linear feet
Maximum Lot Coverage	75%
Maximum Front Setback	15 Feet, unless the front area is used for outdoor public seating, plazas, or green space, in which additional feet for these purposes may be granted
Minimum Side Setback	0 Feet
Minimum Rear Setback	15 feet
Maximum Building Height	75 feet
Minimum Open Space	15% of development area, with at least half dedicated to public plaza or green space

D: Development examples (hold)

E: District Specific Standards

1. Master Plan Requirement

- a. To rezone a tract of land to RMU, the applicant must establish a district master plan in addition to all other materials required for rezoning. This ensures that development within the RMU district substantially aligns with the Comprehensive Plan;
- b. Subsequent development applications, project phasing, and non-residential site plan review shall demonstrate substantial consistency with the master plan in addition to other applicable standards;
- c. Subdivisions within an RMU district shall substantially conform to the master plan;
- d. The master plan shall include the following features:

- i. Depiction of development for all contiguous parcels under common ownership, with no more than 15 acres required per rezone application;
- ii. On-site transportation circulation system, including the general location of public streets, existing or projected transit service, pedestrian and vehicular circulation features, and connections to existing and planned systems;
- iii. Description of the development area, including acreage, types and mix of land uses, number of residential units (by use type), nonresidential floor area (by use type), residential density, and nonresidential intensity. The master plan applicant can provide a reasonable range for these figures, if necessary;
- iv. General configuration and relationship of the principal elements of the proposed development, including general building types;
- v. General location, amount, and type (active, passive, or urban) of open space, with at least 15% of the site dedicated to plaza or green space;
- vi. Identification of environmentally sensitive lands, wildlife habitat, and resource protection areas;
- vii. General location of on-site potable water and wastewater facilities and connections to existing systems;
- viii. General location of on-site stormwater management facilities and connections to existing public systems;
- ix. Phasing plan, if applicable.

2. Street Design Standards

- a. Development in the RMU district shall establish a grid street pattern;
- b. Except in cases where an arterial street must be constructed, no street segment shall extend more than 500 feet without another street intersection, alley intersection, or mid-block pedestrian accessway;
- c. Any arterial street segment shall require pedestrian accessway every 750 feet;
- d. New development shall dedicate and construct new streets in RMU district in accordance with the master plan;
- e. Separate pedestrian and bicycle facilities must be provided on all streets. This can be achieved in the following ways:
 - i. Establishment of pedestrian street through a minimum 26-foot right-of-way only for non-motorized and emergency traffic, to serve as a primary street for the purposes of building siting;
 - ii. A shared-use path with a 10 ft minimum width on both sides of the street;
 - iii. Separate bicycle lane and sidewalks, with the bicycle lines physically separated from the vehicular travel lanes, all on both sides of the street except for when a two-way cycle track can be constructed on one side of the street;

- iv. In areas with single-family, duplexes, or townhomes only, a shared bicycle/vehicular street with off-street sidewalks, all on both sides of the street;
- f. Street parking shall be permitted on all streets wherever feasible;
- g. All street parking must occur between vehicular travel lanes and bicycle lanes when bicycle lanes are present;
- h. Private streets are prohibited within the RMU district; and
- i. Rear- or side-loaded alleys shall be provided and dedicated to the Town wherever possible.

3. Building and Site Design

- a. All non-residential, and mixed residential/non-residential development shall be configured in accordance with the applicable design standards in Section 5.3.2, Mixed-Use Design Standards;
- b. All multi-family development can either 5.3.2 or 5.3.3 Multifamily Residential Design Standards;
- c. Parcels featuring single-family, duplexes, or townhomes shall meet the dimensional standards of the Residential Urban (R6) district;
- d. Development in the RMU zone shall conform to the following additional standards:
 - i. Buildings which front a right-of-way for non-motorized traffic must provide vehicular access is provided via rear alley way or parking area;
 - ii. Buildings may have a primary entrance that faces a side parking lot provided an equally prominent entrance is provided at the street front;
 - iii. Shade trees must be planted at 30-foot intervals within public spaces;
 - iv. RMU developments are exempt from parking minimums; however, parking lots remain subject to all other standards;
 - v. Shared parking is encouraged; and
 - vi. No specific buffering standards are required between use types within an RMU district, but a Type C buffer shall be required at the perimeter of the district master plan and shall be developed in accordance with project phasing.

4. Compatibility Standards

New multi-family, non-residential, and mixed-use development that abuts or is across a street from a single-family detached dwelling located in a Residential Zoning District shall be configured in accordance with the following standards:

- a. The building shall maintain a maximum height of two stories or less within 150 linear feet of a lot line subject to these compatibility standards;
- b. The use shall not include speakers that produce music or other noise that is audible beyond the lot line;

- c. Drive-throughs or other vehicular-related service area shall not be adjacent to a lot line subject to these compatibility standards;
- d. Surface off-street parking areas that abut a lot line subject to these compatibility standards shall be screened by an opaque fence or privacy wall with a minimum height of six feet above grade;
- e. Vending machines, service areas, mechanical equipment, loading areas, and similar functional elements shall be located as far as possible from lot lines subject to these compatibility standards, or shall be configured in a manner that prevents any negative impacts (visual, auditory, or otherwise); and;
- f. Refuse collection, recycling, and other waste-related activities shall be located as far as possible from a lot line subject to these standards.

5. Amending the Master Plan

- a. The property owner, authorized agent thereof, or a developer with authorization from the property owner or their agent, may submit an application to amend the master plan.
- b. The Planning Director shall determine if the amendment can be approved administratively or must proceed to the Board of Commissioners.
- c. The Planning Director may grant the following changes administratively:
 - i. A change not exceeding 15% in the number of residential units (by use type), non-residential area (by type), residential density, or non-residential intensity.
 - ii. Relocation of public utilities provided service levels remain consistent with the current master plan.
 - iii. Adjustment of the perimeter buffer if the master plan footprint expands or retracts.
 - iv. Any changes allowed through Administrative Adjustment Procedures (Section 2.2.1); and
- d. If the Planning Director determines the requested amendment exceeds these standards, the Board of Commissioners shall review and decide the request after a public hearing.

Table of Permitted Uses: Regional Mixed Use

Residential Uses

Use Type	Permissions
Assisted Living Facility	P
Boarding/Rooming House	P
Bungalow Court	P
Continuing Care Retirement Center	P
Duplex Dwelling	P
Family Care Home	P
Group Home	
Halfway House	
Live/Work Dwelling	P
Manufactured Dwelling	
Manufactured Dwelling Park	
Mobile Home	
Mobile Home Park	
Multi-family Dwelling	P
Pocket Neighborhood	P
Nursing Home	P
Single-family Attached Dwelling	P
Single-family Detached Dwelling	P
Triplex/Quadplex	P
Upper-story Residential	P

Institutional Uses

Use Type	Permissions
Adult Day Care Center	P
Airport & Related Facilities	
Antenna Collocation, Major	P
Antenna Collocation, Minor	P
Arboretum or Formal Garden	P
Auditorium	P
Blood/Tissue Collection	P
Broadcasting Studio	S
Cemetery, Columbarium, or Mausoleum	
Child Day Care Center	P
Child Day Care, Drop In	P
College or University	P
Community Garden	P
Coliseum or Arena	P
Conference or Convention Center	P
Cultural Facility, Library, Museum	P
Drug/Alcohol Treatment Facility	

Fire/EMS/Police Station	P
Fraternal Club or Lodge	P
Government Office	P
Government Maintenance, Storage	
Helicopter Landing Pad	S
Hospital	P
Indoor Private Recreation	P
Outdoor Private Recreation	P
Park (Public or Private)	P
Passenger Terminal	P
Post Office	P
Psychiatric Treatment Facility	
Religious Institution	P
School, Elementary	P
School, High/Middle	P
School, Vocational	P
Small Wireless Facility	S
Telecommunications Tower, Major	
Temporary Wireless Facility	
Urgent Care Facility	P
Utilities, Major	P
Utilities, Minor	P

Commercial Uses

Use Type	Permissions
ABC Store	P
Adult Business	
Aircraft Parts, Sales, and Maintenance	
Animal Daycare/Grooming	S
Animal Shelter	
Art Galley	P
Artisan Studio	P
Auction House	P
Automotive Repair and Servicing (without painting/bodywork)	
Automotive Sales and Rentals	
Automotive Painting/Body Shop	
Automotive Wrecker Yard	
Bar, Cocktail Lounge, or Private Club	P
Bed and Breakfast	P
Boat and Marine Rental, Sales, Service	
Bottle Shop (with/on premise consumption)	P
Business Incubator	P
Campground	S
Car Wash or Automobile Detailing	

Catering Establishment	
Check Cashing/Payday Lending Establishment	
Clothing Rental	P
Coffee Shop	P
Commercial Recreation, Indoor	P
Computer Related-Services	P
Convenience Store (no gasoline sales)	P
Convenience Store (with gasoline sales)	S
Co-working Space	P
Crematorium	
Equipment and Tool Rental	
Event Venue	P
Fairgrounds	S
Financial Services Establishment	P
Flea Market	P
Funeral-Related Services	
Games of Skill	S
Golf Course or Driving Range	S
Grocery Store	P
Gymnasium/Fitness Center	P
Hair, Nails, and Skin Services	P
Heavy Equipment Sales/Rental/Repair	
Hotel or Motel	P
Kennel, Indoor/Outdoor	
Laundry or Cleaning Service	
Microbrewery, Microwinery, or Distillery	P
Nightclub or Dance Hall	P
Office, Medical	P
Office, Professional	P
Outdoor Commercial Recreation	P
Outdoor Storage	P
Package and Printing Service	P
Park and Ride Facility	P
Parking Lot	P
Parking Structure	P
Pawn Shop	S
Pharmacy	P
Pool Hall	P
Racetrack	P
Recreational Vehicle Park	S
Repair Shop	
Restaurant	P
Retail, Bulky Item	P
Retail, Large Format	P
Retail Use, Other	P
Self Service Storage, External	

Self Service Storage, Internal	
Shooting Range, Indoor	
Specialty Eating Establishment	P
Tattoo and Piercing Establishment	P
Theatre	P
Truck Stop	
Vape, Tobacco, and CBD Shop	
Veterinary Clinic	P

Industrial Uses

Use Type	Permissions
Asphalt or Concrete Plant	
Contractor Services/Yard	
Electrical, Plastic, or Plumbing Fabrication	
Extractive Industry	
Flex Space	
Fuel Oil/Bottled Gas Distributor, Gas Energy Conversion	
General Industrial Services	
Landfill	
Makerspace	P
Manufacturing, Heavy	
Manufacturing, Light	
Metal Fabrication	
Public Convenience Center/Transfer Station	
Recycling Center	
Research and Development, Salvage or Junkyard	S
Solar Farm	
Truck or Freight Terminal	
Warehouse, Distribution	
Warehouse, Storage	
Waste Composting	
Wholesale Sales	
Wind Energy Conversion	

Agricultural Uses

Use Type	Permissions
Agriculture and Horticulture	
Agricultural Support Services	
Animal Husbandry	
Farmer's Market	P
Plant Nursery	S

Accessory Use Table: Regional Mixed Use

Use	Permission
Accessory Dwelling Unit	P
Amateur Ham Radio	P
Art Installation	P
Automated Teller Machine	P
Bus Shelter	P
Child Care, Incidental	P
Cluster Box Unit	P
Detached Accessory Structure	P
Drive Through	P
Electric Vehicle Charging Station	P
Family Health Care Structure	P
Guard House, Shelter, or Gatehouse	P
Helistop	
Home Occupation	P
Ice House	
Outdoor Dinner	P
Outdoor Display/Sales	P
Outdoor Storage	
Parking of Heavy Trucks or Trailers	
Parking of Recreational Vehicles	
Storage of Unlicensed or Inoperable Vehicles or Trailers	
Play Equipment	P
Produce Stand	P
Solar Energy Systems	P
Stable (Horses)	
Swimming Pool/Hot Tub	P
Tool/Storage Shed	
Underground Storage Tank	S
Wind Energy Conversion	S

ZEBULON

NORTH CAROLINA

Attachment 2
TA 2025-01

CASE # Text Amendment 2025-01 – Regional Mixed Use

HEARING DATE: January 13, 2025

State of North Carolina

County of Wake

BEFORE ME, the undersigned Notary, Stacie Paratore on this 9th day of January 2025, personally appeared Matthew Lower, known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

I Matthew Lower, Planning Director for the Town of Zebulon, affirm that the following Public Notice Procedures have been completed in accordance with applicable North Carolina General Statute and Town of Zebulon Unified Development Ordinance Section 2.3.6 have been satisfied for the above referenced hearing.

- Advertisement in a Paper of General Circulation sent on December 31st, 2024 (Wake weekly, publication dates **1/3/2025 & 1/10/2025**)
- Posted to Planning Department Website **1/3/2025**

[Signature] Jan 9 2025

Matthew Lower

Date

Subscribed and sworn to before me, this 9th day of January 2025

[Notary Seal:]

STACIE PARATORE
NOTARY PUBLIC
WAKE COUNTY, N.C.

[Signature]

Stacie Paratore

[signature of Notary]

[printed name of Notary]

NOTARY PUBLIC

My commission expires: 6/27, 2025.