
ZEBULON

NORTH CAROLINA

**TOWN OF ZEBULON
JOINT PUBLIC HEARING
AUGUST 11th, 2025
6:00 PM**

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. NEW BUSINESS

- a. **RZ 2025-02 – 301 Jones St and 108 Pearces Rd**– PIN # 2706015099, 2706014224. A request by O’kane and Associates on behalf of property owner CP Enterprises of NC, for a rezoning from Residential Suburban (R2) to General Commercial (GC)
- b. **TA 2025-03 – Amendment of Mobile Food Vendors Ordinance** - A request led by the Town of Zebulon, for a text amendment to section 4.5 of the UDO amending the language around Mobile Food Vendors.

IV. ADJOURNMENT

STAFF REPORT
ZONING MAP AMENDMENT 2025-02
301 JONES ST AND 108 PEARCES RD
AUGUST 11, 2025

Topic: RZ 2025-02 – 301 Jones St and 108 Pearces Rd
Speaker: Matthew Lower, Planning Director
From: Matthew Lower, Planning Director
Prepared by: Catherine Farrell, Planner II
Approved by:

Executive Summary:

The Board of Commissioners will consider a Zoning Map Amendment for 301 Jones St (PIN# 2706015099) and 108 Pearces Rd (PIN# 2706014224). Town Board's approval of this Zoning Map Amendment will change the designation of the subject parcels from Residential Suburban to Zebulon General Commercial (GC).

Discussion:

O'kane and Associates on behalf of CG Enterprises of NC LLC are seeking to rezone two parcels, totaling 1.915 acres, from Residential Suburban (R2) to General Commercial (GC) Zoning District.

The rezoning would allow all uses permitted within the GC General Commercial District, without any additional conditions proposed by the applicant. If approved, the property will have to adhere with the Town of Zebulon's Unified Development Ordinance (UDO), ensuring that any future development adheres to the town's zoning regulations.

Policy Analysis:

Comprehensive Land Use Plan:

The future land use map calls for these lots to be Suburban Commercial. The General Commercial Zoning District is consistent with the SC future land use. "This designation involves commercial developments, whether at a neighborhood-focused or larger scale, that stand apart from most auto-oriented contemporary development (Land Use and Development, Page 17)."

The rezoning is supported by the following CLUP goals:

1. Goals for Land Use and Development:

- **Goal 1:** A land use allocation and pattern that advances Zebulon's objectives of achieving greater housing variety, supporting its economic development and tax base needs, and creating a complete community with convenient resident access to schools, recreation, shopping and services (Land Use and Development, p.2).
- **Goal 2:** Consistent character of land use within areas intended for particular character types, from rural and suburban through auto-oriented and urban along the community character spectrum (Land Use and Development, p.2).

2. Goals for Growth Capacity

- **Goal 1:** A growth management philosophy and strategies that enable most of the projected growth in the Zebulon area to be absorbed within and contiguous to the existing developed town (Growth Capacity, p.2).

STAFF REPORT
ZONING MAP AMENDMENT 2025-02
301 JONES ST AND 108 PEARCES RD
AUGUST 11, 2025

3. Economic Development Goals and Actions:

- **Goal 1:** An economically resilient community with a diverse yet stable economic base, an environment that supports both entrepreneurs and established businesses, and a local real estate market attractive to emerging investment, job creation and development opportunities (Economic Development, p. 2).
- **Goal 2:** A town that remains the unquestioned hub community for eastern Wake County as a multi-purpose destination and center of employment, commerce, government services, education, culture and recreational and leisure activities for residents and visitors (Economic Development, p. 2).

Outcomes:

The rezoning will have the following outcomes:

1. **Allow for the Development of Commercial uses:** The rezoning from a residential zoning district R2 will allow for more commercial uses on this site.

Staff Recommendation for Joint Public Hearing:

Staff recommends opening the public hearing for this Zoning Map 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 Zoning Map Amendment. The matter will then be considered at a future Board of Commissioners' Meeting.

Attachments:

1. Application
2. Neighborhood Meeting Packet
3. Future Land Use Map
4. Aerial Map
5. Zoning Map
6. Site Photos
7. Public Hearing Notification Affidavit
8. Principal Use Table Excerpt



APPLICATION FOR ZONING MAP AMENDMENT

APPLICATION PROCEDURE: The applicant requesting a Zoning Map Amendment must submit an application through the Town of Zebulon GeoCivix Web Portal. As noted below some materials must be brought in person to the Zebulon Planning Department to complete the application process. Access to Geocivix can be found on the Town of Zebulon Website or through this link (<https://townofzebulon.geocivix.com/secure/>)

- **Materials to Submit through the Town of Zebulon GeoCivix Web Portal:**
 - Completed Application Form
 - One (1) Legal Description (metes and bounds) of subject property
 - Registered survey of subject property
 - Certified List of Property Owners within 750 feet of subject property
 - Owner's Consent Form
 - Neighborhood Meeting Packet (If Required)

- **Materials to Submit in Person with the Town of Zebulon Planning Department:**
 - Stamped envelopes addressed to Certified List of Property Owners all the homeowners associations of those properties within 750 feet of the outer boundary subject property or properties. Affixed with the following return address:

Town of Zebulon
Planning Department
1003 N. Arendell Ave
Zebulon, NC 27597
 - Petition Fee (Please See Fee Schedule) (Can be paid online but applicants must let Planning Staff know prior to paying)

PUBLIC HEARING PROCEDURE: Upon submittal of a complete application, the Planning Department will schedule the application for a joint public hearing before the Planning Board and the Board of Commissioners. APPLICANTS ARE STRONGLY ENCOURAGED TO CONTACT PLANNING STAFF AS SOON AS POSSIBLE TO ADDRESS ANY QUESTIONS ABOUT THE PUBLIC HEARING. Notices of the public hearing will be mailed to all adjacent property owners of the property being considered for a Zoning Map Amendment. At the public hearing, the applicant, proponents, and opponents will be given the opportunity to offer evidence in favor of or against the proposal. After completion of the public hearing, the Planning Board will deliberate and forward its recommendation to the Board of Commissioners for final consideration. Deadline dates and Joint Public Hearing dates can be found on the Town of Zebulon's website.



Town of Zebulon

Planning Department

1003 N. Arendell Avenue, Zebulon, NC 27597
Phone: (919) 823-1810 Fax: (919) 887-2824
www.townofzebulon.org

ZONING MAP AMENDMENT PETITION

GENERAL INFORMATION:

In accordance with section 2.2.25 of the UDO, a Zoning Map Amendment provides a uniform means for reviewing and deciding proposed amendments to the Official Zoning Map whenever the public necessity, general welfare, the Town's adopted policy guidance, or appropriate land use practices justify or require doing so. This procedure sets out the requirements for amendments to the zoning district designation of land within the Town's planning jurisdiction as well as for land coming into the Town's planning jurisdiction via annexation in accordance with the standards in the North Carolina General Statutes.

INSTRUCTIONS:

PRE-APPLICATION MEETING: A pre-application meeting with staff in accordance with Section 2.3.2 of the UDO to verify the application requirements, processes, and procedures regarding a proposed request. To schedule a meeting, applicants must e-mail a pdf map, drawing, model, site or sketch plan to the Planning Department (Planning@townofzebulon.org) no later than five (5) working days prior to the desired meeting day.

NEIGHBORHOOD MEETING: Neighborhood meetings are required in accordance with Section 2.3.4 of the UDO prior to application submission. The applicant is required to notify property owners and any neighborhood association that represents citizens within that area within 300 feet of the subject property via first class mail a minimum of 10 days in advance of the neighborhood meeting. The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the developer and the neighbors. The applicant shall submit the "Certified List of Property Owners" and "Neighborhood Meeting Packet" forms included on the Town's website with their initial submittal.

ANNEXATION REQUIREMENTS: If a property or portion thereof subject to this rezoning is outside the corporate limits and ETJ, an annexation petition is **required** to be submitted on the same day as this application in accordance with section 2.2.2 of the UDO.



APPLICATION FOR ZONING MAP AMENDMENT

PART 1. DESCRIPTION OF REQUEST/PROPERTY		
Street Address of the Property: 301 Jones Street and 108 Pearces Road		Acreage: 1.915 Acres
Parcel Identification Number (NC PIN): 2706-01-5099 and 2706-01-4224	Deed Book: 19356	Deed Page(s): 637
Existing Zoning of the Property: Residential Suburban (R2) District	Proposed Zoning of the Property: General Commercial (GC) District	
Existing Use of the Property: Vacant	Proposed Use of the Property: Commercial	
Reason for Rezoning: Zoning Map Amendment is requested to rezone the property to allow future commercial development of the property consistent with the Town of Zebulon Comprehensive Plan and Town policy to promote and encourage non-residential development in the Town's Zoning Jurisdiction.		

PART 2. APPLICANT/AGENT INFORMATION		
Name of Applicant/Agent: O'Kane and Associates, PLLC (Brian O'Kane)		
Street Address of Applicant/Agent: 107 Union Drive, Suite 202		
City: Washington	State: NC	Zip Code: 27889
Email of Applicant/Agent: brian@okaneandassociates.com	Telephone Number of Applicant/Agent: 252-702-1910	Fax Number of Applicant/Agent: N/A
Are you the owner of the property? ☐ Yes ☒ No	Are you the owner's agent? ☒ Yes ☐ No	Note: If you are not the owner of the property, you must obtain the Owner's consent and signature giving you permission to submit this application.

PART 3. PROPERTY OWNER INFORMATION		
Name of Property Owner: CG Enterprises of NC LLC		
Street Address of Property Owner: 1609 Whispering Meadows Drive		
City: Zebulon	State: NC	Zip Code: 27597
Email of Property Owner: cur_gin@msn.com	Telephone Number of Property Owner: 470-309-4479	Fax Number of Property Owner: N/A
I hereby state that the facts related in this application and any documents submitted herewith are complete, true, correct, and accurate to the best of my knowledge.		
Signature of Applicant: <i>Brian T. O'Kane</i>	Print Name: Brian O'Kane	Date: 5/9/25
Signature of Owner: <i>Curtis Gingles</i>	Print Name: Curtis Gingles	Date: 5/9/25



APPLICATION FOR ZONING MAP AMENDMENT

LEGISLATIVE CONSIDERATIONS – ZONING MAP AMENDMENT

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the proposed zoning district is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest. Failure to adequately address the findings below may result in denial of the application. Please attach additional pages if necessary. The petition is justified based on the facts as they relate to the Standards in Section 2.2.25 J of the UDO as follows:

1. Please explain how the proposed Zoning Map Amendment advances the public health, safety, or welfare

The proposed Zoning Map Amendment will allow the property to be developed as a commercial use instead of limiting the property to the current residential zoning. This will allow future commercial development of the property to support the growing residential base of the Town, enhancing the welfare of the public.

2. Please explain how the proposed Zoning Map Amendment is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the town's adopted policy guidance;

The proposed Zoning Map Amendment would allow uses on the property that are consistent with the existing surrounding uses. Commercial zoning is consistent with the Town's Comprehensive Land Use Plan by providing commercial uses in close proximity to the Town Core to support the rapid residential growth in the area and to provide a balance of land uses within the tax base as promoted in the Town's adopted Municipal Utility Allocation Policy.

3. Please explain how an approval of the Zoning Map Amendment is reasonable and in the public interest;

Approval of the Zoning Map Amendment will provide the public with the potential for a commercially developed property in close proximity to their residences and will support the residential growth of the surrounding area.

4. Please explain how the proposed Zoning Map Amendment addresses any other factors as the Board of Commissioners may determine to be relevant. These include but are not limited to the proposed uses requested and any requested deviations and proposed alternative means of compliance.

The Zoning Map Amendment will provide a commercially rezoned property in close proximity to the Town's Urban Core and is consistent with the Town's Comprehensive Plan, Future Land Use and Character Map as well as all other adopted Town policies which promote non-residential and commercial land uses for this property.



APPLICATION FOR
ZONING MAP AMENDMENT

OWNER'S CONSENT FORM

Name of Project: 301 Jones Street Rezoning Submittal Date: 05/09/2025

OWNER'S AUTHORIZATION

I hereby give CONSENT to O'Kane and Associates, PLLC (Brian O'Kane) (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in is the subject of this application. I acknowledge and agree that, pursuant to Section 2.2.25 of the Town of Zebulon Unified Development Ordinance, that lands subject to a zoning map amendment shall be subject to all the standards, conditions, and plans approved as part of that application. These standards, plans, and approved conditions are perpetually binding on the land as an amendment to this Ordinance and the Official Zoning Map and may only be changed in accordance with the procedures established in this Ordinance. Development located outside the Town of Zebulon's corporate limits shall comply with all Town policies related to annexation and the extension of utilities. I understand that all other applicable standards and regulations of the UDO will remain applicable to the subject lands unless specifically listed as conditions or deviations as part of this request. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Zebulon to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Curtis Gingles
Signature of Owner

Curtis Gingles
Print Name

5/9/25
Date

CERTIFICATION OF PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Zebulon, North Carolina, and will not be returned.

Curtis Gingles
Signature of Owner

Curtis Gingles
Print Name

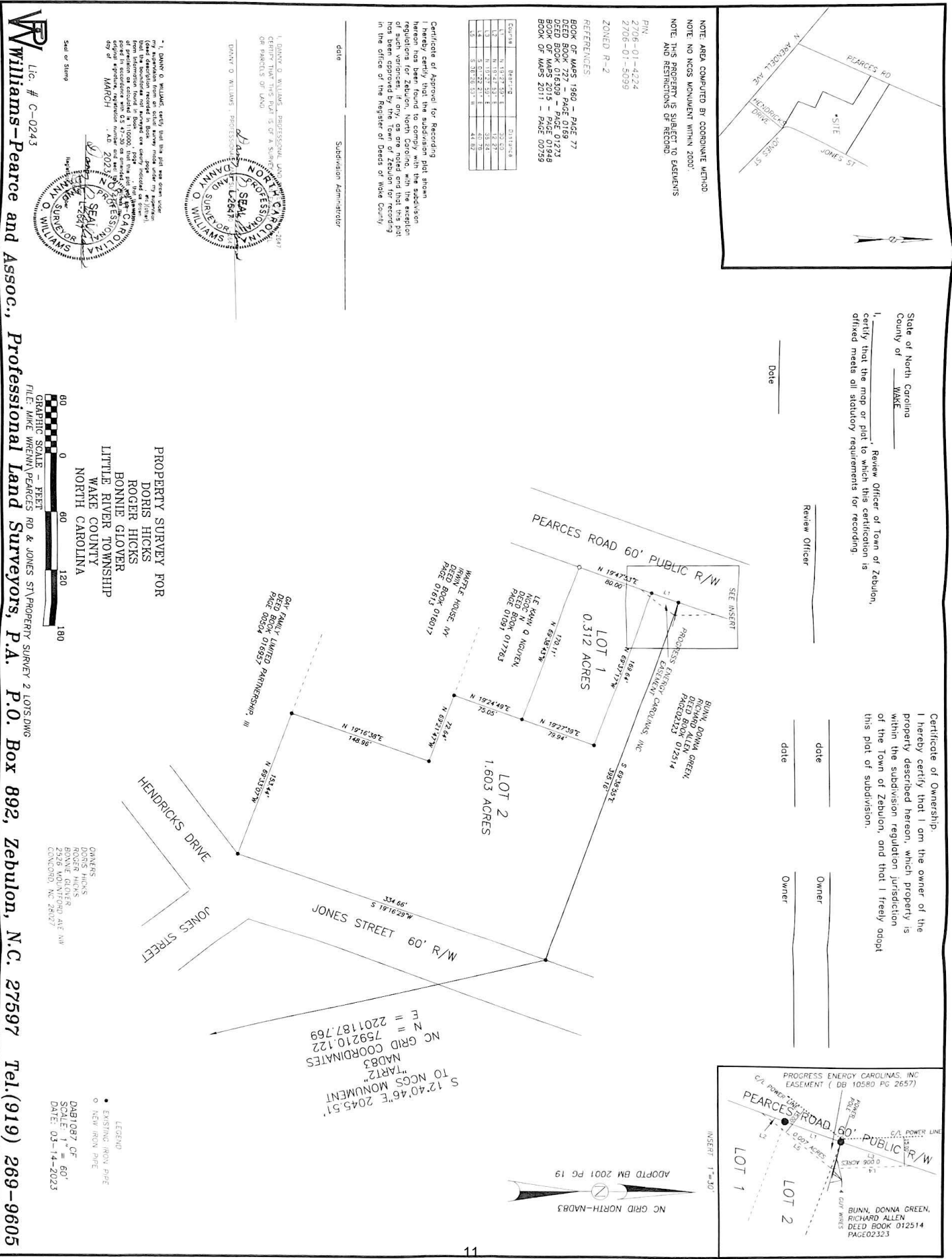
5/9/25
Date

*Owner of record as shown by the Wake County Revenue Department (www.wakegov.com). An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this form.

ADJACENT OWNERS AND HOA CONTACTS:

[illegible]

Development Name	Contact Name	Contact Address





Zoning Map Amendment for 301 Jones Street and 108 Pearces Road

Neighborhood Meeting Report

Meeting Held May 22nd, 2025

A neighborhood meeting was held as required by the Town of Zebulon Unified Development Ordinance to discuss the proposed zoning map amendment of two properties located at 301 Jones Street and 108 Pearces Road. The property considered for rezoning consists of two parcel and 1.915 acres. The meeting was held at the existing 24/7 fitness center located a 538 West Gannon Avenue in Zebulon, NC 27597. The meeting was held from 5:00 PM to 7:00 PM. All property owners within 300 feet of the subject properties were invited to attend.

No one from the community attended the meeting or contacted the applicant or owner's representative prior to the meeting.

Attached to this report are the following:

- Exhibit A - A copy of the neighborhood meeting notice.
- Exhibit B - A copy of the required mailing list for the meeting invitations.
- Exhibit C - The sign in sheet showing the meeting attendance.
- Exhibit D – A summary of items discussed.
- Exhibit E – Affidavit of Conducting the Neighborhood Meeting.

NOTICE OF NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at:

<u>301 Jones Street and 108 Pearces Road</u>	<u>2706-01-5099 and 2706-01-4224</u>
(Address)	(Pin Numbers)

in accordance with the Town of Zebulon Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. Once an application has been submitted to the Town, it may be tracked using the Interactive Development Map located on the Town of Zebulon website at:

<https://www.townofzebulon.org/planning/interactive-development-map>

A Neighborhood Meeting is requested because this project will include:

- ☐ Conditional Rezoning
- ☐ Planned Unit Development
- ☐ Site Plan within the Downtown Core or Downtown Periphery Zoning Districts
- ☒ Zoning Map Amendment (results in more intensive uses or increased density)
- ☐ Special Use Permit (Quasi-Judicial Hearing)

*Quasi-Judicial Hearing: The Board of Commissioners cannot discuss the project prior to the public hearing.

The following is a description of the proposed (also see attached map(s) and/or plan sheet(s)):

Zoning Map Amendment from Residential Suburban (R2) District to General Commercial (GC) District

Estimated Submittal Date: June 2025

MEETING INFORMATION:

Property Owner(s) Name(s) CG Enterprises of NC LLC

Applicant(s) O'Kane and Associates - Contact - Brian O'Kane representing CG Enterprises of NC LLC

Contact Information (e-mail/phone) brian@okaneandassociates.com / 252-702-1910

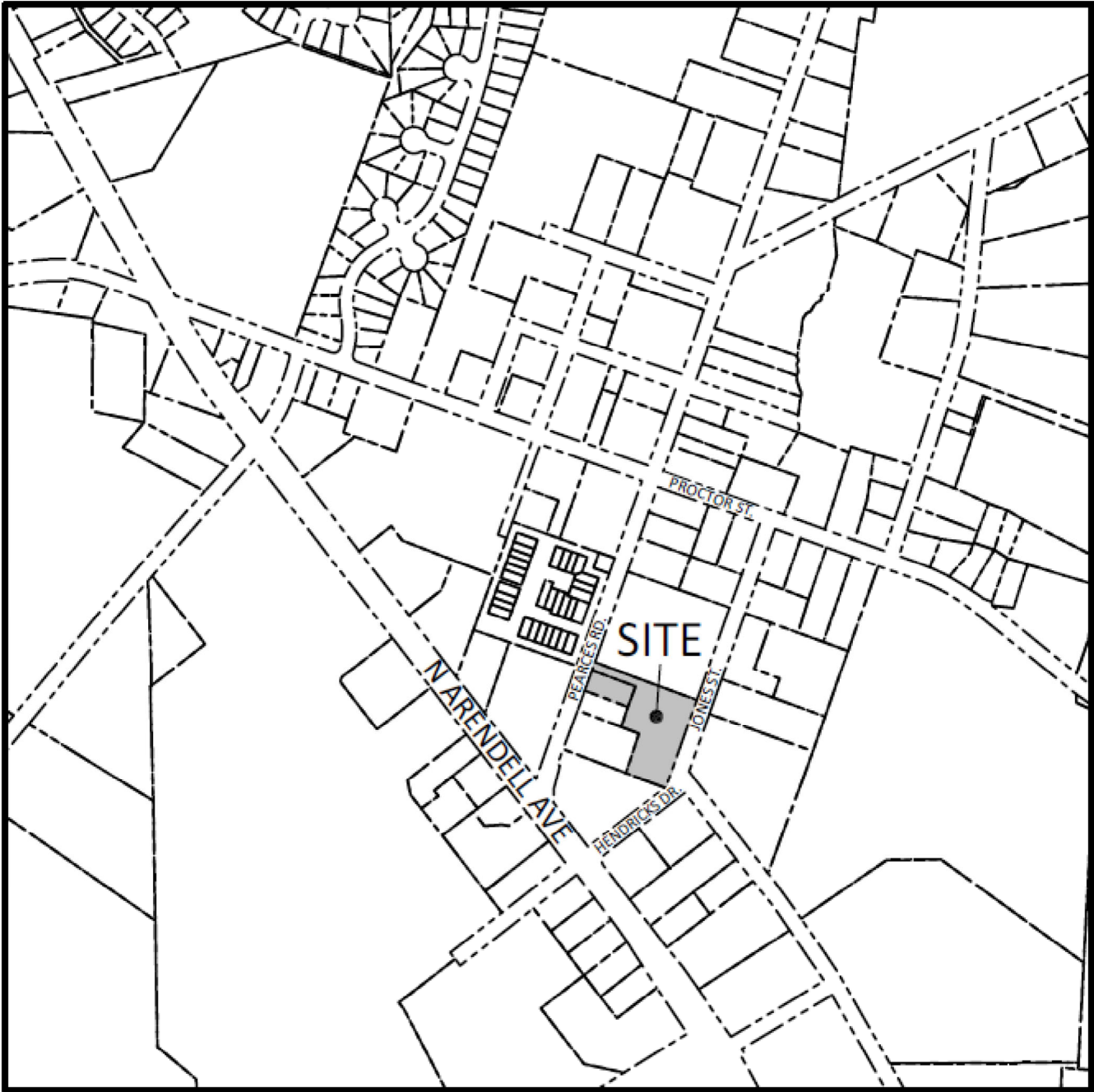
Meeting Address: 538 W. Gannon Avenue, Zebulon NC 27597

Date of Meeting: Thursday, May 22nd, 2025

Time of Meeting: 5:00 PM - 7:00 PM

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-823-1809. You may also find information about the Zebulon Planning Department and on-going planning efforts at <https://www.townofzebulon.org/services/planning>

VICINITY MAP



SCALE: 1"=500'

Address	Owner	Mailing Address 1	Mailing Address 2	Mailing Address 3
204 PEARCES RD	BUNN, DONNA GREEN GREEN, RICHARD ALLEN	603 BRANTLEYTOWN RD	ZEBULON NC 27597-6021	
101 NOSTALGIA LN	MANDAL, ABIR K	101 NOSTALGIA LN	ZEBULON NC 27597-6871	
113 NOSTALGIA LN	HARPER, MARTHA ANN	113 NOSTALGIA LN	ZEBULON NC 27597-6871	
1240 N ARENDELL AVE	PURO DESCANSANDO PARTNERS II LP DESCANSANDO PARTNERS LP	DBA SONIC DRIVE-IN	7003 CHADWICK DR STE 101	BRENTWOOD TN 37027-5288
102 PEARCES RD	WAFFLE HOUSE INC	TAX DEPARTMENT	5986 FINANCIAL DR	NORCROSS GA 30071-2949
102 NOSTALGIA LN	WHITE, AMESHA	102 NOSTALGIA LN	ZEBULON NC 27597-6870	
300 NOSTALGIA LN	BERUBE, TAD ARTHUR	8721 ZEIGLER DR	KNIGHTDALE NC 27545-7466	
100 NOSTALGIA LN	SPELLER, JULIAN THOMAS TRUSTEE SPELLER, BRENDA AYERS TRUSTEE	106 E LEE ST	ZEBULON NC 27597-2426	
309 NOSTALGIA LN	ROBERTS, JAMES T	309 NOSTALGIA LN	ZEBULON NC 27597-6875	
104 NOSTALGIA LN	EGGIMANN, PETER EGGIMANN, DEVERA	PO BOX 1629	WENDELL NC 27591-1629	
201 PEARCES RD	WAKELON TOWNHOMES HOMEOWNERS ASSN INC	13037 NC HIGHWAY 39	ZEBULON NC 27597-8028	
1406 N ARENDELL AVE	OLDE HERITAGE PROPERTIES LLC	PO BOX 40	ZEBULON NC 27597-0040	
311 NOSTALGIA LN	PAUL, BETTY	311 NOSTALGIA LN	ZEBULON NC 27597-6875	
105 NOSTALGIA LN	HEMPHILL, ANDREW SCOTT	105 NOSTALGIA LN	ZEBULON NC 27597-6871	
107 NOSTALGIA LN	WILSON, SHELIA COUNCIL	107 NOSTALGIA LN	ZEBULON NC 27597-6871	
109 NOSTALGIA LN	GILLEENY, RYAN GILLEENY, KYNDRA	109 NOSTALGIA LN	ZEBULON NC 27597-6871	
304 NOSTALGIA LN	GUEVARA, BETHANN M	304 NOSTALGIA LN	ZEBULON NC 27597-6874	
301 JONES ST	CG ENTERPRISES OF NC LLC	1609 WHISPERING MEADOWS DR	ZEBULON NC 27597-7367	
108 PEARCES RD	CG ENTERPRISES OF NC LLC	1609 WHISPERING MEADOWS DR	ZEBULON NC 27597-7367	
1300 N ARENDELL AVE	BELLWOOD FOREST LLC	2701 E MILLBROOK RD	RALEIGH NC 27604-2811	
103 NOSTALGIA LN	SILVER, RODERICK N	103 NOSTALGIA LN	ZEBULON NC 27597-6871	
1260 N ARENDELL AVE	EPARK LLC	PO BOX 10907	GOLDSBORO NC 27532-0907	
111 NOSTALGIA LN	DAUPHINAIS, STEPHANIE DAUPHINAIS, PAUL B	111 NOSTALGIA LN	ZEBULON NC 27597-6871	
602 MOORE ST	SANTANA, LEONEL	602 MOORE ST	ZEBULON NC 27597-8700	
106 PEARCES RD	LE, KHANH Q NGUYEN, NGOC N	3715 HINTON GROVE PL	RALEIGH NC 27604-5058	
600 MOORE ST	LONG, EMILY ANN	600 MOORE ST	ZEBULON NC 27597-8700	
404 JONES ST	BMSS1	404 JONES ST	ZEBULON NC 27597-8708	
308 NOSTALGIA LN	INGRAM, BIELCA INGRAM, WILLIAM	308 NOSTALGIA LN	ZEBULON NC 27597-6874	
106 NOSTALGIA LN	CARAPELLE, BEVERLY L	106 NOSTALGIA LN	ZEBULON NC 27597-6870	
1000 HENDRICKS DR	JTSJ INC	9107 S TRYON ST STE F	CHARLOTTE NC 28273-3125	
300 JONES ST	CHURCH OF JESUS CHRIST OF LATTER-DAY	TAX ADM DIV 521-6575	50 E NORTH TEMPLE RM 2225	SALT LAKE CITY UT 84150-0022

NEIGHBORHOOD MEETING SIGN-IN SHEET:

This document is a public record under the North Carolina Public Records Act and may be published on the Town’s website or disclosed to third parties.

Project Name: 301 Jones Street and 108 Pearces Road

Meeting Address: 538 W. Gannon Avenue , Zebulon, NC 27597

Date of Meeting: 5/22/2025 Time of Meeting: 5-7 PM

Property Owner(s) Names: CG Enterprises of NC LLC

Applicants: O'Kane and Associates, PLLC

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	Name/ Organization	Address	Phone#	E-mail
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Attach Additional Sheets If Necessary.



SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town’s website or disclosed to third parties.

Project Name: 301 Jones Street and 108 Pearces Road

Meeting Address: 538 W. Gannon Avenue , Zebulon, NC 27597

Date of Meeting: 5/22/2025 Time of Meeting: 5-7 PM

Property Owner(s) Names: CG Enterprises of NC LLC

Applicants: O'Kane and Associates, PLLC

Please summarize the questions/comments and your response from the Neighborhood Meeting in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be “Noted” or “No Response”. There has to be documentation of what consideration the neighbor’s concern was given and justification for why no change was deemed warranted.

Question/ Concern #1 No community members attended meeting.

Applicant Response: N/A

Question/ Concern #2

Applicant Response:

Question/ Concern #3

Applicant Response:

Question/ Concern #4

Applicant Response:



INFORMATION PACKET FOR
NEIGHBORHOOD MEETINGS

AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN
SHEET AND ISSUES/RESPONSES SUBMITTAL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I, Brian O'Kane, do hereby declare as follows:
Print Name

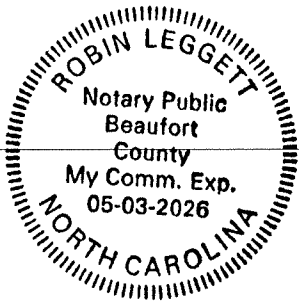
- 1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit.
- 2. The meeting invitations were mailed to the Zebulon Planning Department, all property owners within 750 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
- 3. The meeting was conducted at 538 W. Gannon Avenue , Zebulon, NC 27597 (location/address) on 5/22/2025 (date) from 5:00 PM (start time) to 7:00 PM (end time).
- 4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
- 5. I have prepared these materials in good faith and to the best of my ability.

6/25/2025 By: Brian O'Kane Brian O'Kane
Date

STATE OF NC
COUNTY OF Beaufort

Sworn and subscribed before me, Robin Leggett, a Notary Public for the above State and County, on this the 25th day of June, 2025.

SEAL

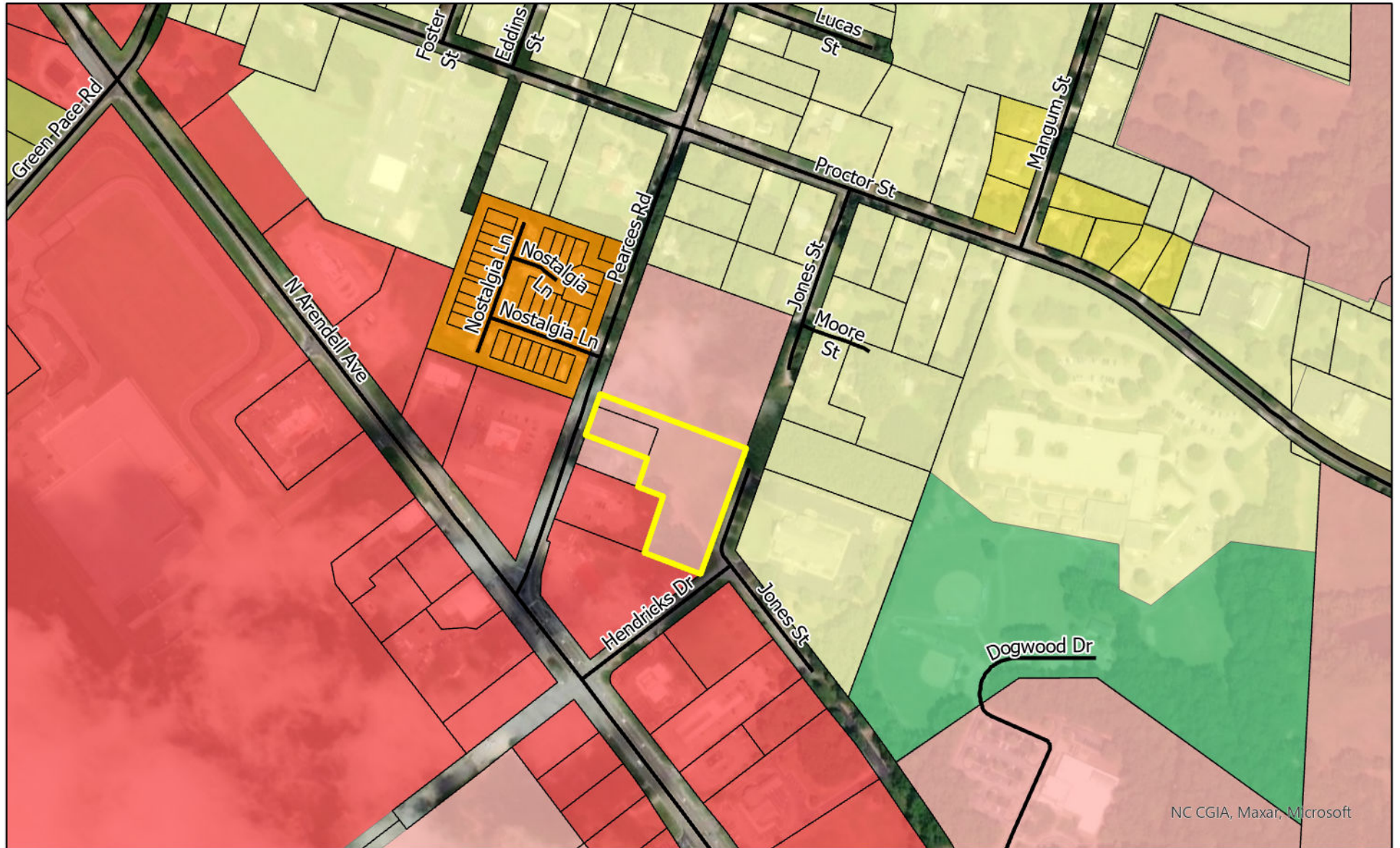


Notary Public

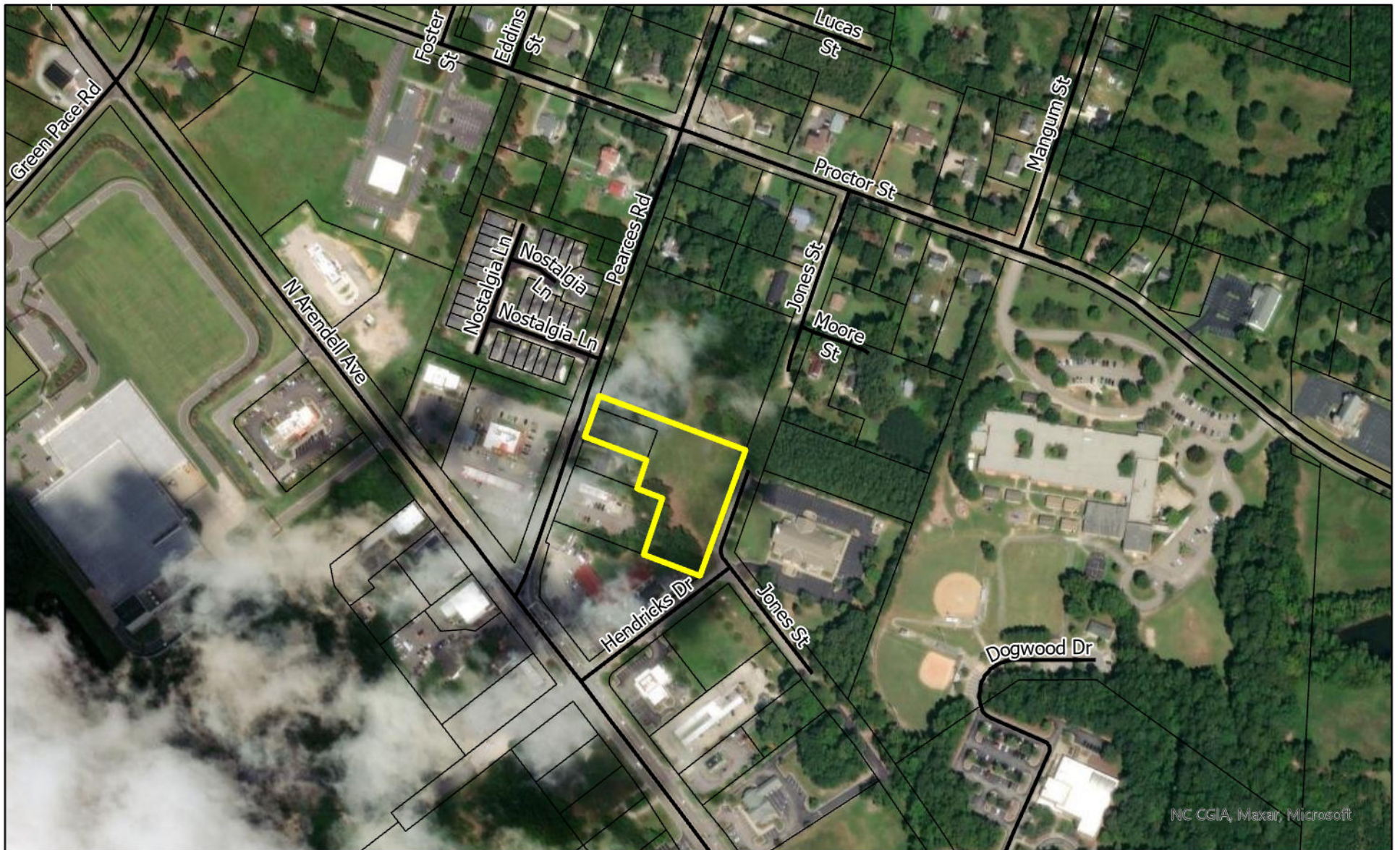
Robin Leggett
Print Name

My Commission Expires:
5-3-26

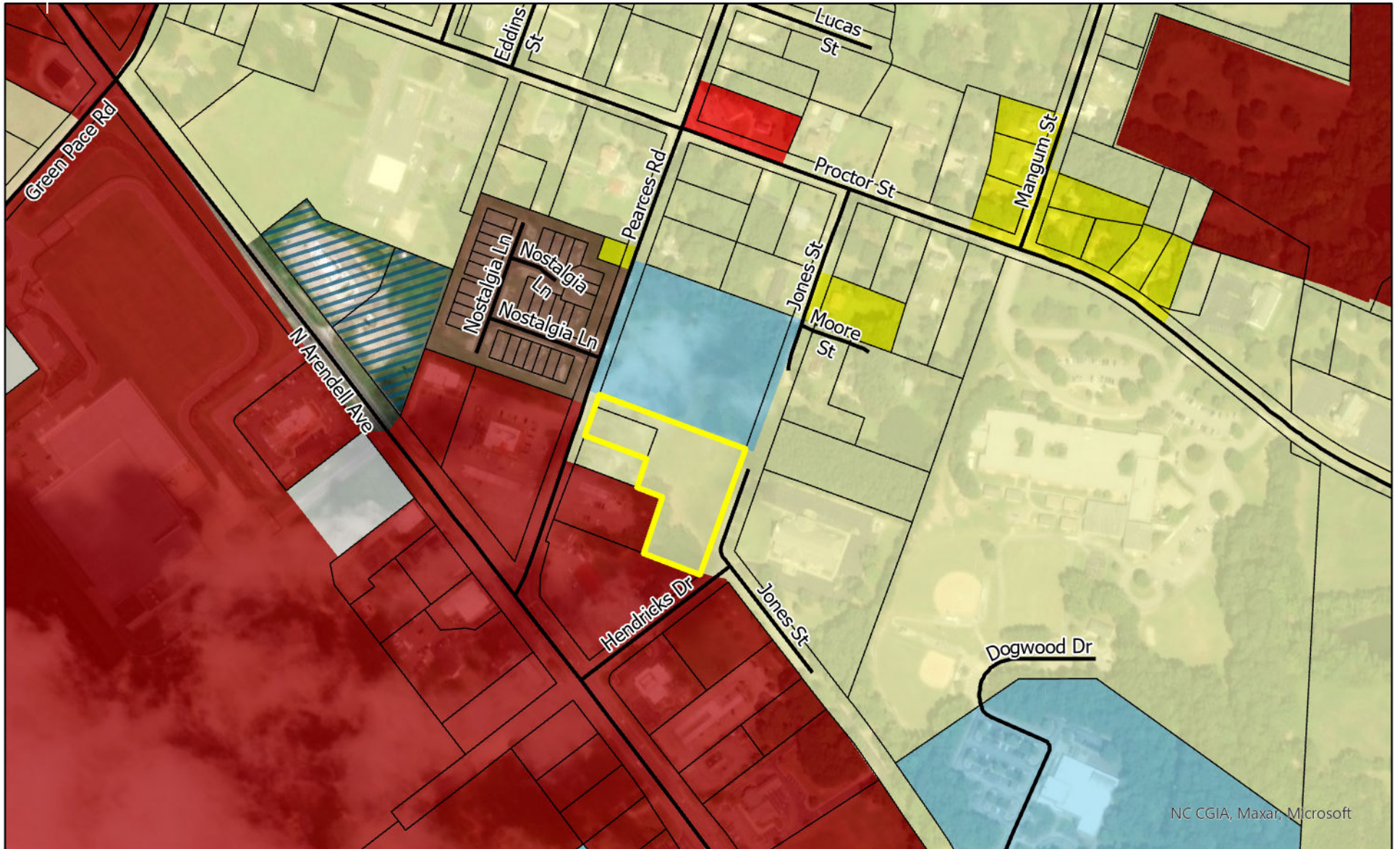
Future Land Use



Aerial Map



Zoning Map



NC CGIA, Maxar, Microsoft



 24/7 Fitness

 Parcels

Streets

Zoning Districts

R1, Residential Watershed

R2, Residential Suburban

R4, Residential Neighborhood

RMF, Residential Multi-Family

GC, General Commercial

HC, Heavy Commercial

LI, Light Industrial

OI, Office and Institutional

CZ, Conditional Zoning



View of the site from Jones Street.



View of the site from Pearces Road.

ZEBULON
NORTH CAROLINA

CASE # Zoning Map Amendment 2025-02 – 301 Jones St and 108 Pearces Rd

HEARING DATE: August 11, 2025

State of North Carolina

County of Wake

BEFORE ME, the undersigned Notary, E. McKinney Warner on this 7th day of August 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 July 28, 2025 (Wake weekly, publication dates **8/1/2025 & 8/8/2025**)
- Posted to Planning Department Website **7/28/2025**
- Signs Posted on Site **8/1/2025**
- Mailed Notices sent out **8/1/2025**

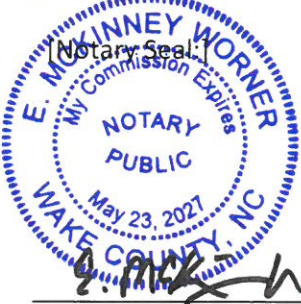
[Signature]

Aug 7 2025

Matthew Lower

Date

Subscribed and sworn to before me, this 7th day of August 2025.



[Signature]

E. McKinney Warner

[signature of Notary]

[printed name of Notary]

NOTARY PUBLIC

My commission expires: May 23, 2027.

Notice of Public Hearing

Notice is hereby given pursuant to the provisions of Article 2.3.6 of the Town of Zebulon Unified Development Ordinance that a public hearing will be held on **August 11, 2025, at 6:00 PM** at the **Zebulon Municipal Complex, 1003 N. Arendell Avenue**, and will be conducted by the Board of Commissioners and the Planning Board for the purpose of considering the following items:

***IDT Project Number 1777124 – Zoning Map Amendment 2025-02 – 301
Jones St and 108 Pearces Rd***

PIN # 2706015099, 2706014224. A request by O’kane and Associates on behalf of property owner CP Enterprises of NC, for a rezoning from Residential Suburban (R2) to General Commercial (GC)

Text Amendment 2025-03 – Amendment of the Mobile Food Vendors ordinance

A request led by the Town of Zebulon, for a text amendment to section 4.5 of the UDO amending the language around Mobile Food Vendors.

Public comments may be submitted to Town Clerk Ana Gomez at agomez@townofzebulon.org no later than 12:00 Noon on the day of the hearing to be read into the record. Links will be provided along with the full application packet and documentation on the Planning Department web page at <https://www.townofzebulon.org/departments/planning/public-hearing-information> For questions or additional information, please contact us at (919) 823-1811.

Notificación de Audiencia Pública

Por la presente se notifica, de conformidad con las disposiciones del Artículo 2.3.6 de la Ordenanza de Desarrollo Unificado del Pueblo de Zebulon, que se celebrará una audiencia pública el **11 de agosto de 2025, a las 6:00 PM** en el **Complejo Municipal de Zebulon, 1003 N. Arendell Avenue**, y será llevada a cabo por la Board of Commissioners y la Planning Board con el fin de considerar los siguientes puntos:

IDT Proyecto Número 1777124 – Enmienda al Mapa de Zonificación 2025-02 – 301 Jones St y 108 Pearces Rd

PIN # 2706015099, 2706014224. Una solicitud de O'Kane y Asociados en nombre del dueño de la propiedad CP Enterprises of NC, para una rezonificación de Residencial Suburbano (R2) a Comercial General (GC).

Enmienda de texto 2025-03 – Enmienda de la ordenanza de vendedores ambulantes de alimentos

Una solicitud dirigida por la Ciudad de Zebulon, para una enmienda de texto a la sección 4.5 de la UDO que modifica el lenguaje en torno a los vendedores ambulantes de alimentos.

Los comentarios del público pueden ser presentadas a Town Clerk Ana Gómez en agomez@townofzebulon.org no más tarde de las 12:00 del mediodía del día de la audiencia para ser leído en el registro. Los enlaces se proporcionarán junto con el paquete de solicitud completa y la documentación en la página web del Departamento de Planificación en <https://www.townofzebulon.org/departments/planning/public-hearing-information>. Para preguntas o información adicional, póngase en contacto con nosotros en (919) 823-1811

Planning Office

 codeenforcement@townofzebulon.org

☎ 919-823-1810

Matt Lower

Planning Director

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Star Brantley

Planner I

EN >

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PUBLIC HEARING INFORMATION

Notice of Public Hearing

Notice is hereby given pursuant to the provisions of Article 2.2.6 of the Town of Zebulon Unified Development Ordinance that a public hearing will be held on **August 11, 2025, at 6:00 PM** at the **Zebulon Municipal Complex, 1003 N. Arendell Avenue**, and will be conducted by the Board of Commissioners and the Planning Board for the purpose of considering the following items:

IDT Project Number 1777124 - Zoning Map Amendment 2025-02 - 301 Jones St and 108 Pearces Rd

PIN# 2706015099, 2706014224A request by O'Kane and Associates on behalf of property owner CP Enterprises of NC, for a rezoning from Residential Suburban (R2) to General Commercial (GC)

Text Amendment 2025-03 - Amendment of the Mobile Food Vendors ordinance

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Notificación de Audiencia Pública

Por la presente se notifica, de conformidad con las disposiciones de Artículo 2.3.3 de la Ordenanza de Desarrollo Unificado del Pueblo de Zebulon, que se celebrará una audiencia pública el **11 de agosto de 2025, a las 6:00 PM** en el **Complejo Municipal de Zebulon, 1003 N. Arendell Avenue**, y será llevada a cabo por la Board of Commissioners y la Planning Board con el fin de considerar los siguientes puntos:

[illegible]





TABLE 4.2.3: PRINCIPAL USE TABLE																
A=Allowed (if listed in a PD master plan); P=Permitted subject to applicable use-specific standards; S=Requires approval of a special use permit and compliance with applicable use-specific standards; "-"=Prohibited																
USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE				USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	PD	
RESIDENTIAL USE CLASSIFICATION																
Assisted Living Facility	.	.	.	S	S	.	P	.	.	.	.	P	.	P	A	4.3.3.A
Continuing Care Retirement Center	.	.	.	P	P	S	P	.	.	.	.	P	.	P	A	4.3.3.D
Duplex Dwelling	.	S	S	P	P	P	S	.	.	.	.	P		P	A	
Family Care Home	P	P	P	P	P	P	P	.	.	.	.	P		P	A	4.3.3.E
Live/Work Dwelling	.	.	.	.	P	P	P	P	S	.	.	P	P	P	A	4.3.3.H
Multi-family Dwelling	.	.	S	S	P	.	P	.	.	.	.	P	P	P	A	4.3.3.M
Nursing Home	.	.	S	S	S	S	P	.	.	.	.	P	.	P	A	
Single-family Attached Dwelling	.	.	S	S	P	.	P	.	.	.	.	P		P	A	4.3.3.O
Single-family Detached Dwelling	P	P	P	P	P	P	P	.	.	.	.	P		P	A	4.3.3.P
Triplex/Quadplex	.	.	S	P	P	P	P	.	.	.	.	P		P	A	4.3.3.Q
Upper-story Residential	.	.	.	P	P	P	P	P	P	P	.	P	P	P	A	4.3.3.R
INSTITUTIONAL USE CLASSIFICATION																
Adult Day Care Center	.	.	.	.	S	.	P	P	.	.	.	P	.	S	A	4.3.4.A
Antenna Collocation, Major	S	S	S	S	P	P	P	P	P	P	P	P	P	P	A	4.3.4.B
Antenna Collocation, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	
Arboretum or Formal Garden	P	P	P	P	P	P	P	.	.	.	.	P	P	P	A	
Auditorium	.	.	.	.	.	.	P	P	S	P	.	P	P	P	A	4.3.4.C
Broadcasting Studio	.	.	.	.	.	.	P	P	P	.	.	.	P	P	A	4.3.4.D
Cemetery, Columbarium, or Mausoleum	.	S	.	.	.	.	S	S	S	.	S	S	.	.	A	4.3.4.E
Child Day Care Center	.	S	S	S	P	P	P	P	.	.	.	P	P	P	A	4.3.4.F
Child Day Care, Drop In						P	P	P				P	P	P	A	
College or University	.	.	.	.	.	.	S	S	.	.	.	P	.	P	A	
Community/Youth/ Senior Center	.	.	.	.	P	P	P	P	.	.	.	P	P	P	A	4.3.4.G
Cultural Facility, Library, or Museum	.	.	.	.	S	P	P	P	.	.	.	P	P	P	A	

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USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE				USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	PD	
Drug/Alcohol Treatment Facility	.	.	.	.	.	.	S	S	.	.	.	P	.	S	.	4.3.4.I
Fire/EMS/Police Station	.	.	.	P	P	P	P	P	P	P	P	P	P	P	A	
Fraternal Club or Lodge	.	S	S	P	P	S	P	P	.	.	.	P	.	S	A	4.3.4.J
Government Office	.	.	.	.	P	P	P	P	P	P		P	P	P	.	
Indoor Private Recreation	.	P	P	P	P	P	P	.	.	.	.	P	.	P	A	
Outdoor Private Recreation	.	S	S	P	P	P	P	.	.	.	.	P	.	S	A	
Park (public or private)	P	P	P	P	P	P	P	P	P	P	.	P	P	P	A	
Passenger Terminal	.	.	.	.	.	P	P	P	P	P	P	P	P	P	A	
Post Office	.	.	.	.	.	P	P	P	.	.	.	P	P	P	A	
Religious Institution	.	S	S	P	P	S	P	P	.	.	.	P	.	S	A	4.3.4.M
School, Elementary	.	S	S	P	P	S	P	P	.	.	.	P	.	S	A	
School, High/Middle	.	S	.	.	.	S	P	P	.	.	.	P	.	S	A	4.3.4.N
Small Wireless Facility	S	S	S	S	P	P	P	P	P	P	P	P	P	P	A	4.3.4.P; 4.3.4.S
Telecommunications Tower, Minor or Concealed	.	.	S	S	S	S	S	S	P	P	P	S	.	.	A	4.3.4.Q; 4.3.4.S
Temporary Wireless Facility	.	S	S	S	S	S	P	P	P	P	P	P	S	S	A	4.3.4.R; 4.3.4.S
Urgent Care Facility	.	.	.	.	.	P	P	P	.	.	.	P	.	P	A	
Utility, Major	.	.	.	.	.	.	P	P	P	P	P	P	.	P	A	4.3.4.T
Utility, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	4.3.4.T
COMMERCIAL USE CLASSIFICATION																
Animal Day Care / Grooming	.	.	.	.	.	P	P	P	P	.	P	.	.	P	A	4.3.5.B
Art Gallery						P	P	P				P	P	P	A	4.3.5.D
Artisan Studio						P	P	P		P		P	P	P	A	4.3.5.E
Auction House	.	.	.	.	.	.	P	P	P	.	P	.	.	P	A	
Automotive Repair and Servicing (without painting/bodywork)	.	.	.	.	.	.	P	P	P	.	P	.	.	S	.	4.3.5.F
Automotive Sales and Rentals	.	.	.	.	.	.	P	P	P	.	P	.	.	P	A	4.3.5.G

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USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE				USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	PD	
Automotive Parts and Accessories Sales	.	.	.	.	.	.	P	P	.	.	.	.	.	P	A	
Bar, Cocktail Lounge, or Private Club	.	.	.	.	.	S	S	S	S	.	.	.	P	P	A	4.3.5.J
Bed and Breakfast	S	S	S	S	P	P	P	P	.	.	.	P	P	P	A	4.3.5.K
Boat and Marine Rental, Sales, and Service	.	.	.	.	.	.	P	P	P	.	P	.	.	.	A	
Bottle Shop (with on premise consumption)	.	.	.	.	.	S	S	P	S	.	.	.	P	P	A	4.3.5.L
Business Incubator	.	.	.	.	.	P	P	P	P	P	.	P	P	P	A	4.3.5.M
Campground	.	.	.	.	P	.	P	.	P	.	.	.	.	.	A	4.3.5.N
Car Wash or Automobile Detailing	.	.	.	.	.	.	P	P	P	.	.	.	.	P	A	4.3.5.O
Catering Establishment	.	.	.	.	.	.	P	P	P	.	P	.	P	P	A	
Check Cashing/Payday Lending Establishment	.	.	.	.	.	.	S	S	.	.	.	.	.	S	.	
Clothing Rental	.	.	.	.	.	.	P	P	.	.	.	.	P	P	A	
Coffee Shop	.	.	.	.	S	P	P	P	.	P	.	P	P	P	A	4.3.5.P
Commercial Recreation, Indoor	.	.	.	.	.	.	P	P	P	.	.	.	P	P	A	
Computer-Related Services	.	.	.	.	.	P	P	P	P	.	.	.	P	P	A	
Convenience Store (no gasoline sales)	.	.	.	.	.	P	P	P	.	S	.	.	P	P	A	
Convenience Store (with gasoline sales)	.	.	.	.	.	.	P	P	.	.	.	.	.	S	A	4.3.5.Q
Co-Working Space	.	.	.	.	.	P	P	P	P	P	.	P	P	P	A	4.3.5.R
Event Venue	S	.	.	.	.	P	P	P	.	P	.	.	P	P	A	4.3.5.S
Financial Services Establishment	.	.	.	.	.	P	P	P	.	.	.	P	P	P	A	4.3.5.T
Funeral-Related Services	.	.	.	.	.	.	S	S	S	.	.	.	.	.	.	4.3.5.V
Games of Skill	.	.	.	.	.	.	S	S	.	.	.	.	.	.	.	4.3.5.W
Grocery Store	.	.	.	.	.	P	P	P	.	.	.	.	P	P	A	
Gymnasium/ Fitness Center	.	.	.	.	S	P	P	P	S	.	.	P	P	P	A	4.3.5.Z

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	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	PD	
Hair, Nails, and Skin-Related Services	.	.	.	.	.	P	P	P	.	.	.	P	P	P	A	
Hotel or Motel	.	.	.	.	.	.	P	P	P	.	.	.	P	P	A	
Laundry or Cleaning Service	.	.	.	.	S	P	P	P	.	.	.	.	P	P	A	4.3.5.CC
Microbrewery, Microwinery, or Microdistillery	.	.	.	.	.	S	P	P	P	.	P	.	P	P	A	4.3.5.DD
Nightclub or Dance Hall	.	.	.	.	.	.	P	P	.	.	.	.	P	P	A	4.3.5.EE
Office, Medical	.	.	.	.	.	P	P	P	P	.	.	P	P	P	A	
Office, Professional	.	.	.	.	P	P	P	P	P	.	.	P	P	P	A	
Office, Sales or Service	.	.	.	.	.	P	P	P	.	P	.	P	P	P	A	
Package and Printing Service	.	.	.	.	.	P	P	P	.	S	.	P	P	P	A	
Park and Ride Facility	.	.	.	.	P	P	P	P	P	P	P	P	P	P	A	
Parking Lot	.	.	.	.	P	P	P	P	P	P	P	P	P	P	A	4.3.5.HH
Parking Structure	.	.	.	.	S	S	P	P	P	P	P	P	P	P	A	4.3.5.II
Pawn Shop							P	P					P	P	A	4.3.5.JJ
Pharmacy	.	.	.	.	.	S	P	P	.	.	.	S	P	P	A	4.3.5.KK
Pool Hall	.	.	.	.	.	.	S	S	.	.	.	.	S	S	A	
Repair Shop	.	.	.	.	.	.	P	P	P	.	.	.	P	P	A	4.3.5.MM
Restaurant Indoor/Outdoor Seating	.	.	.	.	.	P	P	P	.	P	.	P	P	P	A	4.3.5.NN
Restaurant with Drive-through/Drive-up Service	.	.	.	.	.	.	P	P	.	P	.	P	.	.	A	4.3.5.NN
Restaurant, Walk-up Only	.	.	.	.	P	P	P	P	P	P	.	P	P	P	A	4.3.5.NN
Retail, Bulky Item	.	.	.	.	.	.	S	P	P	.	.	.	.	.	A	4.3.5.OO
Retail, Large Format	.	.	.	.	.	.	S	P	P	.	.	.	.	S	A	4.3.5.PP
Retail Use, Other	.	.	.	.	.	P	P	P	P	.	.	.	P	P	A	
Self Service Storage, Internal Access Only	.	.	.	.	.	.	S	S	P	.	P	.	.	P	A	4.3.5.QQ
Specialty Eating Establishment	.	.	.	.	.	P	P	P	.	.	.	S	P	P	A	4.3.5.SS
Tattoo and Piercing Establishment	.	.	.	.	.	.	P	P	.	.	.	.	.	S	A	
Theatre	.	.	.	.	.	P	P	P	.	.	.	.	P	P	A	

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	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	PD	
Vape, Tobacco, and CBD Shop							P	P					P	P	A	4.3.5.UU
Veterinary Clinic	.	.	.	.	.	P	P	P	.	.	.	.	P	P	A	4.3.5.VV
INDUSTRIAL USE CLASSIFICATION																
Makerspace		.	.	.	.	.	P	P	P	P	P	.	P	P	A	4.3.6.G
AGRICULTURAL USE CLASSIFICATION																
Agricultural Support Services	.	.	.	.	.	.	P	P	P	.	P	.	.	.	A	4.3.7.B
Farmer's Market	.	.	.	.	P	P	P	P	.	.	.	.	P	P	A	4.3.7.D
Plant Nursery	.	S	.	.	.	.	P	P	.	.	.	.	.	.	A	
NOTES:																
[1] Some use types may be further limited in allowable zoning districts or may require a different procedure for establishment in accordance with Section 4.7, Prohibited Uses , or Section 3.8 Overlay Zoning Districts .																
[2] Uses are defined in Article 9, Measurement and Definitions.																
[3] Manufactured housing is only permitted on lots in the manufactured home overlay district.																

Topic: Downtown Food Trucks
From: Matt Lower, Planning Director
Speaker: Chris Medina, Planner I
To: Taiwo Jaiyeoba, Interim Town Manager

Background

As part of the ongoing Unified Development Ordinance (UDO) evaluation, the Planning Department has identified inconsistencies between historical food truck permitting practices and current ordinance language. Specifically, UDO Section 4.5.4.3.c permits mobile food vendors only on private property yet permits have historically been issued for food truck operations on public streets within the Downtown Core (DTC).

After consultation with the Manager's Office and the Community & Economic Development Department, staff determined that an abrupt reversal of this longstanding practice would raise fairness and due process concerns. In response, and in alignment with the Planning Director's May 21 Advisory Interpretation on Uncertainties, the Planning Department has worked to protect due process and economic expectation while a permanent solution is developed.

These proposed changes are focused on day-to-day operations of food trucks in the Downtown Core and does not apply to Town-sponsored events or special events separately permitted.

This memo outlines six potential policy paths for the Board of Commissioners' consideration as part of the forthcoming UDO amendment process.

Policy Options for Future Food Truck Operations in the DTC

Option 1: Prohibit Food Trucks in public areas of the DTC

- **Summary:** Discontinue all food truck operations on public streets in the DTC.
- **Purpose:** Preserve the pedestrian environment, support brick-and-mortar businesses, and maintain downtown aesthetics.
- **Implications:** Ends historical precedent; simplifies enforcement; removes all food truck flexibility in publicly owned areas of the DTC.

Option 2: Designated Food Truck Spots on Vance or Horton Streets

- **Summary:** Create one or more permanent food truck spaces outside of Arendell Avenue, on secondary downtown streets.
- **Purpose:** Provide consistent, lower-impact space for food trucks with minimal disruption to traffic and storefronts.
- **Considerations:** Likely to require Town oversight; a rotation-based permitting system could help ensure equitable access. Notably, the Town owns power infrastructure along W. Horton Street (next to 117 N. Arendell) and on Vance St next to the Town Parking Lot that could support generator-free operation.

Option 3: Limited Days on Vance and Horton Streets

- **Summary:** Permit food trucks on Vance and Horton Streets, but restrict operation to designated days (e.g., weekends).
- **Purpose:** Promote vibrancy during targeted periods while minimizing long-term curbside occupation.
- **Considerations:** May appeal to vendors seeking weekend exposure; easier to manage enforcement on a part-time basis.

Option 4: One Designated Spot on Arendell Avenue (Limited Days)

- **Summary:** Allow a single food truck to operate on North Arendell Avenue on designated days.
- **Purpose:** Maintain a visible food truck presence in the heart of downtown while limiting disruption.
- **Considerations:** Represents a compromise between full restriction and full access; may reduce complaints related to multiple reserved spaces. Town oversight would likely be necessary.

Option 5: Multiple Food Trucks on Arendell Avenue (Limited Days)

- **Summary:** Permit multiple food trucks to operate along Arendell Avenue on specified days (e.g., Fridays and Saturdays).
- **Purpose:** Activate downtown for special events, weekends, or high-traffic periods.
- **Considerations:** Most intensive option; would require structured permitting, coordinated parking management, and active enforcement of staging and setup procedures.

Option 6: Align UDO with Historical Practice

- **Summary:** Amend the UDO to formally allow food truck operations on public streets within the Downtown Core, consistent with how permits have historically been issued.
- **Purpose:** Resolve inconsistencies between ordinance language and longstanding permitting practices, ensuring legal clarity and regulatory continuity.
- **Considerations:** Maintains the status quo and avoids disrupting vendor operations or business expectations. Would require careful drafting to define boundaries, operational hours, parking reservations, and any limitations to ensure public safety and equitable access

Additional Considerations

Clarify the Problem:

As policy goals are refined, the Town Board may want to revisit a central question: *What challenge are we trying to solve?* Depending on the answer, different options may prove more suitable than others.

- **Equity and Business Incubation through a Permanent Rodeo Area:** The Town could explore creating a dedicated food truck rodeo zone on publicly owned property. While this would require significant capital investment, it could provide a long-term solution aligned with Board priorities around equity and supporting small businesses. A permanent location could help incubate and scale local businesses- for example, SmashMasters began as a food truck before transitioning to a brick-and-mortar establishment.

- **Align with the Local Dining Economy:** Zebulon already has several downtown and downtown-adjacent restaurants. Is there an opportunity to design the food truck policy in a way that supports local bars and prioritizes food offerings from existing establishments- for example, by encouraging partnerships between food trucks and nearby restaurants?

Hybrid Approach:

Option 2 or 3 could be paired with Option 4 or 5 to allow flexibility while minimizing negative impacts. A hybrid approach may be appropriate if the goal is to retain some visibility along Arendell while limiting permanent curbside occupation.

Next Steps

- Staff will continue gathering feedback from downtown businesses, food truck operators, and the public.
- The Joint Public Hearing is scheduled for August 11, providing an opportunity for public input and open discussion between the Planning Board and the Board of Commissioners.
- A final recommendation will be presented to the Board no sooner than September 2025, following full analysis of stakeholder feedback and operational feasibility.

Enforcement

Town staff will develop an enforcement approach aligned with the Board of Commissioners' decision- whether to maintain mobile food vendor permitting and scheduling responsibilities with the businesses (Options 3, 5, and 6), or to transfer scheduling responsibility to the Town (Options 2 and 4).

If the Board selects Option 1, or as part of implementing any other option, staff will also work with the Town Attorney to ensure the enforcement approach respects the economic expectations of existing permit holders until their permits expire.

Recommendation

Staff does not recommend a specific option at this time but requests guidance from the elected and appointed officials on a preferred direction. Each option reflects a different balance between vibrancy, accessibility, and the long-term management of downtown public space. Further discussion and recommendation from Planning Board will allow staff to refine appropriate draft UDO language for further consideration.

Attached

1. Option 1 Text
2. Option 2 Text
3. Option 3 Text
4. Option 4 Text
5. Option 5 Text
6. Option 6 Text
7. Public Meeting Notice Affidavit

1. Use of an alternate location or date;
2. Modification or elimination of certain proposed activities;
3. Regulation of operating hours and days, including limitation of the duration to a shorter time period than requested or specified in this subsection; and
4. Submission of a performance guarantee to ensure that any temporary use will be removed from the lot or site within a reasonable time and the lot or site will be restored to its former condition.

4.1.2. STANDARDS FOR SPECIFIC TEMPORARY USES

A. MOBILE FOOD VENDORS

1. PURPOSE

This section is designed to provide standards relative to the accessibility, appearance, and safety regarding commercial food vending, as well as to preserve the peace and enjoyment of residences and occupation of a site by a properly licensed business.

2. OPERATIONAL REGULATIONS

- a. A mobile food vendor permit shall be required as provided for herein.
- b. Noncommercial private events held on single-family detached and duplex lots shall not be required to obtain a mobile food vendor permit.
- c. The following activities shall not be required to obtain a mobile food vendor permit provided that all required permits are obtained:
- d. Mobile food vendors that that stop based on customer demand for point of sale service and move to a different location such as an ice cream truck or similar operation.
- e. Mobile food vendors operating as part of a Town of Zebulon sponsored event, provided that all required permits are obtained, if applicable, and that the mobile food vendor:
 - i. Is not open to the public, such as outdoor weddings and employee parties;
 - ii. Is located on a site with a single user and/or tenant; and,
 - iii. Noncommercial private events held on single-family detached, duplex lots, or common space owned by a home owners association, if applicable, the mobile food vendor:
 1. Is not open to the public, such as outdoor weddings, employee parties and homeowner association events;
 2. Is located on a site with a single user/ or tenant;
 3. Will not make, cause, or allow the making of any noise or sound which exceeds the limits set forth in the Town of Zebulon's Code of Ordinances, as may be amended from time to time, and will not generate adverse traffic, or other nuisance impacts on adjacent properties.
- f. Permits, unless sooner suspended or revoked, shall be valid for no longer than one year expiring at the end of the calendar year.
- g. Permit certificates shall be attached to the mobile food vendor unit where they are readily visible and shall include the name, mailing address, and valid phone number of the mobile food vendor unit owner and shall list the addresses and parcel identification numbers where the permit is valid.
- h. Routine inspections may be conducted by local inspectors on each mobile food unit at any time and at any frequency deemed appropriate by the Town.
- i. Any mobile food vendor unit that has a suspended or revoked permit by the State of North Carolina and/or Wake County, and on a subsequent inspection, a State of North Carolina and/or Wake County Inspector determines that the mobile food vendor has not corrected the violation(s), shall have its Town-issued mobile food vendor permit revoked and food service shall cease in the Town.
- j. A permit issued under this section is not transferable.

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3. STANDARDS

The following standards shall apply to all mobile food vendor permits, unless exempt above:

- a. No products shall be sold from any mobile food vendor unit which is stopped, standing, or parked in any public street, right-of-way, or easement. Nor shall the mobile food vendor impede the flow of traffic or pedestrians on the sidewalk.
- b. Mobile food vendor units are prohibited on all parcels used for residential purposes as designated on the Official Zoning Map or on the grounds of any government office, facility, public park, recreation area, or other similar public land within the Town, which is under the control, operation, or management of the Town, except as otherwise allowed in this section or by law.
- c. Mobile food vendors are allowed within the Town's planning jurisdiction so long as the mobile food vendor unit is located on private property designated and used for commercial, industrial, or nonresidential purposes, subject to the following conditions:
 - i. Mobile food vendors shall not provide customer seating.
 - ii. No display areas, merchandise, or stored items in association with the vendor or those associated with the principal use on the property, which are displaced due to the vending activity, shall encroach onto any public street, right-of-way, or easement, or onto any adjacent private property without express permission from that property owner.
 - iii. The mobile food vendor shall set up and locate the vehicle, wares, and/or any associated displays in accordance with the principal structure setback requirements of the district where located.
 - iv. The mobile food vendor sales area shall not exceed more than two parking spaces or six hundred square feet in area, whichever is greater. However, at no time may the required number of parking spaces for the principal use of the property be rendered nonconforming due to vendor use.
 - v. The mobile food vendor unit shall not interfere with required parking, loading and unloading spaces or the vehicular access to those spaces for the principal use.
 - vi. The mobile food vendor unit shall not block, damage, or interfere with required landscaping, buffers, or stormwater drainage systems on the subject property.
 - vii. During periods of nonuse, mobile food vendor equipment must remain locked and secured, unless otherwise required by the State of North Carolina or Wake County.
 - viii. The mobile food vendor shall be prohibited from selling or distributing any type of glass container with the exception of sealed prepackaged nonalcoholic beverages such as sodas or juices.
 - ix. Amplified music or other sounds from any mobile food vendor unit for the purposes of vending products is prohibited.
 - x. All mobile food vendors shall operate in compliance with Title IX: General Regulations, Chapter 97: Noise, of the Town Code of Ordinances.
 - xi. Mobile food vendors shall be prohibited from discharging fat, oil, grease, or waste water into the sanitary sewer system. Waste shall be properly stored and disposed of at a properly designated location.
 - xii. Each mobile food vending unit shall be equipped with adequate trash receptacles and shall be responsible for the proper disposal of solid waste from the site daily without using public waste receptacles. All disturbed areas must be cleaned following each stop at a minimum of 20 feet of the sales location.
 - xiii. Each mobile food vending unit shall be equipped with at least one fire extinguisher with a minimum of a 2A-10-BC rating.
 - xiv. _____ Vinyl wrapping, decals, stickers, painted text and/or graphics, and menu boards affixed to the mobile food vendor unit shall not count towards the maximum aggregate sign area.

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4. ENFORCEMENT

The following provisions may be enforced by the Police Department and the Planning Department.

a. FINE FOR VIOLATION

Any mobile food vendor licensee operating in violation of any provision within this section or any other rules and regulations may be subject to a fine in accordance with Article 8: Enforcement. Each day of violation shall constitute a separate offense for purposes of the penalties and remedies specified in this Ordinance.

b. REVOCATION, SUSPENSION, MODIFICATION

- i. The Board of Commissioners may modify a mobile food vendor license, including an approved location:
 1. At any time before the issuance of a mobile food vendor license;
 2. If after the issuance of such license, for cause, after reasonable notice to the licensee of the grounds for the proposed modification and the time and place of the hearing regarding such proposed modification; or
 3. By request of the licensee.
- ii. The Board may suspend, revoke, or decline to renew a mobile food vendor license for cause, after reasonable notice to the licensee of the grounds for the proposed action and the time and place of the hearing regarding such proposed action.

B. OUTDOOR SEASONAL SALES

1. PURPOSE

The purpose of this section is to prevent the unrestricted proliferation of open-air sales events within the town and to protect those businesses and food services that operate from within principle buildings at permanent locations in accordance with the law.

2. EXEMPTIONS

Sale of the following products or services are exempted from these standards.

- a. The sale or display of fruits, vegetables, other farm or homemade products produced by the person offering them for sale in a commercial zoning district with the permission of the property owner;
- b. The sale or display of goods or merchandise (not including food or food products) by a person, partnership, corporation or other entity at a particular location if the sale or display of like or same items is conducted in association with the party's sale or display of goods or merchandise at the same location from or in a principle building that is regularly entered by the general public for the transaction of business. The items to be sold are limited to the same items that are sold inside the establishment, such as toys, clothing, furniture and outdoor equipment.
- c. Any nonprofit group, charitable or civic organization that conducts open-air sales on either their own property or on other business property for charitable or other fund-raising purposes.
- d. Vendors at special events, such as the Christmas Parade, Arts in the Park and the like selling goods only for that event. Food vendors will need to obtain a permit from the Wake County Health Department.
- e. Seasonal sales of Christmas trees, pumpkins, and similar products.

1. Use of an alternate location or date;
2. Modification or elimination of certain proposed activities;
3. Regulation of operating hours and days, including limitation of the duration to a shorter time period than requested or specified in this subsection; and
4. Submission of a performance guarantee to ensure that any temporary use will be removed from the lot or site within a reasonable time and the lot or site will be restored to its former condition.

4.1.2. STANDARDS FOR SPECIFIC TEMPORARY USES

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- a. A mobile food vendor permit shall be required as provided for herein.
- b. Noncommercial private events held on single-family detached and duplex lots shall not be required to obtain a mobile food vendor permit.
- c. The following activities shall not be required to obtain a mobile food vendor permit provided that all required permits are obtained:
- d. Mobile food vendors that that stop based on customer demand for point of sale service and move to a different location such as an ice cream truck or similar operation.
- e. Mobile food vendors operating as part of a Town of Zebulon sponsored event, provided that all required permits are obtained, if applicable, and that the mobile food vendor:
 - i. Is not open to the public, such as outdoor weddings and employee parties;
 - ii. Is located on a site with a single user and/or tenant; and,
 - iii. Noncommercial private events held on single-family detached, duplex lots, or common space owned by a home owners association, if applicable, the mobile food vendor:
 1. Is not open to the public, such as outdoor weddings, employee parties and homeowner association events;
 2. Is located on a site with a single user/ or tenant;
 3. Will not make, cause, or allow the making of any noise or sound which exceeds the limits set forth in the Town of Zebulon's Code of Ordinances, as may be amended from time to time, and will not generate adverse traffic, or other nuisance impacts on adjacent properties.
- f. Permits, unless sooner suspended or revoked, shall be valid for no longer than one year expiring at the end of the calendar year.
- g. Permit certificates shall be attached to the mobile food vendor unit where they are readily visible and shall include the name, mailing address, and valid phone number of the mobile food vendor unit owner and shall list the addresses and parcel identification numbers where the permit is valid.
- h. Routine inspections may be conducted by local inspectors on each mobile food unit at any time and at any frequency deemed appropriate by the Town.
- i. Any mobile food vendor unit that has a suspended or revoked permit by the State of North Carolina and/or Wake County, and on a subsequent inspection, a State of North Carolina and/or Wake County Inspector determines that the mobile food vendor has not corrected the violation(s), shall have its Town-issued mobile food vendor permit revoked and food service shall cease in the Town.
- j. A permit issued under this section is not transferable.

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3. STANDARDS

The following standards shall apply to all mobile food vendor permits, unless exempt above:

- a. **Except in the DTC**, no products shall be sold from any mobile food vendor unit which is stopped, standing, or parked in any public street, right-of-way, or easement. Nor shall the mobile food vendor impede the flow of traffic or pedestrians on the sidewalk. **In the DTC, mobile food vendor units may operate in designated locations as determined by the Town along Vance Street or Horton Street.**
- b. Mobile food vendor units are prohibited on all parcels used for residential purposes as designated on the Official Zoning Map or on the grounds of any government office, facility, public park, recreation area, or other similar public land within the Town, which is under the control, operation, or management of the Town, except as otherwise allowed in this section or by law.
- c. **Except as described otherwise in this section**, mobile food vendors are allowed within the Town's planning jurisdiction so long as the mobile food vendor unit is located on private property designated and used for commercial, industrial, or nonresidential purposes, subject to the following conditions:
 - i. Mobile food vendors shall not provide customer seating.
 - ii. No display areas, merchandise, or stored items in association with the vendor or those associated with the principal use on the property, which are displaced due to the vending activity, shall encroach onto any public street, right-of-way, or easement, or onto any adjacent private property without express permission from that property owner.
 - iii. The mobile food vendor shall set up and locate the vehicle, wares, and/or any associated displays in accordance with the principal structure setback requirements of the district where located.
 - iv. The mobile food vendor sales area shall not exceed more than two parking spaces or six hundred square feet in area, whichever is greater. However, at no time may the required number of parking spaces for the principal use of the property be rendered nonconforming due to vendor use.
 - v. **In the DTC, the Town Board can designate specific spaces and times in which food trucks may operate. The Planning Department or other department as designated by the Town Manager shall keep a publicly available schedule for these operations.**
 - vi. The mobile food vendor unit shall not interfere with required parking, loading and unloading spaces or the vehicular access to those spaces for the principal use.
 - vii. The mobile food vendor unit shall not block, damage, or interfere with required landscaping, buffers, or stormwater drainage systems on the subject property.
 - viii. During periods of nonuse, mobile food vendor equipment must remain locked and secured, unless otherwise required by the State of North Carolina or Wake County.
 - ix. The mobile food vendor shall be prohibited from selling or distributing any type of glass container with the exception of sealed prepackaged nonalcoholic beverages such as sodas or juices.
 - x. Amplified music or other sounds from any mobile food vendor unit for the purposes of vending products is prohibited.
 - xi. All mobile food vendors shall operate in compliance with Title IX: General Regulations, Chapter 97: Noise, of the Town Code of Ordinances.
 - xii. Mobile food vendors shall be prohibited from discharging fat, oil, grease, or waste water into the sanitary sewer system. Waste shall be properly stored and disposed of at a properly designated location.
 - xiii. Each mobile food vending unit shall be equipped with adequate trash receptacles and shall be responsible for the proper disposal of solid waste from

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the site daily without using public waste receptacles. All disturbed areas must be cleaned following each stop at a minimum of 20 feet of the sales location.

xiv. Each mobile food vending unit shall be equipped with at least one fire extinguisher with a minimum of a 2A-10-BC rating.

xv. Vinyl wrapping, decals, stickers, painted text and/or graphics, and menu boards affixed to the mobile food vendor unit shall not count towards the maximum aggregate sign area.

4. ENFORCEMENT

The following provisions may be enforced by the Police Department and the Planning Department.

a. FINE FOR VIOLATION

Any mobile food vendor licensee operating in violation of any provision within this section or any other rules and regulations may be subject to a fine in accordance with Article 8: Enforcement. Each day of violation shall constitute a separate offense for purposes of the penalties and remedies specified in this Ordinance.

b. REVOCATION, SUSPENSION, MODIFICATION

i. The Board of Commissioners may modify a mobile food vendor license, including an approved location:

- 1.** At any time before the issuance of a mobile food vendor license;
- 2.** If after the issuance of such license, for cause, after reasonable notice to the licensee of the grounds for the proposed modification and the time and place of the hearing regarding such proposed modification; or
- 3.** By request of the licensee.

ii. The Board may suspend, revoke, or decline to renew a mobile food vendor license for cause, after reasonable notice to the licensee of the grounds for the proposed action and the time and place of the hearing regarding such proposed action.

B. OUTDOOR SEASONAL SALES

1. PURPOSE

The purpose of this section is to prevent the unrestricted proliferation of open-air sales events within the town and to protect those businesses and food services that operate from within principle buildings at permanent locations in accordance with the law.

2. EXEMPTIONS

Sale of the following products or services are exempted from these standards.

- a.** The sale or display of fruits, vegetables, other farm or homemade products produced by the person offering them for sale in a commercial zoning district with the permission of the property owner;
- b.** The sale or display of goods or merchandise (not including food or food products) by a person, partnership, corporation or other entity at a particular location if the sale or display of like or same items is conducted in association with the party's sale or display of goods or merchandise at the same location from or in a principle building that is regularly entered by the general public for the transaction of business. The items to be sold are limited to the same items that are sold inside the establishment, such as toys, clothing, furniture and outdoor equipment.
- c.** Any nonprofit group, charitable or civic organization that conducts open-air sales on either their own property or on other business property for charitable or other fund-raising purposes.
- d.** Vendors at special events, such as the Christmas Parade, Arts in the Park and the like selling goods only for that event. Food vendors will need to obtain a permit from the Wake County Health Department.

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- e.** Seasonal sales of Christmas trees, pumpkins, and similar products.

1. Use of an alternate location or date;
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3. Regulation of operating hours and days, including limitation of the duration to a shorter time period than requested or specified in this subsection; and
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4.1.2. STANDARDS FOR SPECIFIC TEMPORARY USES

A. MOBILE FOOD VENDORS

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- d. Mobile food vendors that that stop based on customer demand for point of sale service and move to a different location such as an ice cream truck or similar operation.
- e. Mobile food vendors operating as part of a Town of Zebulon sponsored event, provided that all required permits are obtained, if applicable, and that the mobile food vendor:
 - i. Is not open to the public, such as outdoor weddings and employee parties;
 - ii. Is located on a site with a single user and/or tenant; and,
 - iii. Noncommercial private events held on single-family detached, duplex lots, or common space owned by a home owners association, if applicable, the mobile food vendor:
 1. Is not open to the public, such as outdoor weddings, employee parties and homeowner association events;
 2. Is located on a site with a single user/ or tenant;
 3. Will not make, cause, or allow the making of any noise or sound which exceeds the limits set forth in the Town of Zebulon's Code of Ordinances, as may be amended from time to time, and will not generate adverse traffic, or other nuisance impacts on adjacent properties.
- f. Permits, unless sooner suspended or revoked, shall be valid for no longer than one year expiring at the end of the calendar year.
- g. Permit certificates shall be attached to the mobile food vendor unit where they are readily visible and shall include the name, mailing address, and valid phone number of the mobile food vendor unit owner and shall list the addresses and parcel identification numbers where the permit is valid.
- h. Routine inspections may be conducted by local inspectors on each mobile food unit at any time and at any frequency deemed appropriate by the Town.
- i. Any mobile food vendor unit that has a suspended or revoked permit by the State of North Carolina and/or Wake County, and on a subsequent inspection, a State of North Carolina and/or Wake County Inspector determines that the mobile food vendor has not corrected the violation(s), shall have its Town-issued mobile food vendor permit revoked and food service shall cease in the Town.
- j. A permit issued under this section is not transferable.

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- b. Mobile food vendor units are prohibited on all parcels used for residential purposes as designated on the Official Zoning Map or on the grounds of any government office, facility, public park, recreation area, or other similar public land within the Town, which is under the control, operation, or management of the Town, except as otherwise allowed in this section or by law.
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 - i. Mobile food vendors shall not provide customer seating.
 - ii. No display areas, merchandise, or stored items in association with the vendor or those associated with the principal use on the property, which are displaced due to the vending activity, shall encroach onto any public street, right-of-way, or easement, or onto any adjacent private property without express permission from that property owner.
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 - iv. The mobile food vendor sales area shall not exceed more than two parking spaces or six hundred square feet in area, whichever is greater. However, at no time may the required number of parking spaces for the principal use of the property be rendered nonconforming due to vendor use.
 - v. **In the DTC, mobile food vendors may only operate between the hours of 4pm-10pm Thurs through Saturday, and Noon-8pm on Sunday.**
 - vi. The mobile food vendor unit shall not interfere with required parking, loading and unloading spaces or the vehicular access to those spaces for the principal use.
 - vii. The mobile food vendor unit shall not block, damage, or interfere with required landscaping, buffers, or stormwater drainage systems on the subject property.
 - viii. During periods of nonuse, mobile food vendor equipment must remain locked and secured, unless otherwise required by the State of North Carolina or Wake County.
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xiv. Each mobile food vending unit shall be equipped with at least one fire extinguisher with a minimum of a 2A-10-BC rating.

xv. Vinyl wrapping, decals, stickers, painted text and/or graphics, and menu boards affixed to the mobile food vendor unit shall not count towards the maximum aggregate sign area.

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OPTION 4

1. Use of an alternate location or date;
2. Modification or elimination of certain proposed activities;
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4. Submission of a performance guarantee to ensure that any temporary use will be removed from the lot or site within a reasonable time and the lot or site will be restored to its former condition.

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 1. Is not open to the public, such as outdoor weddings, employee parties and homeowner association events;
 2. Is located on a site with a single user/ or tenant;
 3. Will not make, cause, or allow the making of any noise or sound which exceeds the limits set forth in the Town of Zebulon's Code of Ordinances, as may be amended from time to time, and will not generate adverse traffic, or other nuisance impacts on adjacent properties.
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3. STANDARDS

The following standards shall apply to all mobile food vendor permits, unless exempt above:

- a. Except in the DTC**, no products shall be sold from any mobile food vendor unit which is stopped, standing, or parked in any public street, right-of-way, or easement. Nor shall the mobile food vendor impede the flow of traffic or pedestrians on the sidewalk. **In the DTC, the Town Board may designate a specific location within the on-street parking on Arendell in which a single mobile food vendor may operate during given days and hours. The Planning Department or other department as designated by the Town Manager shall manage and keep a publicly available schedule for these operations.**
- b.** Mobile food vendor units are prohibited on all parcels used for residential purposes as designated on the Official Zoning Map or on the grounds of any government office, facility, public park, recreation area, or other similar public land within the Town, which is under the control, operation, or management of the Town, except as otherwise allowed in this section or by law.
- c. Except as described otherwise in this section**, mobile food vendors are allowed within the Town's planning jurisdiction so long as the mobile food vendor unit is located on private property designated and used for commercial, industrial, or nonresidential purposes, subject to the following conditions:
 - i.** Mobile food vendors shall not provide customer seating.
 - ii.** No display areas, merchandise, or stored items in association with the vendor or those associated with the principal use on the property, which are displaced due to the vending activity, shall encroach onto any public street, right-of-way, or easement, or onto any adjacent private property without express permission from that property owner.
 - iii.** The mobile food vendor shall set up and locate the vehicle, wares, and/or any associated displays in accordance with the principal structure setback requirements of the district where located.
 - iv.** The mobile food vendor sales area shall not exceed more than two parking spaces or six hundred square feet in area, whichever is greater. However, at no time may the required number of parking spaces for the principal use of the property be rendered nonconforming due to vendor use.
 - v.** The mobile food vendor unit shall not interfere with required parking, loading and unloading spaces or the vehicular access to those spaces for the principal use.
 - vi.** The mobile food vendor unit shall not block, damage, or interfere with required landscaping, buffers, or stormwater drainage systems on the subject property.
 - vii.** During periods of nonuse, mobile food vendor equipment must remain locked and secured, unless otherwise required by the State of North Carolina or Wake County.
 - viii.** The mobile food vendor shall be prohibited from selling or distributing any type of glass container with the exception of sealed prepackaged nonalcoholic beverages such as sodas or juices.
 - ix.** Amplified music or other sounds from any mobile food vendor unit for the purposes of vending products is prohibited.
 - x.** All mobile food vendors shall operate in compliance with Title IX: General Regulations, Chapter 97: Noise, of the Town Code of Ordinances.
 - xi.** Mobile food vendors shall be prohibited from discharging fat, oil, grease, or waste water into the sanitary sewer system. Waste shall be properly stored and disposed of at a properly designated location.
 - xii.** Each mobile food vending unit shall be equipped with adequate trash receptacles and shall be responsible for the proper disposal of solid waste from the site daily without using public waste receptacles. All disturbed areas must be cleaned following each stop at a minimum of 20 feet of the sales location.

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xiii. Each mobile food vending unit shall be equipped with at least one fire extinguisher with a minimum of a 2A-10-BC rating.

xiv. Vinyl wrapping, decals, stickers, painted text and/or graphics, and menu boards affixed to the mobile food vendor unit shall not count towards the maximum aggregate sign area.

4. ENFORCEMENT

The following provisions may be enforced by the Police Department and the Planning Department.

a. FINE FOR VIOLATION

Any mobile food vendor licensee operating in violation of any provision within this section or any other rules and regulations may be subject to a fine in accordance with Article 8: Enforcement. Each day of violation shall constitute a separate offense for purposes of the penalties and remedies specified in this Ordinance.

b. REVOCATION, SUSPENSION, MODIFICATION

- i.** The Board of Commissioners may modify a mobile food vendor license, including an approved location:
 - 1.** At any time before the issuance of a mobile food vendor license;
 - 2.** If after the issuance of such license, for cause, after reasonable notice to the licensee of the grounds for the proposed modification and the time and place of the hearing regarding such proposed modification; or
 - 3.** By request of the licensee.
- ii.** The Board may suspend, revoke, or decline to renew a mobile food vendor license for cause, after reasonable notice to the licensee of the grounds for the proposed action and the time and place of the hearing regarding such proposed action.

B. OUTDOOR SEASONAL SALES

1. PURPOSE

The purpose of this section is to prevent the unrestricted proliferation of open-air sales events within the town and to protect those businesses and food services that operate from within principle buildings at permanent locations in accordance with the law.

2. EXEMPTIONS

Sale of the following products or services are exempted from these standards.

- a.** The sale or display of fruits, vegetables, other farm or homemade products produced by the person offering them for sale in a commercial zoning district with the permission of the property owner;
- b.** The sale or display of goods or merchandise (not including food or food products) by a person, partnership, corporation or other entity at a particular location if the sale or display of like or same items is conducted in association with the party's sale or display of goods or merchandise at the same location from or in a principle building that is regularly entered by the general public for the transaction of business. The items to be sold are limited to the same items that are sold inside the establishment, such as toys, clothing, furniture and outdoor equipment.
- c.** Any nonprofit group, charitable or civic organization that conducts open-air sales on either their own property or on other business property for charitable or other fund-raising purposes.
- d.** Vendors at special events, such as the Christmas Parade, Arts in the Park and the like selling goods only for that event. Food vendors will need to obtain a permit from the Wake County Health Department.
- e.** Seasonal sales of Christmas trees, pumpkins, and similar products.

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OPTION 5

1. Use of an alternate location or date;
2. Modification or elimination of certain proposed activities;
3. Regulation of operating hours and days, including limitation of the duration to a shorter time period than requested or specified in this subsection; and
4. Submission of a performance guarantee to ensure that any temporary use will be removed from the lot or site within a reasonable time and the lot or site will be restored to its former condition.

4.1.2. STANDARDS FOR SPECIFIC TEMPORARY USES

A. MOBILE FOOD VENDORS

1. PURPOSE

This section is designed to provide standards relative to the accessibility, appearance, and safety regarding commercial food vending, as well as to preserve the peace and enjoyment of residences and occupation of a site by a properly licensed business.

2. OPERATIONAL REGULATIONS

- a. A mobile food vendor permit shall be required as provided for herein.
- b. Noncommercial private events held on single-family detached and duplex lots shall not be required to obtain a mobile food vendor permit.
- c. The following activities shall not be required to obtain a mobile food vendor permit provided that all required permits are obtained:
- d. Mobile food vendors that that stop based on customer demand for point of sale service and move to a different location such as an ice cream truck or similar operation.
- e. Mobile food vendors operating as part of a Town of Zebulon sponsored event, provided that all required permits are obtained, if applicable, and that the mobile food vendor:
 - i. Is not open to the public, such as outdoor weddings and employee parties;
 - ii. Is located on a site with a single user and/or tenant; and,
 - iii. Noncommercial private events held on single-family detached, duplex lots, or common space owned by a home owners association, if applicable, the mobile food vendor:
 1. Is not open to the public, such as outdoor weddings, employee parties and homeowner association events;
 2. Is located on a site with a single user/ or tenant;
 3. Will not make, cause, or allow the making of any noise or sound which exceeds the limits set forth in the Town of Zebulon's Code of Ordinances, as may be amended from time to time, and will not generate adverse traffic, or other nuisance impacts on adjacent properties.
- f. Permits, unless sooner suspended or revoked, shall be valid for no longer than one year expiring at the end of the calendar year.
- g. Permit certificates shall be attached to the mobile food vendor unit where they are readily visible and shall include the name, mailing address, and valid phone number of the mobile food vendor unit owner and shall list the addresses and parcel identification numbers where the permit is valid.
- h. Routine inspections may be conducted by local inspectors on each mobile food unit at any time and at any frequency deemed appropriate by the Town.
- i. Any mobile food vendor unit that has a suspended or revoked permit by the State of North Carolina and/or Wake County, and on a subsequent inspection, a State of North Carolina and/or Wake County Inspector determines that the mobile food vendor has not corrected the violation(s), shall have its Town-issued mobile food vendor permit revoked and food service shall cease in the Town.
- j. A permit issued under this section is not transferable.

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3. STANDARDS

The following standards shall apply to all mobile food vendor permits, unless exempt above:

- a. Except in the DTC**, no products shall be sold from any mobile food vendor unit which is stopped, standing, or parked in any public street, right-of-way, or easement. Nor shall the mobile food vendor impede the flow of traffic or pedestrians on the sidewalk. **In the DTC, mobile food vendors may operate in two on-street parking spaces in front of a permit-holding business between the hours of 4pm-10pm Thurs through Saturday, and Noon-8pm on Sunday.**
- b.** Mobile food vendor units are prohibited on all parcels used for residential purposes as designated on the Official Zoning Map or on the grounds of any government office, facility, public park, recreation area, or other similar public land within the Town, which is under the control, operation, or management of the Town, except as otherwise allowed in this section or by law.
- c. Except as described otherwise in this section**, mobile food vendors are allowed within the Town's planning jurisdiction so long as the mobile food vendor unit is located on private property designated and used for commercial, industrial, or nonresidential purposes, subject to the following conditions:
 - i.** Mobile food vendors shall not provide customer seating.
 - ii.** No display areas, merchandise, or stored items in association with the vendor or those associated with the principal use on the property, which are displaced due to the vending activity, shall encroach onto any public street, right-of-way, or easement, or onto any adjacent private property without express permission from that property owner.
 - iii.** The mobile food vendor shall set up and locate the vehicle, wares, and/or any associated displays in accordance with the principal structure setback requirements of the district where located.
 - iv.** The mobile food vendor sales area shall not exceed more than two parking spaces or six hundred square feet in area, whichever is greater. However, at no time may the required number of parking spaces for the principal use of the property be rendered nonconforming due to vendor use.
 - v.** The mobile food vendor unit shall not interfere with required parking, loading and unloading spaces or the vehicular access to those spaces for the principal use.
 - vi.** The mobile food vendor unit shall not block, damage, or interfere with required landscaping, buffers, or stormwater drainage systems on the subject property.
 - vii.** During periods of nonuse, mobile food vendor equipment must remain locked and secured, unless otherwise required by the State of North Carolina or Wake County.
 - viii.** The mobile food vendor shall be prohibited from selling or distributing any type of glass container with the exception of sealed prepackaged nonalcoholic beverages such as sodas or juices.
 - ix.** Amplified music or other sounds from any mobile food vendor unit for the purposes of vending products is prohibited.
 - x.** All mobile food vendors shall operate in compliance with Title IX: General Regulations, Chapter 97: Noise, of the Town Code of Ordinances.
 - xi.** Mobile food vendors shall be prohibited from discharging fat, oil, grease, or waste water into the sanitary sewer system. Waste shall be properly stored and disposed of at a properly designated location.
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4. ENFORCEMENT

The following provisions may be enforced by the Police Department and the Planning Department.

a. FINE FOR VIOLATION

Any mobile food vendor licensee operating in violation of any provision within this section or any other rules and regulations may be subject to a fine in accordance with Article 8: Enforcement. Each day of violation shall constitute a separate offense for purposes of the penalties and remedies specified in this Ordinance.

b. REVOCATION, SUSPENSION, MODIFICATION

- i.** The Board of Commissioners may modify a mobile food vendor license, including an approved location:
 - 1.** At any time before the issuance of a mobile food vendor license;
 - 2.** If after the issuance of such license, for cause, after reasonable notice to the licensee of the grounds for the proposed modification and the time and place of the hearing regarding such proposed modification; or
 - 3.** By request of the licensee.
- ii.** The Board may suspend, revoke, or decline to renew a mobile food vendor license for cause, after reasonable notice to the licensee of the grounds for the proposed action and the time and place of the hearing regarding such proposed action.

B. OUTDOOR SEASONAL SALES

1. PURPOSE

The purpose of this section is to prevent the unrestricted proliferation of open-air sales events within the town and to protect those businesses and food services that operate from within principle buildings at permanent locations in accordance with the law.

2. EXEMPTIONS

Sale of the following products or services are exempted from these standards.

- a.** The sale or display of fruits, vegetables, other farm or homemade products produced by the person offering them for sale in a commercial zoning district with the permission of the property owner;
- b.** The sale or display of goods or merchandise (not including food or food products) by a person, partnership, corporation or other entity at a particular location if the sale or display of like or same items is conducted in association with the party's sale or display of goods or merchandise at the same location from or in a principle building that is regularly entered by the general public for the transaction of business. The items to be sold are limited to the same items that are sold inside the establishment, such as toys, clothing, furniture and outdoor equipment.
- c.** Any nonprofit group, charitable or civic organization that conducts open-air sales on either their own property or on other business property for charitable or other fund-raising purposes.
- d.** Vendors at special events, such as the Christmas Parade, Arts in the Park and the like selling goods only for that event. Food vendors will need to obtain a permit from the Wake County Health Department.
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OPTION 6

1. Use of an alternate location or date;
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3. Regulation of operating hours and days, including limitation of the duration to a shorter time period than requested or specified in this subsection; and
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1. PURPOSE

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- e. Seasonal sales of Christmas trees, pumpkins, and similar products.

ZEBULON

NORTH CAROLINA

CASE # Text Amendment 2025-03 – Mobile Food Vendors

HEARING DATE: August 11, 2025

State of North Carolina

County of Wake

BEFORE ME, the undersigned Notary, E. McKinney Worner on this 7th day of August 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 July 28, 2025 (Wake weekly, publication dates **8/1/2025 & 8/8/2025**)
- Posted to Planning Department Website **7/28/2025**

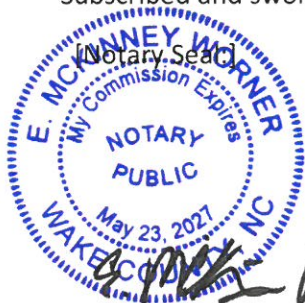
[Signature]

Matthew Lower

Aug 7 2025

Date

Subscribed and sworn to before me, this 7th day of August 2025.



[Signature]

[signature of Notary]

E. McKinney Worner

[printed name of Notary]

NOTARY PUBLIC

My commission expires: May 23, 2027.

Notice of Public Hearing

Notice is hereby given pursuant to the provisions of Article 2.3.6 of the Town of Zebulon Unified Development Ordinance that a public hearing will be held on **August 11, 2025, at 6:00 PM** at the **Zebulon Municipal Complex, 1003 N. Arendell Avenue**, and will be conducted by the Board of Commissioners and the Planning Board for the purpose of considering the following items:

IDT Project Number 1777124 – Zoning Map Amendment 2025-02 – 301

Jones St and 108 Pearces Rd

PIN # 2706015099, 2706014224. A request by O’kane and Associates on behalf of property owner CP Enterprises of NC, for a rezoning from Residential Suburban (R2) to General Commercial (GC)

Text Amendment 2025-03 – Amendment of the Mobile Food Vendors ordinance

A request led by the Town of Zebulon, for a text amendment to section 4.5 of the UDO amending the language around Mobile Food Vendors.

Public comments may be submitted to Town Clerk Ana Gomez at agomez@townofzebulon.org no later than 12:00 Noon on the day of the hearing to be read into the record. Links will be provided along with the full application packet and documentation on the Planning Department web page at <https://www.townofzebulon.org/departments/planning/public-hearing-information> For questions or additional information, please contact us at (919) 823-1811.

Notificación de Audiencia Pública

Por la presente se notifica, de conformidad con las disposiciones del Artículo 2.3.6 de la Ordenanza de Desarrollo Unificado del Pueblo de Zebulon, que se celebrará una audiencia pública el **11 de agosto de 2025, a las 6:00 PM** en el **Complejo Municipal de Zebulon, 1003 N. Arendell Avenue**, y será llevada a cabo por la Board of Commissioners y la Planning Board con el fin de considerar los siguientes puntos:

IDT Proyecto Número 1777124 – Enmienda al Mapa de Zonificación 2025-02 – 301 Jones St y 108 Pearces Rd

PIN # 2706015099, 2706014224. Una solicitud de O'Kane y Asociados en nombre del dueño de la propiedad CP Enterprises of NC, para una rezonificación de Residencial Suburbano (R2) a Comercial General (GC).

Enmienda de texto 2025-03 – Enmienda de la ordenanza de vendedores ambulantes de alimentos

Una solicitud dirigida por la Ciudad de Zebulon, para una enmienda de texto a la sección 4.5 de la UDO que modifica el lenguaje en torno a los vendedores ambulantes de alimentos.

Los comentarios del público pueden ser presentadas a Town Clerk Ana Gómez en agomez@townofzebulon.org no más tarde de las 12:00 del mediodía del día de la audiencia para ser leído en el registro. Los enlaces se proporcionarán junto con el paquete de solicitud completa y la documentación en la página web del Departamento de Planificación en <https://www.townofzebulon.org/departments/planning/public-hearing-information>. Para preguntas o información adicional, póngase en contacto con nosotros en (919) 823-1811

- 

EN

www.townofzeblun.org

977

Planning Office


codeseinfo.cement@townofzeblun.org


 919-823-1810

Matt Lower

Planning Director


mlower@townofzeblun.org

Cate Farrell

Planner II


cfarrell@townofzeblun.org


 919-823-1811

Chris Medina

Planner I


cmolina@townofzeblun.org


 919-823-1870

Star Brantley

Planner I

Notice is hereby given pursuant to the provisions of Article 2.3.6 of the Town of Zebulon Unified Development Ordinance that a public hearing will be held on **August 11, 2025, at 6:00 PM** at the **Zebulon Municipal Complex, 1003 N. Arendell Avenue**, and will be conducted by the Board of Commissioners and the Planning Board for the purpose of considering the following items:

ID# Project Number 1777124 - Zoning Map Amendment 2025-02 - 301 Jones St and 108 Peardes Rd
PIN # 2706015099,2706014224A request by O'kane and Associates on behalf of property owner CP Enterprises of NC, for a rezoning from Residential Suburban (R2) to General Commercial (GC)

A requested by the Town of Zebulon, for a text amendment to section 4.5 of the UDO amending the language around Mobile Food Vendors.

Public comments may be submitted to Town Clerk Ana Gomez at agomez@townofzebulon.org no later than 12:00 Noon on the day of the hearing to be read into the record. Links will be provided along with the full application packet and documentation on the Planning Department web page at <https://www.townofzebulon.org/departments/planning/public-hearing-information>. For questions or additional information, please contact us at (919) 823-1811.

EN >

Por la presente se notifica, de conformidad con las disposiciones del Artículo 2.3.3 de la Ordenanza de Desarrollo Unificado del Pueblo de Zebulon, que se celebrará una audiencia pública el **11 de agosto de 2025, a las 6:00 PM** en el **Complejo Municipal de Zebulon, 1003 N. Arendell Avenue**, y será llevada a cabo por la Board of Commissioners y la Planning Board con el fin de considerar los siguientes puntos:

Wake Weekly

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Date

07/07/2025

08/07/2025

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THE WAKE WEEKLY - (WAKE COUNTY)

Notice of Hearing

...Hearing Notice is hereby given pursuant to the provisions of Article 2.3.6 of the Town of Zebulon Unified Development Ordinance that a public hearing will be held on August 11, 2025, at 6:00 PM at the Zebulon Municipal Complex, 1003 N. Arendell Avenue, and will be conducted by the Board of Commissioners and the Planning Board for the purpose of considering the following items:

IDT Project Number 1777124 Zoning Map Amendment 2025-02 301 Jones St and 108 Peaces Rd

PIN # 2706015099, 2706014224. A request by O Kane and Associates on behalf of property owner CP Enterprises of NC, for a rezoning from Residential Suburban (R2) to General Commercial (GC)

Text Amendment 2025-03 Amendment of the Mobile Food Vendors ordinance

A request led by the Town of Zebulon, for a text amendment to section 4.5 of the UDO amending the language around Mobile Food Vendors.

Public comments may be submitted to Town Clerk Ana Gomez at agomez@townofzebulon.org no later than 12:00 Noon on the day of the hearing to be read into the record. Links will be provided along with the full application packet and documentation on the Planning Department web page at:

<https://www.townofzebulon.org/departments/planning/public-hearing-information> For questions or additional information, please contact us at (919) 823-1811.

THE WAKE WEEKLY - (WAKE COUNTY)

Estate (Probate) Filings

NOTICE TO CREDITORS ESTATE OF CLEO CA.....the 18th day of July, 2025, Shelby Moody Chaik, Executor 812 Currin-Perry Road Zebulon, NC 27597 The Wake Weekly July 18, 25, August 1, 8, 2025

WAKE COUNTY, NORTH CAROLINA

2025-07-25

THE WAKE WEEKLY - (WAKE COUNTY)

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WAKE COUNTY, NORTH CAROLINA

2025-08-01

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NOTICE TO CREDITORS ESTATE OF JOHN EU.....payment. This the 1st day of August, 2025, Matthew Elliott, Executor 1101 Herbert Dr Zebulon NC 27597 The Wake Weekly August 1, 8, 15, 22, 2025

WAKE COUNTY, NORTH CAROLINA

2025-08-01

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WAKE COUNTY, NORTH CAROLINA

2025-07-25

Notice of Hearing

Published in The Wake Weekly - (Wake County) on August 1, 2025

Location

Wake County, North Carolina

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