

**ZEBULON
BOARD OF COMMISSIONERS
AGENDA
September 11, 2023
6:00pm**

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

3. PUBLIC COMMENT

All wishing to speak must sign up prior to 5:50pm. The comment period will be no longer than 15 minutes with speakers having three minutes each to speak. No speaker can speak on a public hearing item or any item that would need to be discussed under Closed Session. Speakers cannot give their minutes to another speaker. If you would like to submit comments to be read into the record at the meeting, please send comments, of 400 words or less, to Lisa Markland at lmarkland@townofzebulon.org by 3:00pm on September 11, 2023.

4. CONSENT

A. Minutes

- i. August 7, 2023 – Regular Meeting
- ii. August 17, 2023 – Work Session
- iii. August 30, 2023 – Special Called Meeting

B. Finance

- i. Wake County Tax Report – June 2023

5. OLD BUSINESS

A. Planning

- i. Conditional Zoning 1106 N. Arendell Avenue (Ordinance 2024-07)
- ii. Child Care Drop-in Text Amendment (Ordinance 2024-08)
- iii. Recreational Vehicle Park Text Amendment (Ordinance 2024-09)
- iv. Development Review Procedures Text Amendment (Ordinance 2024-10)
- v. Contractor Signs Text Amendment (Ordinance 2024-11)

B. Administration

- i. Governing Board Rules of Procedure for Remote Meetings
 - a. Ordinance 2024-12

6. NEW BUSINESS

A. Finance

- i. Zebulon Chamber of Commerce Membership (Ordinance 2024-13)

7. BOARD COMMENTS

- A. "Mighty Con" – Sponsor Baxter/Co-Sponsor Miles

8. MANAGERS REPORT

- A. Development Update
- B. Human Resources Update
- C. Monthly Financial Report Addendum

9. ADJOURN

Zebulon Board of Commissioners
Minutes
August 7, 2023

Present: Mayor Glenn York, Quentin Miles, Larry Loucks, Jessica Harrison, Shannon Baxter, Beverly Clark, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Chris Ray-Public Works, Jacqui Boykin-Police, Chris Perry-Fire, Sheila Long-Parks & Recreation, Bobby Fitts-Finance, Michael Clark-Planning, Eric Vernon-Town Attorney, Sam Slater-Town Attorney

Mayor York called the meeting to order at 6:00pm.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Commissioner Loucks.

APPROVAL OF AGENDA

Mayor York asked to remove Zebulon Chamber of Commerce membership Resolution 2024-04 from the agenda.

Commissioner Baxter asked to remove Monthly Financial Reports, Ordinance 2024-01, Ordinance 2024-02, Ordinance 2024-03 and the Fire Contract Renewal with Johnston County from consent.

Commissioner Loucks made a motion, second by Commissioner Baxter to approve the agenda as amended. There was no discussion and the motion passed unanimously.

RECOGNITIONS

- A. Barnanne Creech - Finalist for 2023 NCCAT Career Technical Education (CTE) Teacher of the Year for Wake County Public School System*

Mayor York read a proclamation recognizing Barnanne Creech.

- B. Zebulon Main Street Community Designation*

Teresa Piner spoke about the NC Main Street Community Designation and recognized the Zebulon Main Street Board.

PUBLIC COMMENT

Susan Pearce spoke about the ZDAC project crosswalk art grant.

Dallas Pearce spoke about the Zebulon Main Street Program and the Downtown Merchants Association. Mr. Pearce spoke about the lack of significant representation on the Main Street Board and asked the Board of Commissioner to consider expanding the Main Street Board to include business and property owners.

Dale Beck spoke about the good things the Town Manager has done for the Town and his great leadership.

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Lisa Markland read comments submitted from Anne Whipple who expressed concerns of the research project at Whitley Park, Gill Street Park and Community Park.

Beth Fuller spoke about her positive experience with the Homeowners Association in Weavers Pond. Ms. Fuller also spoke about how Weavers Pointe would increase home values and diversified housing.

Gloria Whitehurst from the Juneteenth Planning Committee thanked the Town for partnering with them to do the Juneteenth event. Sheila Long was recognized for her work and for making the event a success. Chief Boykin was thanked for her work as well and for keeping the event safe.

Anjanea Josephs, the co-founder and director of NC Community of Coalitions. Ms. Josephs worked on the Juneteenth Committee and spoke about the plans to form a Zebulon Outreach and Engagement Coalition.

Jim Black spoke about the Wall Purdy property being considered for annexation.

CONSENT

A. Minutes

Commissioner Baxter made a motion, second by Commissioner Harrison to approve the minutes of the May 9, 2023 work session. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve the minutes of the May 17, 2023 work session. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve the minutes of the May 25, 2023 work session. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve the minutes of the June 5, 2023 meeting. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve the minutes of the June 15, 2023 work session. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve the minutes of the June 20, 2023 special called meeting. There was no discussion and the motion passed unanimously.

B. Finance

Commissioner Baxter made a motion, second by Commissioner Harrison to approve the Wake County tax report for April and May 2023. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve Ordinance 2024-04 – Recognition of United Arts Council Grant Funds. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve Resolution 2024-01 – Lease Purchase Award for Knuckleboom. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve Resolution 2024-02 – Reimbursement Resolution – Financing of Knuckleboom. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve Resolution 2024-03 – Board Compensation. There was no discussion and the motion passed unanimously.

C. Fire

Commissioner Baxter made a motion, second by Commissioner Harrison to approve the Fire Contract Amendment with Wake County. There was no discussion and the motion passed unanimously.

OLD BUSINESS

A. Planning

i. Wall Purdy Tract Annexation – Weavers Pointe (Ordinance 2024-05)

Adam Culpepper gave an overview of annexations.

The standards to approve an annexation included:

1. Owner approval
2. Services can be provided
3. Debt obligations
4. Public health, safety and welfare

An overview of rezonings was given by Mr. Culpepper. The rezoning standards included:

1. Health, safety and welfare
2. Appropriate for location
3. Reasonable in the public interest
4. Concept plan consistent with regulations
5. Other relevant factors

A slide detailing the annexation and rezoning process was shown.

Adam Culpepper stated the matter was continued from the May 1, 2023 meeting. The annexation request was for 43.61 acres located at 0 Weavers Pond Drive in the Town's ETJ. The applicant intended to build a single-family residential development on the site.

Staff recommended approval of the proposed annexation and adoption of Ordinance 2024-06.

Commissioner Miles asked about the Planning Board's decision on the case. Mr. Culpepper explained the Planning Board did not hear annexations. The Planning Board voted 4 to 3 recommending denial for the conditional rezoning.

Commissioner Clark made a motion, second by Commissioner Loucks to approve Ordinance 2024-05. There was no further discussion and the motion passed 3 to 2 with Commissioners Clark, Loucks, and Baxter voting in favor and Commissioners Miles and Harrison voting in opposition.

ii. Wall Purdy Tract Rezoning – Weavers Pointe (Ordinance 2024-06)

Adam Culpepper stated the matter was continued from the May 1, 2023 meeting. The conditional rezoning request was for 43.61 acres located at 0 Weavers Pond Drive. The applicant intended to build a single-family residential development on the site with 87 lots. The parcel was currently zoned Wake County R-40W and the applicant was proposing Residential Neighborhood Conditional (R4-C).

The concept plan was shown reflecting two units per acre, connections to Weavers Pond Dr. and Yulee Dr. and a greenway connection to Weavers Pond.

Mr. Culpepper explained the developer was exceeding the required UDO conditions by including:

- Commitment to residential design guidelines of Sec. 5.2 of the UDO
- Minimum two-car garage; doors with windows and carriage hardware
- Side loaded garages minimum 20% of homes
- Wrap around front porched minimum 20% of homes
- Garage doors recessed behind the front plain of home
- Cement fiber siding with brick/stone accents (no vinyl siding)
- Rear patio or deck minimum 100 sf ft
- Entire yard will be sodded
- Amenities included dog park, walking trails and open space
- HOA will limit number of rentals homes to a maximum of 10%

The Unified Development Ordinance (UDO) Section 2.2.6.K provided the following standards for the Board to base their decision on the rezoning request:

1. Whether the proposed conditional rezoning advanced the public health, safety, or welfare;
2. Whether and the extent to which the proposed conditional rezoning was appropriate for its proposed location, and was consistent with the purposes, goals, objectives, and policies of the Town's adopted policy guidance;
3. Whether an approval of the conditional rezoning was reasonable and in the public interest;
4. Whether and the extent to which the concept plan associated with the conditional rezoning was consistent with this Ordinance; and
5. Any other factors as the Board may determine to be relevant.

At their April 10, 2023 meeting, the Planning Board recommended denial with a vote 4 to 3 stating the rezoning did not meet standard 3.

Staff recommended approval of the Wall Purdy Tract Rezoning – Weavers Pointe (Ordinance 2024-06).

There was a question about tracking rental homes. Mr. Culpepper explained that would be the Homeowners Association’s responsibility. Town Attorney Eric Vernon offered clarity explaining the restrictive covenants for the neighborhood could include a limitation on leasing and conditions on leasing in the bylaws.

Jason Barron with the Morningstar Law Group stated the applicant changed the condition and there would not be any rentals in the community.

Commissioner Loucks asked when the HOA would be turned over to the neighborhood. Mr. Culpepper stated the Town did not have any regulations and that would be at the discretion of the developer.

Jason Barron gave updated conditions to the Board and spoke about the role of Town staff and the UDO. The site was zoned for residential development and incorporated all the minimum standards and more.

Grey Berry, who represented Weaver’s Pond Development, spoke about the issues that were raised at the May 1, 2023 Public Hearing and ways they were addressing them. There were details given about the Weaver’s Pond Advisory Board and the informational webinar that was held for residents.

Commissioner Miles stated he heard negative feedback from residents not having the ability to speak at the webinar.

Commissioner Harrison stated she lived in Weaver’s Pond and attended the webinar and had not heard any improved comments about the HOA.

Mr. Berry stated the answers to the questions raised from the residents were posted to the community forum and spoke about how the members of the advisory board were chosen. The Weaver’s Pond HOA would transition to be run by the residents by the first quarter of 2024.

Commissioner Baxter asked when Weaver’s Pointe HOA would be fully turned over to the residents. Mr. Berry stated he thought it would be within five years, but the expectation was once the neighborhood was fully built out to avoid high costs to the existing residents.

Commissioner Loucks stated this was the type of housing they were looking for in Town and asked if the applicant would be open to increasing the number from 20% to 40% to have wrap around porches. Mr. Berry explained how the lot sizes could restrict the wrap around porch but was open to looking into increasing the amount.

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Commissioner Loucks asked if an advisory group could be created once the neighborhood was at 25% build out. Mr. Berry agreed and suggested the HOA be in place prior to the certificate of occupancy was issued.

Mr. Berry stated there was a condition added that booster pumps would be built to the City of Raleigh specifications and spoke about the traffic review performed showing Weaver's Pointe would not hinder traffic in Weavers Pond.

Commissioner Miles asked about the price point for the homes. Mr. Berry stated approximately \$650,000 to \$700,000 for a starting price point.

Commissioner Baxter expressed concerns about the access points going outside the community and residents and emergency vehicles traveling through Weavers Pond. Mr. Berry explained there was off-street parking, bump outs and a large parking lot at the amenity area.

Commissioner Baxter asked about the details of the buffers on the eastern and southern side of the property. Adam Culpepper stated there would be a type A buffer and gave details of the requirement.

Mr. Berry stated the applicant was willing to increase from 20% to 30% for the wrap around porches.

Commissioner Miles made a motion, second by Commissioner Baxter to continue the meeting to August 17, 2023 for more discussion.

Commissioner Loucks asked what additional information the Board needed. Commissioner Miles stated he wanted to know exactly what the citizens would be getting from the applicant.

Commissioner Loucks suggested changing 20% to 30% of homes to have a side garage or front porch and adding a condition when 25 certificates of occupancy were issued there would be at least one advisory board member working with a property management firm. Mr. Berry stated the applicant also agreed to set up the HOA before the first certificate of occupancy was issued and to provide an annual rental report even though rentals were not allowed.

There was no further discussion and the motion passed 3 to 2 with Commissions Miles, Baxter, Loucks voting in favor and Commissioners Harrison and Clark voting in opposition.

Mayor York stated there would be a 10-minute recess. The meeting was called back at 8:10am.

Joe Moore stated the council chambers lost video and sound due to the storm.

Commissioner Baxter made a motion, second by Commissioner Clark to recess the meeting to work session on August 17, 2023 at 5:00pm.

NOTE: The meeting was reconvened on August 17, 2023 at 5:00pm.

Mayor York stated the applicant for Wall Purdy was in traffic and moved the item to the end of the agenda.

NEW BUSINESS

A. Financial

i. Monthly Financial Reports

Commissioner Baxter stated she wanted to understand the list of the expenditures for the budget.

Bobby Fitts stated the expenditure summary page was behind the staff report and explained the total expenditures for the FY '23 budget.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve the monthly financial reports. There was no further discussion and the motion passed unanimously.

ii. FY '23 Donations and Grants Rollover (Ordinance 2024-01)

Commissioner Baxter asked about the Blue Cross Blue Shield Wellness Grant being under Administration/IT.

Bobby Fitts explained the wellness line item was in the Administration/IT Department. The funds would roll back into the wellness program and the Shop with a Cop funds would return to that program.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve Ordinance 2024-01. There was no further discussion and the motion passed unanimously.

iii. FY '23 Project and Program Rollovers (Ordinance 2024-02)

Commissioner Baxter asked about the W. Sycamore sidewalk project. Chris Ray stated the project was not closed out and would be completed by mid-September. The rollover would pay for the completion of the project.

Commissioner Baxter had a question about the backordered office furniture. Chris Ray explained the furniture was purchased but did not arrive until August.

Commissioner Clark made a motion, second by Commissioner Baxter to approve Ordinance 2024-02. There was no further discussion and the motion passed unanimously.

iv. FY '24 Budget Amendment Requests – Capital Reserve (Ordinance 2024-03)

Commissioner Baxter asked for an update on the funds for wayfinding and branding. Joe Moore stated these were unspent funds that would roll over to the current fiscal year under the same line item.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve Ordinance 2024-03. There was no further discussion and the motion passed unanimously.

B. Fire

i. Fire Contract Renewal with Johnston County

Commissioner Baxter asked for an explanation of the contract and the compensation. Chris Perry explained the contract provided insurance benefits and quicker response times to Johnson County residents. It was explained Corinth Holders was growing very quickly and there was a plan to build additional fire stations.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve the Fire Contract renewal with Johnston County. There was no further discussion and the motion passed unanimously.

C. Planning

i. Wall Purdy Tract Rezoning – Weavers Pointe (Ordinance 2024-06)

Mayor York stated the Wall Purdy applicant arrived.

Adam Culpeper reviewed the case details and standards. The applicant revised their conditions to increase the wrap-around porches to 30%, J drives and side loaded garages were allowed within the five feet setback, the HOA would not allow any rental units, the HOA shall be operational prior to issuance of the first certificate of occupancy and the HOA would appoint one resident to the advisory board at 25% occupancy, another resident at 50%, and another at 70%.

Commissioners Miles asked how the HOA would prohibit rentals. Mr. Culpepper stated that would be part of the HOA documentation and would become a zoning violation. Staff would contact the HOA to verify if there was a rental occurring and if so, it would become a code enforcement violation.

Commissioner Loucks suggested adding an annual certification from the HOA.

Commissioner Baxter had concerns about the time it would take for emergency vehicles to reach the development. Commissioner Miles had the same concerns and suggested the applicant purchase an additional parcel to connect the property to Hwy 96. Michael Clark showed the road on a map and explained how it crossed several parcels owned by other individuals.

Mr. Barron stated the applicant investigated the possibility of purchasing the parcel and the property owner was not interested in selling the property. The property that was annexed was the only part outside the watershed and that was why the property line was located where it was. There were details given about why it would be impossible to provide access to Hwy 96.

Commissioner Loucks stated Chief Perry explained Hopkins Fire Department could respond to the area quickly and future development would provide more access roads.

Mr. Barron spoke about the lead time for the project and stated it would be approximately three and half to four years until the first resident would move into the community.

Chris Perry gave an update about the future fire station.

There was discussion about the watershed boundary.

Commissioner Miles made a motion, second by Commissioner Harrison to deny Ordinance 2024-06.

Commissioner Loucks stated this was the type of housing development the Town was looking for and said it was a good neighborhood.

Commissioner Miles expressed concerns about the price point being too high for Zebulon.

Commissioner Baxter stated this was a product the Town did not currently have.

Commissioner Harrison had concerns about safety within the neighborhood.

There was a question about the north side of Weaver's Pond on the Future Transportation Plan. Michael Clark stated there were widening and modifications planned for Ferrell Road, but collector streets were required in neighborhoods under the Town's UDO. There was discussion about other connection options.

Chris Perry offered more details about improving travel times for fire calls.

Mr. Barron stated the applicant was agreeable to add a condition to not pull any certificates of occupancy for homes north of Yulee within seven years of approval of the rezoning or opening of the fire station, whichever came first.

There was no further discussion and the motion to deny Ordinance 2024-06 failed with a vote 2 to 3 with Commissioners Miles and Harrison voting in favor and Commissioners Clark, Loucks and Baxter voting in opposition.

Commissioner Baxter made a motion, second by Commissioner Clark to approve Ordinance 2024-06 with the conditions provided tonight and the added condition of no certificates of occupancy for homes north of Yulee within seven years of the approval of the rezoning or opening of the fire station whichever came first.

Commissioner Miles told the Commissioners to imagine themselves or a family member in that area if EMS could not respond to their call in a timely manner.

There was no further discussion and the motion passed with a vote 3 to 2 with Commissioners Loucks, Baxter and Clark voting in favor and Commissioners Miles and Harrison voting in opposition.

BOARD COMMENTS

Commissioner Loucks thanked everyone for their work at Rock the Block and the next one was scheduled for September 8. The Board members were thanked for attending the Main Street

conference, wanted a budget discussion added to the August 24 retreat and reminded citizens about the openings on the Planning Board and Board of Adjustment. Commissioner Miles did not have any comments.

Commissioner Harrison stated there were open positions on the Parks and Recreation Advisory Board, thanked all those who worked at Rock the Block, August 20 was Educator Appreciation Week and thanked Kaleb Harmon who was the new Communications Manager for his great work,

Commissioner Clark had concerns about other Board members not responding to the tax information requested by the auditor.

Commissioner Baxter stated the auditor requested the information because in some municipalities the Board can forgive tax bills. She thought it was ridiculous the auditor was asking for that information which was public record.

Commissioner Baxter spoke about upcoming events, cooling centers located around the Town, and reminded citizens to be prepared for major weather events. Commissioner Baxter gave details about police presence at the Rock the Block event.

Mayor York spoke about the grand opening for Tru Value Hardware.

Mayor York read a Proclamation in remembrance of Gladys Todd.

BOARD OF COMMISSIONERS

A. Manager Review – Sponsor Baxter/Co-Sponsor Miles

Commissioner Baxter stated the current review documents were outdated and needed to be adjusted with different questions.

Commissioner Clark explained the review was already late and now was not the time to make changes. The work session would be a good time for the Board to make revisions for next year.

Commissioner Loucks asked when the manager's review was due. Mayor York confirmed it was due August 30.

Mayor York encouraged the Board to include any questions and comments on the Manager's review.

B. August Retreat – Sponsor Baxter/Co-Sponsor Miles

Commissioner Baxter expressed concerns about not knowing the retreat topics in enough time and felt some retreat topics to be irrelevant. There was a suggestion to move retreats to a different time or to consolidate them.

Commissioner Harrison stated the retreats were very helpful and never had an issue taking off time from work to attend a retreat.

Commissioner Miles stated other candidates may not be able to take time off from work to attend a daytime retreat.

Commissioner Harrison reminded the Board the meeting dates were scheduled a year in advance.

MANAGER'S REPORT

Joe Moore gave some context about the mini retreats being condensed into day long in Town events and how topics were chosen. If the Board came to a consensus on topics to be discussed, they can talk to staff about having the topic added to the retreat.

Mr. Moore offered clarification about his self-evaluation being two weeks late. He was told to hold on the self-evaluation because the evaluation was being changed.

There were details given about the tax request from the auditor, clarification given about the two cooling station locations in Town and details about the rollovers that were adopted.

Michael Clark gave a monthly development update.

Lisa Markland provided a Human Resources update.

Sheila Long gave an update on the PARTF grant and the partnership with Recreation Resources Management.

There were discussions about the park cameras and the usage of data. The pilot program told the department how many people used the parks, what time and what day. It also would show how the parks were used.

Commissioner Baxter spoke about working with other municipalities to get money for research and grant opportunities.

Commissioner Miles asked if the cameras were utilized like a flock camera. Sheila Moore explained the cameras were not a live feed and were not recording.

Joe Moore introduced Kaleb Harmon as the new Communications Manager.

Commissioner Baxter made a motion, second by Commissioner Loucks to adjourn. There was no discussion and the motion passed unanimously.

Adopted this the 11th day of September 2023.

Glenn L. York—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk

Zebulon Board of Commissioners
Work Session
Minutes
August 17, 2023

Present: Mayor Glenn York, Beverly Clark, Quentin Miles, Shannon Baxter, Larry Loucks, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Chris Ray-Public Works, Sheila Long-Parks and Recreation, Bobby Fitts-Finance, Jacqui Boykin-Police, Michael Clark-Planning, Eric Vernon-Attorney

Absent: Jessica Harrison

Mayor York called the meeting to order at 8:12pm.

APPROVAL OF AGENDA

Commissioner Baxter asked to amend the agenda to add a discussion about lapsed salaries.

Commissioner Baxter made a motion, second by Commissioner Loucks to approve the agenda. There was no discussion and the motion passed unanimously.

Joe Moore spoke about the topics to be presented at the meeting.

FY '24 QUARTERLY REPORT: FIRE

Chris Perry spoke about the response calls for the quarter which increased over the last quarter. The call volume comparison of other local stations was shown. The Fire Department's call processing, turn out time, travel time and total response time goals were detailed. The response to trends included adding two new crews and Chief Perry spoke about how the increase in staff helped to meet the increased demand.

Chief Perry provided project updates on the Fire/EMS Station. The public engagement sessions were completed, and feedback was received. There was discussion about the federal earmark the Town received, and the work to be completed for the federal grant.

The sleeping quarters renovation construction was finished in May and included a new day room, nine sleeping rooms and additional bathrooms.

Another project update included the Emergency Operations Plan. Innovative Emergency Management ("IEM") completed a final draft of the Emergency Operations Plan document. Staff training and tabletop exercise will take place in the fall.

Chris Perry explained the department received approval to begin carrying continuous positive airway pressure ("CPAP") which assisted with provision of adequate ventilation of patients suffering from asthma, COPD, etc. Staff were trained in using the equipment and the devices were placed in vehicles.

Firefighter Jeremy Hodge began as a Junior Firefighter then was hired as a trainee Firefighter in May. Mr. Hodge completed his EMT training and transitioned to the Nash Community College Fire Academy. Chris Perry spoke about the expansion of the Junior Firefighter Program and how the department was expanding the recruitment process.

The staff updates included:

- Captain Philip Brown completing his N.C. Fire Officer II certification
- Lieutenant Zachary McLeod completed his N.C. Fire Officer II and Fire Investigator Technician certifications
- Lieutenant Justin Lee completed his N.C. Fire Officer I and II certifications
- Lieutenant John Winstead completed his N.C. Fire Investigator Technician certifications
- Senior Firefighter Jason Seago completed his N.C. Driver/Operator aerial certification
- Firefighter Greg Brantley completed his N.C. Technical Rescuer certifications
- Senior Firefighter Peyton Richardson was promoted to Senior Firefighter
- Firefighter J.D. Howard, III completed his N.C. Driver/Operator-Pumps certification

FY '24 QUARTERLY REPORT: FIRE

Mary Duffy gave details about FY 2023 operations and infrastructure growth. There was discussion about the increase in work orders. A big driver of the work order increase was trash carts with new residents moving into Town.

The Town acquired 6.25 miles in new streets and 5.43 miles in new stormwater pipe last year and Ms. Duffy explained the pavement condition rating improved from the previous year. Some projects for FY 2024 included Dulcimer Lane, 600 block of North Gill Street, 300 block of West Glenn Street, 100-200 blocks of West Horton Street and Mandolin Place. Approximately 41,375 LF of pavement preservation was planned for FY 2024 and those areas were detailed.

It was explained the Town received a notice of deficiency for the 2022 stormwater audit. Public Works submitted the self-audit and stormwater management plan and the plan to hire the Town Engineer by the end of 2023. Ms. Duffy stated the Engineer would take over the stormwater management program. There were investments needed to support the Engineer and to pass the next audit.

Mary Duffy provided details of the Green Pace and Arendell signal project. Construction was underway and on the utility relocation portion was being worked on. The project was projected to be completed by the end of 2023.

Another project in process was the Shepard School and Old Bunn signal. Design was 98% complete and all right of way was acquired except at the Boys and Girls Club. The next steps were detailed.

The final project detailed was the swimming pool demolition. The bids came in under budget and was awarded to 4 Seasons demolition.

GOVERNING BOARD PROCEDURE MANUAL: REMOTE MEETINGS

Joe Moore explained the purpose of a procedure manual and stated they were intended to help boards reach informed decisions. The Board expressed interest in the ability to meet remotely and a draft policy was introduced to the Board at their April 20, 2023 work session. The amendments to the previous draft included planned absence, emergency absence and extend time for participant to reconnect.

The financial impact of adding a remote meeting to the rules of procedure was explained by Mr. Moore.

Commissioner Baxter stated she spoke to Sam Slater after the August regular meeting and the policy covered a reasonable amount of time for a commissioner to reconnect to a call. Sam Slater provided clarification about a reasonable time to reconnect to a virtual meeting.

Commissioner Miles asked who would decide about the financial investment for virtual meetings. Mr. Moore explained staff would provide the financial amount detailed in the staff report at their next regular meeting.

STRATEGIC PLAN GRANT POLICY REVISION

Joe Moore stated the Board adopted a non-profit grant policy in 2007 and was amended in 2020. The policy changes were detailed. The North Carolina General Statute changed and now prohibits the award of grants to a non-profit if a Board member is associated with the non-profit in any way. The proposed policy reflects the language from the change in the general statute change.

Commissioner Miles asked about the grant amount. Joe Moore explained the amount did not change and remained \$5,000 total with the maximum being \$1,000 that a non-profit could receive.

Commissioner Baxter asked for an explanation of what an association with a non-profit was considered. Sam Slater explained the language from the statute. There was discussion about non-profit revenue sharing.

Commissioner Baxter stated she had no issues with the change to the policy and wanted to get back to funding non-profits.

LAPSED SALARIES

Commissioner Baxter asked about the lapsed salaries to date.

Joe Moore explained the information about the fund balance growth would be reported in the audit for the previous fiscal year. For the current fiscal year not, all positions were funded a full year.

Commissioner Baxter wanted an idea of how much lapse salaries rolled into the general fund that could be used to fund other positions or projects.

Joe Moore clarified lapsed salaries should be used for a one-time expense and not be used toward an ongoing expense.

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August 17, 2023

Commissioner Loucks made a motion, second my Commissioner Baxter to adjourn. There was no discussion and the motion passed unanimously.

Adopted this the 11th day of September 2023.

Glenn L. York—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk

Zebulon Board of Commissioners
Special Called Meeting
Minutes
August 30, 2023

Present: Glenn York, Beverly Clark, Quentin Miles, Shannon Baxter, Larry Loucks, Jessica Harrison, Joe Moore-Town Manager, Mike Clark-Planning, Lisa Markland-Town Clerk

This was a meeting of the East Wake Local Government Association which includes the boards from Wendell, Knightdale, Rolesville and Zebulon as well as their Town Managers, clerks and various other staff members.

Mayor Virginia Gray welcomed everyone and introduced the speakers for the evening. Iona Thomas with McAdams was present to speak on greenways and trails.

Town Manager, Marc Collins, gave an update on their new town hall building and thanked everyone for coming out.

A meal was shared beginning at 6:15pm before presentations began at 7:00pm.

Iona Thomas gave a presentation on trails and greenways and that 2023 was the year of the trail and the great trail state program that had been developed.

Ms. Thomas talked about details such as feasibility, design, cost and how to get a trail on the ground. The NCDOT Grant program was also discussed.

Community Updates

Kelly Arnold gave the update for Rolesville.

Joe Moore gave the update for Zebulon.

Bill Summers gave the update for Knightdale.

Marc Collins gave the update for Wendell.

Iona Thomas was thanked for her presentation.

The meeting wrapped up at 8:15pm.

Adopted this the 11th day of September 2023.

Glenn L. York—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk



Board of Commissioners
P.O. Box 550 • Raleigh, NC 27602

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SHINICA THOMAS, CHAIR
SUSAN EVANS, VICE-CHAIR
VICKIE ADAMSON
MATT CALABRIA
DON MIAL
CHERYL STALLINGS
JAMES WEST

August 22, 2023

Ms. Lisa Markland
Town Clerk
Town of Zebulon
1003 North Arendell Avenue
Zebulon, North Carolina 27597

Dear Ms. Markland:

The Wake County Board of Commissioners, in regular session on August 21, 2023, approved and accepted the enclosed tax report for the Town of Zebulon.

The attached adopted actions are submitted for your review; no local board action is required.

Sincerely,

A handwritten signature in blue ink that reads "Antoinette H. Womack".

Antoinette H. Womack
Deputy Clerk to the Board
Wake County Board of Commissioners

Enclosure(s)



Wake County Tax Administration

Rebate Details

06/01/2023 - 06/30/2023

DATE 07/04/2023 TIME 10:30:22 PM PAGE 1

ZEBULON

REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
INDIVIDUAL PROPERTY ACCOUNTS											
851292	119.63	0.00	11.96	0.00	131.59	06/30/2023	0006899071	2020	2020	000000	KEITH TRANSFER LLC
851293	103.68	0.00	10.37	0.00	114.05	06/30/2023	0006899071	2021	2021	000000	KEITH TRANSFER LLC
851294	91.71	0.00	9.17	0.00	100.88	06/30/2023	0006899071	2022	2022	000000	KEITH TRANSFER LLC
SUBTOTALS FOR INDIVIDUAL PROPERTY ACCOUNTS											
	315.02	0.00	31.50	0.00	346.52		3	Properties Rebated			
TOTAL REBATED FOR ZEBULON											
	315.02	0.00	31.50	0.00	346.52		3	Properties Rebated for City			



Wake County Tax Administration

Rebate Details

06/01/2023 - 06/30/2023

ZEBULON

DATE

07/04/2023

TIME

10:30:22 PM

PAGE

1

REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
Grand Total:	132,910.51	3,800.00	968.44	0.00	137,678.95		121	Properties Rebated for All Cities			

Topic: Ordinance 2024-07 – Conditional Zoning 2023-03
1106 N Arendell Ave

Speaker: Adam Culpepper, Senior Planner
From: Michael J. Clark, CZO, AICP, Planning Director
Prepared by: Adam Culpepper, Senior Planner
Approved by: Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider a Conditional Zoning Map Amendment for 1106 N Arendell Ave (PIN# 2705191832). This is a legislative case.

Background:

The Applicant, C4 CStore Holdings III, LLC (Thomas H. Johnson, Jr. with Williams Mullen) requests rezoning a 3.51-acre parcel from Heavy Commercial (HC) District to Heavy Commercial Conditional (HC-C) District for the development of Convenience Store (with gasoline sales).

The property is located at the south-east corner of N Arendell Ave and Dogwood Dr adjacent to the Wake County Eastern Regional Center and Zebulon Community Library.

On August 14, 2023, the Board held a joint public hearing on the proposed request. Two members of the public spoke in favor of the proposed rezoning. No one spoke in opposition to the request.

Discussion:

Unified Development Ordinance (UDO) Section 2.2.6.K provides the following standards for the Board to base their decision on the rezoning request:

1. Whether the proposed conditional rezoning advances the public health, safety, or welfare;
2. Whether and the extent to which the proposed conditional rezoning is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the Town's adopted policy guidance;
3. Whether an approval of the conditional rezoning is reasonable and in the public interest;
4. Whether and the extent to which the concept plan associated with the conditional rezoning is consistent with this Ordinance; and
5. Any other factors as the Board of Commissioners may determine to be relevant.

Policy Analysis:

Comprehensive Land Use Plan:

The Future Land Use and Character Map designates the future use of the property as General Commercial (GC). The GC designation is for properties in commercial retail, office and service uses, primarily along portions of major roadway corridors within the community for high visibility and accessibility (re. Grow Zebulon: Comprehensive Land

Use Plan (Land Use and Development section pg.18)). Primary land use types within this designation include automobile service-related enterprises, restaurant chains and “big box” commercial stores.

Unified Development Ordinance:

The Applicant proposes limiting the uses to Convenience Store (with gasoline sales). The Applicant has proposed site design, architecture conditions and additional development conditions for the Board to consider (see Attachments).

All conditions and details on the concept plan meet the spirit and intent of the UDO. If approved, the applicant would proceed to the Technical Review Committee (TRC) for review of final site plan and construction drawings before development can begin.

Financial Analysis:

Rezoning the property to GC-C will allow the applicant to develop a Convenience Store (with gasoline sales). Based on data from the Wake County Tax Administration, a comparable site would generate approximately \$15,000 per year in property tax revenue.

Any infrastructure extension and connection costs would be paid by the developer when the property is developed.

Planning Board Recommendation:

At their meeting on August 14, 2023, the Planning Board recommended approval of the request by a 6-1 vote, finding that the request is consistent with Section 2.2.2.6 of the UDO and the Land Use and Development section of the Comprehensive Land Use Plan.

Staff Recommendation:

Staff recommends approval of the request, finding that the conditions offered meet the spirit and intent for the requested deviations from the UDO.

Attachments:


1. Application, Conditions, Site Plan, Building Elevations, and TIA
2. Future Land Use and Character Map
3. Aerial Map
4. Zoning Map
5. Site Pictures
6. Utility Allocation Policy Worksheet
7. Public Hearing Notification Affidavit
8. Ordinance 2024-07



APPLICATION FOR CONDITIONAL REZONING MAP AMENDMENT

PART 1. DESCRIPTION OF REQUEST/PROPERTY		
Street Address of the Property: 1106 N Arendell Avenue	Acreage: 3.51 ac	
Parcel Identification Number (NC PIN): 2705191832	Deed Book: 12-E-	Deed Page(s): 1688
Existing Zoning of the Property: Heavy Commercial (HC)	Proposed Zoning of the Property: Heavy Commercial-Conditional (HC-C)	
Existing Use of the Property: Vacant	Proposed Use of the Property: Convenience Store with gasoline sales	
Reason for Conditional Rezoning: The conditional rezoning is being requested to facilitate a design-related adjustment for the convenience store with gasoline sales use proposed on the subject property which is already a permitted use in HC zoning. Under the applicable use-specific standards in UDO 4.3.5.Q.1.a., fuel pump islands may not be located between a building and any adjacent street rights-of-way. The subject parcel is adjacent to street rights-of-way on three sides. Due to the site constraints for this permitted use resulting from existing frontage on three different rights-of-way, the proposed conditional zoning with associated concept plan is being requested, as provided for under UDO Section 3.6, to modify this particular use-standard.		

PART 2. APPLICANT/AGENT INFORMATION		
Name of Applicant/Agent: Thomas H. Johnson, Jr. (Attorney) / Williams Mullen, agent for C4 CStore Holdings III, LLC		
Street Address of Applicant/Agent: 301 Fayetteville Street, Suite 1700		
City: Raleigh	State: NC	Zip Code: 27601
Email of Applicant/Agent: tjohnson@williamsmullen.com	Telephone Number of Applicant/Agent: (919) 981-4006	Fax Number of Applicant/Agent:
Are you the owner of the property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Are you the owner's agent? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Note: If you are not the owner of the property, you <u>must</u> obtain the Owner's consent and signature giving you permission to submit this application.

PART 3. PROPERTY OWNER INFORMATION		
Name of Property Owner: Carl Victor Tart, Jr; Connie Tart; Jenna Burlington Fitch; Miles Fitch, III; Robert T. Burlington; Sara Burlington		
Street Address of Property Owner: 7815 Roxboro Rd		
City: Bahama	State: NC	Zip Code: 27503-9045
Email of Property Owner:	Telephone Number of Property Owner:	Fax Number of Property Owner:
<i>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.</i>		
Signature of Applicant: 	Print Name: Thomas H. Johnson, Jr.	Date: 3/1/2023
Signature of Owner: * see attached page for property owner signatures	Print Name: * see attached page	Date:



**APPLICATION FOR
CONDITIONAL REZONING MAP AMENDMENT**

LEGISLATIVE CONSIDERATIONS – CONDITIONAL REZONING

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 conditional zoning district rezoning 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 2.2.6.K of the UDO as follows:

<p>1. Please explain how the proposed Conditional Rezoning advances the public health, safety, or welfare</p>
<p>See Exhibit A attached to this application.</p>
<p>2. Please explain how the proposed conditional rezoning is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the town’s adopted policy guidance;</p>
<p>See Exhibit A attached to this application.</p>
<p>3. Please explain how an approval of the conditional rezoning is reasonable and in the public interest;</p>
<p>See Exhibit A attached to this application.</p>
<p>4. Please explain how the concept plan associated with the conditional rezoning is consistent with this Ordinance; and</p>
<p>See Exhibit A attached to this application.</p>
<p>5. Please explain how the proposed conditional rezoning 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.</p>
<p>See Exhibit A attached to this application.</p>



APPLICATION FOR CONDITIONAL REZONING MAP AMENDMENT

CONCEPT PLAN REQUIREMENTS

Every applicant requesting a Conditional Zoning Amendment shall submit **8 copies and 1 pdf (e-mail or USB Drive)** of a concept plan drawing with the application for a Conditional Rezoning. The concept plan shall contain sufficient information to adequately determine the type of development being proposed. The concept plan drawing shall include, at a minimum, the following features unless otherwise specified by the Planning Department:

**CHECK IF
SUBMITTED**

ITEM

1.	Plot plan showing all existing and planned structures, building setback lines, perimeter boundaries, and easements.	<u> X </u>
2.	Elevation drawings of all buildings indicating the proposed exterior finish materials.	<u> X </u>
3.	Landscaping plan, lighting, fencing, screening, and walls, indicating all heights and locations.	<u> X </u>
4.	Location of all ingress and egress.	<u> X </u>
5.	Off-street parking and loading facilities, with calculations showing how the quantities were obtained.	<u> X </u>
6.	All pedestrian walks and open areas for use by residents, tenants, or the public.	<u> X </u>
7.	Proposed land uses indicating areas in square feet.	<u> X </u>
8.	The location and types of all signs, including lighting and heights, with elevation drawings.	<u> X </u>
9.	Existing and/or proposed street names.	<u> X </u>
10.	Proposed potable or reuse water, wastewater connections, and storm sewer line; proposed grading and drainage patterns; proposed water and sewer allocations.	<u> X </u>
11.	Such additional items and conditions, including design standards as the Planning Board and Board of Commissioners deems necessary.	<u> X </u>
12.	Trip generation data and TIA	<u> X </u>



APPLICATION FOR CONDITIONAL REZONING MAP AMENDMENT

PROPOSED CONDITIONAL USES

An application has been duly filed requesting that the property described in this application be rezoned from Heavy Commercial (HC) to Heavy Commercial-Conditional (HC-C). It is understood and acknowledged that if the property is rezoned as requested, the property described in this request will be perpetually bound to the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in the Unified Development Ordinance. It is further understood and acknowledged that final plans for any specific development to be made pursuant to any such Conditional Zoning shall be submitted for site or subdivision plan approval. Use additional pages as needed.

The Rezoned Lands may be used for, and only for, the uses listed immediately below. The permitted uses are subject to the limitations and regulations stated in the Use Table and any additional limitations or regulations stated below. For convenience, some relevant sections of the Unified Development may be referenced; such references do not imply that other sections of the Unified Development Ordinance do not apply.

1.	All uses permitted within the HC District in accordance with the UDO.	25.	
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23.		47.	
24.		48.	



*** REVISED 7/27/23**

PROPOSED DEVELOPMENT CONDITIONS

The applicant hereby requests that the Zebulon Board of Commissioners, pursuant Section 2.2.6 of the UDO approve the Conditional Zoning for the Conditional Zoning for the above listed use(s), subject to the following condition(s), requested deviations, and proposed alternative means of compliance. (Attach additional pages as needed)

1. Development of the property for a convenience store with gasoline sales use shall be substantially as shown on the concept plan approved as part of this rezoning request and as shown on a site/ development plan approved subsequent and pursuant to this rezoning. Development of the use on the property as described above shall not be subject to the use-specific standard in UDO 4.3.5.Q.1.a, more specifically this condition permits gasoline pump island to be located between the building and street as shown on the concept plan.
2. This rezoning and the associated site/building design proposed as part of the request considers certain UDO requirements in relation to: the nature of the proposed commercial use which is permitted by-right under the existing HC zoning; the property being adjacent to street rights-of-way on three sides, subjecting proposed development at this location to additional standards not applicable to the same development type throughout all HC zoning; and, aspects of the proposed site/building design that exceed minimum UDO requirements as shown and described in the documents submitted as part of the rezoning request. Based on consideration of these factors, variation in the fenestration requirements for the south, west and east building facades is allowed as shown on plans approved as part of this rezoning, more specifically:
 - South wall – 29% transparency/glazing provided (minimum 30% required); wall does not face an adjacent street.
 - West wall – 33% transparency/glazing provided (minimum 30% required), use of spandrel glazing due to interior layout requirements for specific building use; canopies are provided above glazing on this façade.
 - East wall – no transparency provided (view of wall from the adjacent street will be screened by multiple different design aspects required by the UDO and other features including: required dumpster enclosure and landscape screening; street trees; canopy and understory trees and shrubs within the required street buffer; and the proposed fueling area and associated structures).
3. The developer shall construct/provide the following traffic improvements as shown on the diagram titled: "Proposed Land Configurations and Traffic Control, Zebulon 7-Eleven, Zebulon, NC, Figure 14", prepared by Impact Designs, Inc. agreed upon by development team, Town of Zebulon, and NCDOT on 7/27/2023. Plans/details of these improvements shall be shown on the site/construction plans submitted to the Town for review subsequent to rezoning.
 - 125-foot eastbound right turn lane on Dogwood Drive at Site Access A.
 - 150-foot westbound left turn lane on Dogwood Drive at N Arendell Ave.
 - 300-foot left turn lane on the US 64 Highway WB off-ramp.
 - Retime traffic signals in the AM and PM peak hours.
 - Upgrade signal at N Arendell Ave/Dogwood Drive/US 64 WB ramps to accommodate new left turn lanes.



APPLICATION FOR
CONDITIONAL REZONING MAP AMENDMENT

OWNER'S CONSENT FORM

Name of Project: 1106 N Arendell Ave Conditional Rezoning Submittal Date: 3/01/23

OWNER'S AUTHORIZATION

I hereby give CONSENT to Thomas H. Johnson, Jr.- attorney / Williams Mullen (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 2.2.6 M. of the Town of Zebulon Unified Development Ordinance, that lands subject to a conditional rezoning 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.

** see attached page for property owner signatures*

Signature of Owner Print Name 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.

** see attached page for property owner signatures*

Signature of Owner Print Name Date

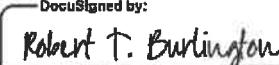
*Owner of record as shown by the Wake County Revenue Department (www.wakegov.com). An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this form.

**ATTACHMENT TO
PAGES 3 & 8 OF APPLICATION FOR CONDITIONAL REZONING MAP
AMENDMENT
1106 N ARENDELL AVE (PIN: 2705191832)**

**OWNER'S CONSENT FORM:
OWNER'S AUTHORIZATION & CERTIFICATION OF PROPERTY OWNER**

Owner Signature: 
JENNA BURLINGTON FITCH

Owner Signature: 
MILES FITCH, III

Owner Signature: 
ROBERT T. BURLINGTON

Owner Signature: 
SARA BURLINGTON

Owner Signature: 
CARL VICTOR TART, JR.

Owner Signature: 
CONNIE TART



**APPLICATION FOR
CONDITIONAL REZONING MAP AMENDMENT**

ADJACENT OWNERS AND HOA CONTACTS:

Provide a certified list of property owners subject to this application and all properties owners within 150-feet feet of the subject property, and any HOA Contacts for developments which fall within 300-feet of the subject property.

Parcel Address	Parcel ID Number	Owner's Name
1203 N ARENDELL AVE	2706004241	SPEEDWAY LLC
1209 N ARENDELL AVE	2706003318	SPEEDWAY LLC
0 HENDRICKS DR	2705091833	SPEEDWAY LLC
1207 N ARENDELL AVE	2706003279	SPEEDWAY LLC
0 N ARENDELL AVE	2705196519	MASSEY, OREN D JR TRUSTEE ETAL DEBNAM, GLORIA MASSEY
1201 N ARENDELL AVE	2705094933	STATE EMPLOYEES CREDIT UNION
1240 N ARENDELL AVE	2706006594	SPIRIT MASTER FUNDING VII LLC
300 JONES ST	2706009923	CHURCH OF JESUS CHRIST OF LATTER-DAY
121 WAKELON ST	2705189915	ZEBULON 64 LLC
1002 DOGWOOD DR	2706107210	WAKE COUNTY
101 WAKELON ST	2705186910	FIRST CITIZENS BANK & TRUST COMPANY
1213 SHEPARD SCHOOL RD	2705292674	MASSEY OREN D JR TRUST THE
1015 N ARENDELL AVE	1795878684	GLAXO INC
700 PROCTOR ST	2706116112	WAKE CNTY BOARD OF EDUCATION
1106 N ARENDELL AVE	2705191832	TART, CARL VICTOR JR BURLINGTON, VICKIE NEWTON TART
1309 SHEPARD SCHOOL RD	2706206369	KITAHATA, MARI KITAHATA, LUTHER M
0 N ARENDELL AVE	2706004193	STATE EMPLOYEES CREDIT UNION
1260 N ARENDELL AVE	2706005610	EPARK LLC
1000 HENDRICKS DR	2706006772	JTSJ INC
1200 N ARENDELL AVE	2706008182	COOK OUT-ZEBULON INC
1204 N ARENDELL AVE	2706008364	TRUIST BANK
0 JONES ST	2706008542	COOK OUT-ZEBULON INC
1206 N ARENDELL AVE	2706006389	COOK OUT-ZEBULON INC
0 JONES ST	2705199739	WAKE COUNTY BOARD OF EDUCATION

HOA Contacts:

Development Name	Contact Name	Contact Address

EXHIBIT A: APPLICANT'S NARRATIVE
CONDITIONAL REZONING REVIEW STANDARDS - UDO SECTION 2.2.6.K
Application for Conditional Rezoning Map Amendment
1106 N Arendell Ave (Wake County PIN: 2705191832)
C4 CStore Holdings III, LLC (Applicant)

#

#

Below are the applicant's statements (bold text) in response to the Conditional Rezoning Review Criteria contained in UDO Section 2.2.6.K (shown below in italics).

1. *Please explain how the proposed Conditional Rezoning advances the public health, safety, or welfare.*

Applicant Response: The proposed conditional rezoning advances public health, safety and welfare by facilitating development of use already allowed by-right under current zoning at a location that utilizes an existing signalized intersection for controlled ingress and egress to the site. The location is within a commercially developed corridor and adjacent to major roadways (N Arendell Avenue and US 64 Highway) already being travelled for other destinations will potentially reduce the need for additional vehicle trips on other roads. The convenience store and gasoline sales use will be designed, constructed and operated consistent with current applicable regulations and incorporate improved technology, all focused on minimizing the potential for any impacts from the use.

2. *Please explain how the proposed conditional rezoning is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the town's adopted policy guidance.*

Applicant Response: The proposed conditional rezoning is appropriate in this location as it better facilitates development of a use already allowed by-right in HC zoning. The location utilizes an existing signalized intersection for controlled ingress and egress to the site, providing safer conditions and increased convenience for those using the site. The site is within a commercially developed corridor and adjacent to major roadways (N Arendell Avenue and US 64 Highway) already being travelled for other destinations.

The *Future Land Use and Character Map*, part of Zebulon's *Comprehensive Land Use Plan*, depicts the subject property within the General Commercial category. The majority of the parcel's boundary is both adjacent to and on the opposite side of streets from other properties also within the General Commercial category. The smaller remainder of the parcel boundary is separated by street right-of-way from land designated Suburban Commercial. A convenience store with gasoline sales is classified as "Commercial Use" under UDO Article 4. A Primary Land Use Type of the General Commercial category includes "*Automobile service-related enterprises (e.g., gas stations ...)*". The parcel's location within a major roadway corridor, along N. Arendell Ave and in close proximity to US 64 Highway and having increased accessibility via a signalized intersection are consistent with "Characteristics" of the General Commercial category. The proposed use/design supports multiple Plan policies, including:

- "*..., growth should first be directed toward vacant parcels and underutilized lands within the Town's existing incorporated area before extensive development is considered or encouraged within future growth areas beyond the Town limits.*" (Annexation and Growth Management: P.)

EXHIBIT A: APPLICANT'S NARRATIVE
CONDITIONAL REZONING REVIEW STANDARDS - UDO SECTION 2.2.6.K
Application for Conditional Rezoning Map Amendment
1106 N Arendell Ave (Wake County PIN: 2705191832)
C4 CStore Holdings III, LLC (Applicant)

- ***“Emphasize economic development pursuits that will further diversify the local economic and tax bases and avoid over-reliance on a few major businesses and employers.”*** (Economic Development: E.)
- ***“Heavy commercial development should be concentrated in nodes at intersections and along major thoroughfares that are designed and constructed to accommodate higher traffic volumes.”*** (Heavy Commercial: H2.)
- ***“Land uses should not detract from the enjoyment or value of neighboring properties.”*** (General: G1.)

3. Please explain how an approval of the conditional rezoning is reasonable and in the public interest.

Applicant Response: Approval of the proposed conditional rezoning for the use as shown on the associated concept plan is reasonable and in the public interest as it facilitates establishment of a use already allowed by-right under the existing zoning for the site, which use provides a valuable and needed service to the community. The location utilizes an existing signalized intersection for controlled ingress and egress to the site, providing safer conditions and increased convenience for those using the site. The site is designed consistent with ordinance requirements and standards, including those pertaining to buffers, landscaping and preservation of existing mature vegetation. The site design/layout shown on the concept plan proposes locating the fuel pump island between the building and the adjacent street right-of-way with the least amount of vehicle traffic since it will not currently provide through access. This modification of the applicable UDO standard best maintains the use standard's goal with the additional constraints it creates for this parcel due to the presence of three adjacent street rights-of-way.

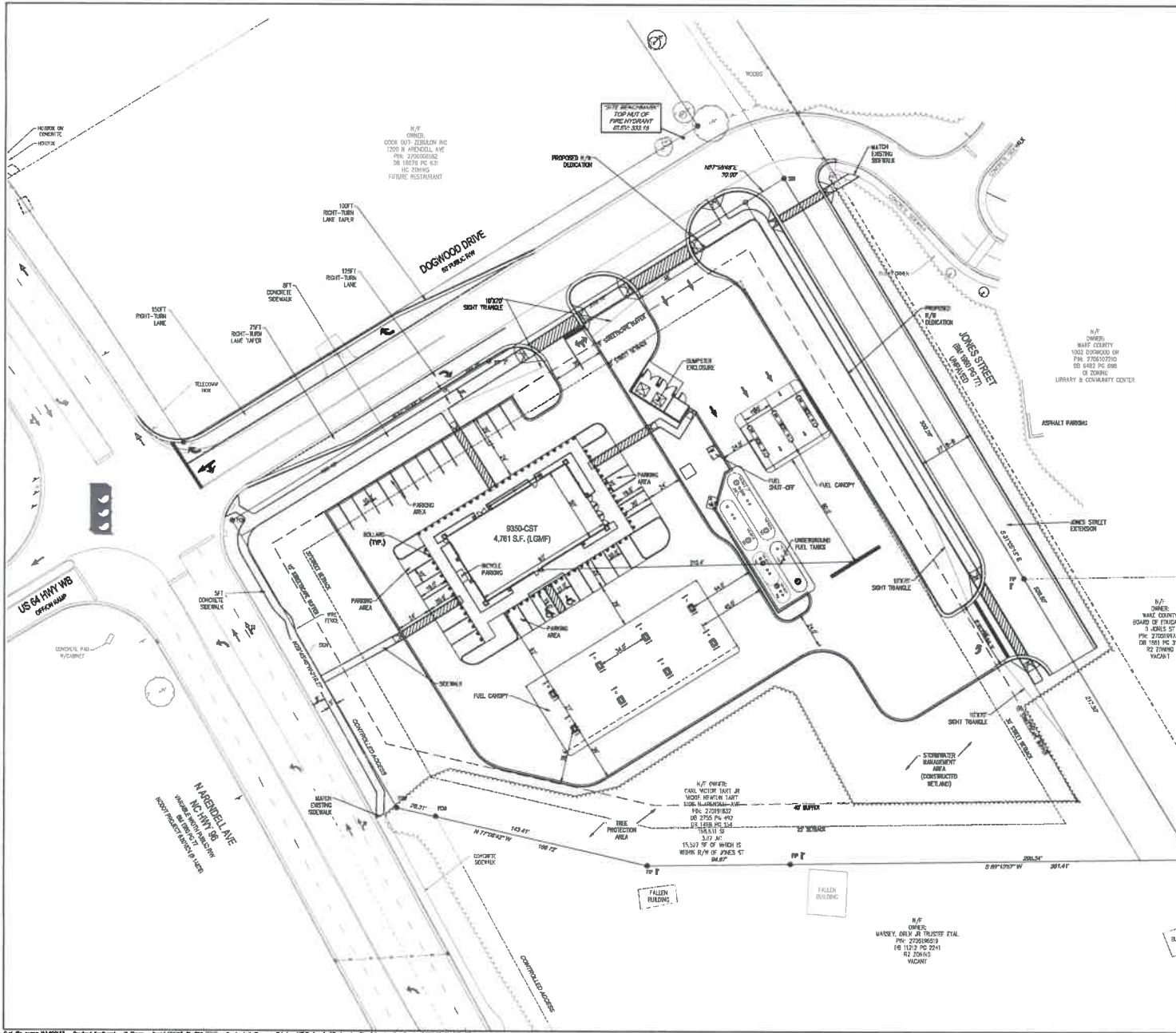
4. Please explain how the concept plan associated with the conditional rezoning is consistent with this Ordinance.

Applicant Response: The development design shown on the proposed concept plan associated with this conditional rezoning request is consistent with all applicable requirements and standards of the UDO. The applicant is requesting conditional zoning for a site design-related adjustment to better facilitate consistency with a single UDO use-standard specific to the use of a convenience store with gasoline sales. All other elements of site design/development are consistent with the ordinance, including buffers, landscaping, parking, site ingress/egress, circulation, stormwater management, and building design.#

5. Please explain how the proposed conditional rezoning 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.

EXHIBIT A: APPLICANT'S NARRATIVE
CONDITIONAL REZONING REVIEW STANDARDS - UDO SECTION 2.2.6.K
Application for Conditional Rezoning Map Amendment
1106 N Arendell Ave (Wake County PIN: 2705191832)
C4 CStore Holdings III, LLC (Applicant)

Applicant Response: The convenience store with gasoline sales use shown on the proposed concept plan associated with this conditional rezoning request is an allowed by-right use under the property's existing HC zoning. Due to the property having frontage on three existing street rights-of-way, the use shown on the concept plan is subject to additional UDO use standards that are not applicable to the same use throughout HC zoning. These additional standards constrain/reduce options and flexibility with site layout design. The use and layout as shown on the associated concept plan minimizes the degree of modification from the single use standard since the fuel pump island is located between the building and the adjacent street right-of-way (Jones Street) that will carry the least amount of vehicular traffic of all streets adjacent to this site. Currently the Jones Street right-of-way adjacent to this property is not built. As shown on the concept plan, the applicant is proposing to construct the required full width of the travel way within the right-of-way adjacent to the site's frontage.



VICINITY MAP

PROJECT DEVELOPMENT DATA	
STREET ADDRESS:	1106 N ARANDELL AVE.
PAR. NO.:	2708-19-1837
DEED BOOK/PAGE:	0006328 12-E-1608
ZONING DISTRICT:	HC (HEAVY COMMERCIAL)
SITE AREA:	3.40 AC (3.87 AC - 0.47 AC R/W DEDICATION)
LATITUDE & LONGITUDE:	35°50'11.0" N 78°14'17.0" W
INSIDE TOWN LINES:	YES
EXISTING USE:	VACANT (FORMERLY SINGLE FAMILY)
PROPOSED BUILDING USE:	CONVENIENCE STORE WITH GASOLINE SALES
CROSS BUILDING AREA:	4,800 SF
MINIMUM LOT SIZE:	8000 SF
MINIMUM LOT WIDTH:	30 FT
MINIMUM STREET SETBACK:	30 FT
MINIMUM SIDE SETBACK:	5 FT
MINIMUM REAR SETBACK:	25 FT
MINIMUM LOT COVERAGE:	80%
MAXIMUM FILLING HEIGHT:	50 FT
OPEN SPACE REQUIRED:	3% OF DEVELOPMENT AREA 138 SF OF 3.40 AC = 0.10 AC
PARKING REQUIREMENT:	1 FOR EVERY 200 SF
TOTAL REQUIRED:	4,800 SF / 200 = 25 SPACES
PARKING SPACES PROVIDED:	35
PARKING SPACE DIMENSIONS:	10 FT X 19 FT MINIMUM
STANDING SPACE REQUIRED:	1 ON EACH SIDE OF OUTPOST GAS PUMP
STANDING SPACE DIMENSIONS:	9 FT X 26 FT
MIN DRIVE ASLE:	24 FT
ACCESSIBLE SPACES PROVIDED:	2
BICYCLE PARKING:	1 PER 20 OFF-STREET PARKING SPACES 2 SPACES PROVIDED
LANDSCAPE BUFFERS:	48 FT TYPE D BUFFER ADJACENT TO RESIDENTIAL
STREETSCAPE BUFFER:	15 FT TYPE C BUFFER

Bowman

Bowman North Carolina, LLC
 4000 BURGESS CTR
 Suite 104
 PALESTINE, NC 27659
 Phone: 919.683.4800
 bowman.com
 Bowman North Carolina, LLC

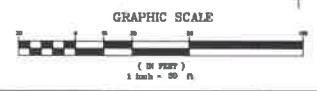
SITE PLAN

Convenience Store
 1106 North Arandell
 Zebulon, NC Wake County

PRELIMINARY
 DO NOT
 USE FOR
 CONSTRUCTION

PLAN STATUS	
DATE	PER TOWN REVIEW
7/11/23	

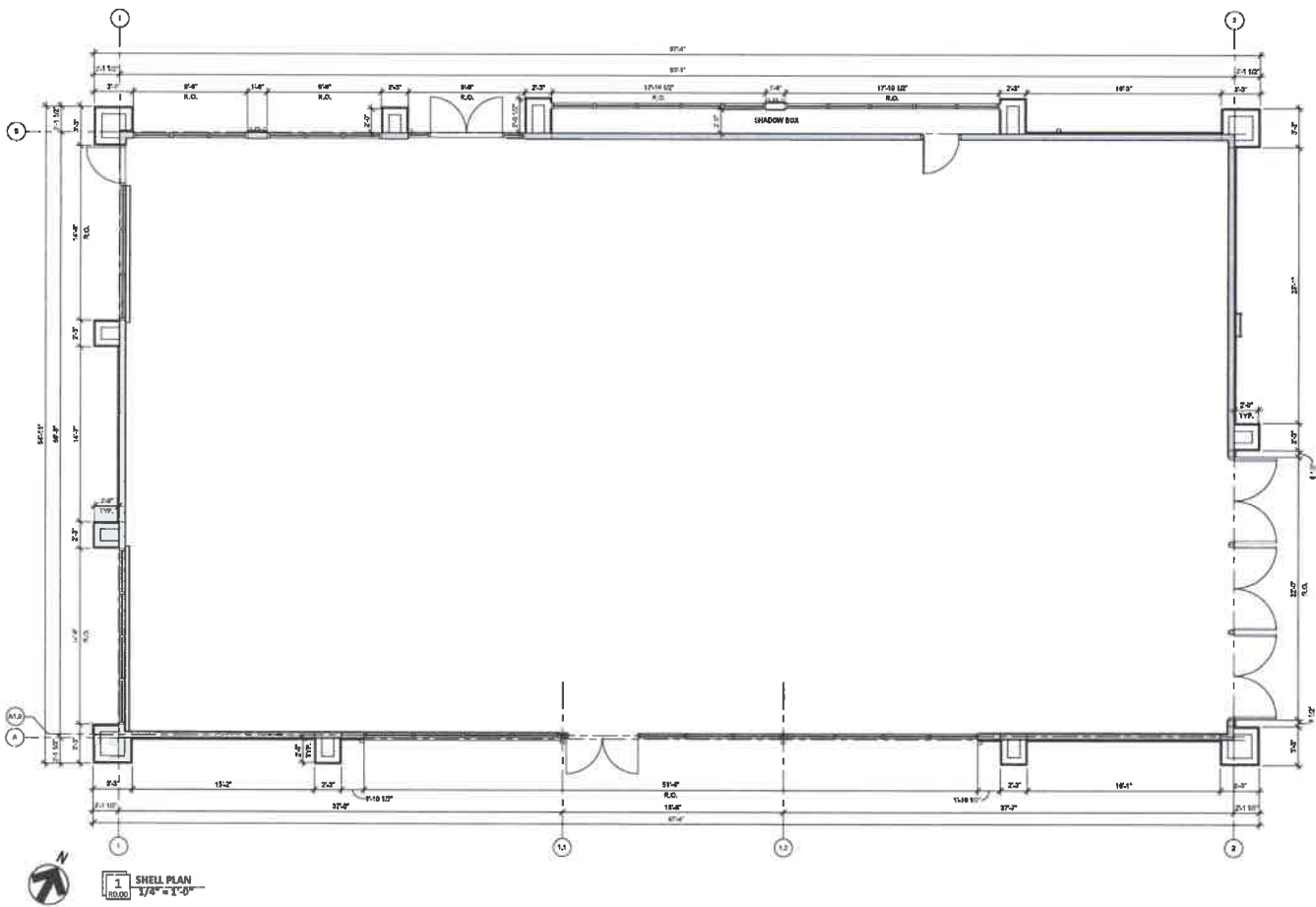
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	DATE: February 28, 2023
	FILE No. 220009-2-xx-xxx



SHEET C1.0

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C:\Users\Aurora\Documents\22121_Zebulon NC_R00_ending?A6.RVT



buf
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CLIENT NAME
CHARLES SCOTT
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PROJECT
1108 N. ARENDELL AVENUE
ZEBULON, NC 27597

PROJECT NO. 2023-03

1108 N. ARENDELL AVENUE
ZEBULON, NC 27597



REVISIONS
NO. DATE DESCRIPTION

Drawing Size: 30x42 / Project #: 2023
Drawn By: JSA / Checked By: ADP
Title: SHELL PLAN

Sheet Number:
RO.00

Date: 04/20/23 Sheet #: 100/007

TRAFFIC IMPACT ANALYSIS

Zebulon 7-Eleven Convenience Store Zebulon, North Carolina

MARCH 1, 2023

IMPACT DESIGNS, INC.

Prepared by: Nicholas Burns, PE

TRAFFIC IMPACT ANALYSIS

Zebulon 7-Eleven Convenience Store

ZEBULON, NORTH CAROLINA



REPORT PREPARED FOR:
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- C) Turn Lane Analysis
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EXECUTIVE SUMMARY

A traffic impact study was conducted for the proposed Zebulon 7-Eleven in accordance NCDOT guidelines. The proposed development is located on the east side of N. Arendell Avenue, north of US 64, in Zebulon, North Carolina. The development is expected to consist of 4,714-square-foot convenience store with 16 vehicle fueling pumps and 3 truck fueling pumps and is planned to be completed by 2024. Access to the site is to be provided via a full movement access and a truck entrance on Dogwood Drive and a truck exit on a new unnamed road which will connect to back to Dogwood Drive.

The study was determined through coordination with NCDOT and the Town of Zebulon and consists of the following intersections:

- N. Arendell Avenue & US 64 EB Ramps
- N. Arendell Avenue & US 64 WB Ramps/Dogwood Drive
- N. Arendell Avenue & Pearces Road
- N. Arendell Avenue & Green Pace Road
- N. Arendell Avenue & Proctor Street/Riley Hill Road
- Proctor Street & Pearces Road
- Dogwood Drive and Access A
- Dogwood Drive and Access B
- Dogwood Drive and Unnamed Road
- Unnamed Road and Access C

For the purpose of this analysis, the study intersections listed above were analyzed under the following scenarios:

- Existing (2023) Conditions
- No-Build (2024) Conditions
- Build (2024) Conditions

Traffic operations during the AM and PM peak hours were modeled for each scenario. The results of each scenario were compared to determine impacts from background traffic growth and the proposed development.

The capacity analysis indicates that the existing road network can accommodate the proposed development with some minor improvements. By constructing a westbound right turn lane on Dogwood Drive at N. Arendell Avenue and retiming the corridor in both peak hours, operations are expected to be similar to the No-Build scenario.

Recommendations

- Construct an eastbound right turn lane on Dogwood Drive at Access A with 100 feet of storage and appropriate taper.
- Construct a westbound right turn lane on Dogwood Drive at N. Arendell Avenue with 150 feet of storage and appropriate taper.
- Retime existing traffic signals.

1. INTRODUCTION

The purpose of this report is to summarize the Traffic Impact Analysis that was completed for the proposed Zebulon 7-Eleven in Zebulon, North Carolina. The study was developed in accordance with NCDOT guidelines. The purpose of the study is to determine the potential impact to the surrounding transportation system caused by the traffic generated by the development. This report summarizes the procedures and findings of the traffic impact study.

1.1. Project Summary

The proposed development is located on the east side of N. Arendell Avenue, north of US 64, in Zebulon, North Carolina. The development is expected to consist of 4,714-square-foot convenience store with 16 vehicle fueling pumps and 3 truck fueling pumps and is planned to be completed by 2024. This traffic impact study analyzes the effects of the additional traffic associated with the proposed development during the weekday AM (7:00 AM - 9:00 AM) and the weekday PM (4:00 PM - 6:00 PM) peak periods. The study area for the purpose of the analysis includes:

- N. Arendell Avenue & US 64 EB Ramps
- N. Arendell Avenue & US 64 WB Ramps/Dogwood Drive
- N. Arendell Avenue & Pearces Road
- N. Arendell Avenue & Green Pace Road
- N. Arendell Avenue & Proctor Street/Riley Hill Road
- Proctor Street & Pearces Road
- Dogwood Drive and Access A
- Dogwood Drive and Access B
- Dogwood Drive and Unnamed Road
- Unnamed Road and Access C

Refer to Figures 1 for the site location.

For the purpose of this analysis, the study intersections listed above were analyzed under the following scenarios:

- Existing (2023) Conditions
- No-Build (2024) Conditions
- Build (2024) Conditions

Refer to Appendix A for a copy of the NCDOT TIA Scoping Checklist.

1.2. Existing Roadway Conditions

The primary roadways within the study area are N. Arendell Avenue, Pearces Road, Proctor Street, and Dogwood Lane. A summary of their existing characteristics is shown in Table 1.

Table 1 – Study Area Summary

Facility Name	Route #	Typical Cross Section	Posted Speed Limit	Maintained By	AADT
N. Arendell Avenue	NC 94	2-lane/3-lane/5-lane undivided	35 MPH	NCDOT	23,500 (2021)
Pearces Road	SR 1001	2-lane undivided	35 MPH	NCDOT	6,800 (2021)
Proctor Street	SR 2320	2-lane undivided	35 MPH	NCDOT	2,700 (2021)
Dogwood Drive	N/A	2-lane undivided	35 MPH	Local	No Data

Refer to Figure 3 for an illustration of the existing lane geometry and traffic control at the study intersections.

1.3. No-Build Roadway Conditions

A locally managed construction project at N. Arendell Avenue and Green Pace Road is scheduled to be completed in Winter of 2023 according to the Town of Zebulon website. The project will install a new traffic signal at the intersection as well as install left turn lanes on both approaches of N. Arendell Avenue. The new configuration for this intersection was used for all future scenarios of this analysis. Refer to Figure 4 for an illustration of the new geometry.

1.4. Driveway Location

Access to the proposed 7-Eleven site is to be provided via a full movement access and a truck entrance on Dogwood Drive and a truck exit on an new unnamed road which will connect to back to Dogwood Drive.



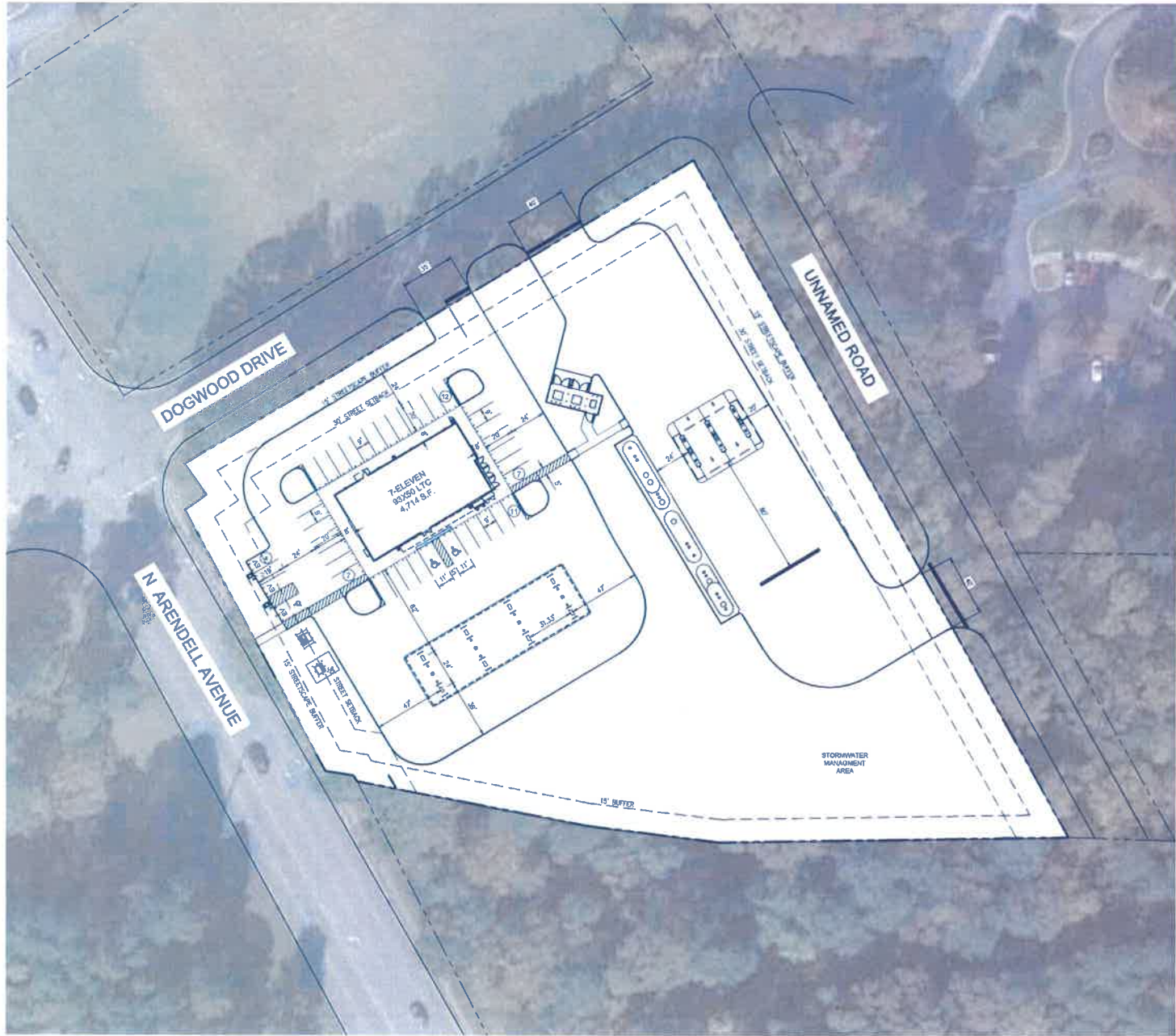
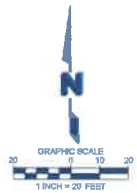
LEGEND	
	Proposed Site Location
	Site Access

IMPACT Designs, Inc.		
Zebulon 7-Eleven Zebulon, NC		
Site Location Map		
Scale: Not to Scale	Figure	1

Project Name: 117-Dimension 0001/02/14 & 020-145 - 000007 - Zebulon, NC in Arendell Ave & Dogwood Drive/0001/02/14 - 000007 - CSP1.dwg, Oct 11, 2022 - 12:20pm

- QUALIFICATIONS**
1. THIS SITE PLAN WAS PRODUCED WITH THE BEST INFORMATION AVAILABLE AT DATE OF PRODUCTION.
 2. NO ALTA/SUPPLEMENTAL SURVEY, NO TITLE REPORT, NO EASEMENT RESEARCH WAS AVAILABLE.
 3. TRANSPORTATION, UTILITY, ARCHEOLOGICAL, HISTORICAL RESEARCH WAS NOT PERFORMED.
 4. NO ZONING REQUIREMENTS, SETBACKS, BUFFERS WERE SUPPLIED AT THE DATE OF THIS PLAN. PROPOSED LAYOUT MAY NEED TO BE ADJUSTED PENDING ADDITIONAL INFORMATION.
 5. WATER QUALITY/QUANTITY TREATMENT LOCATION AND SIZE SUBJECT TO ENGINEERING CALCULATIONS AND AGENCY REVIEW.
 6. FOR ILLUSTRATIVE PURPOSES ONLY; NOT FOR LEASING DIMENSIONS OR CONSTRUCTION. ALL DIMENSIONS AND LAYOUT SUBJECT TO CHANGE.
 7. SITE PLAN WILL REQUIRE 7-ELEVEN AND CITY APPROVAL.

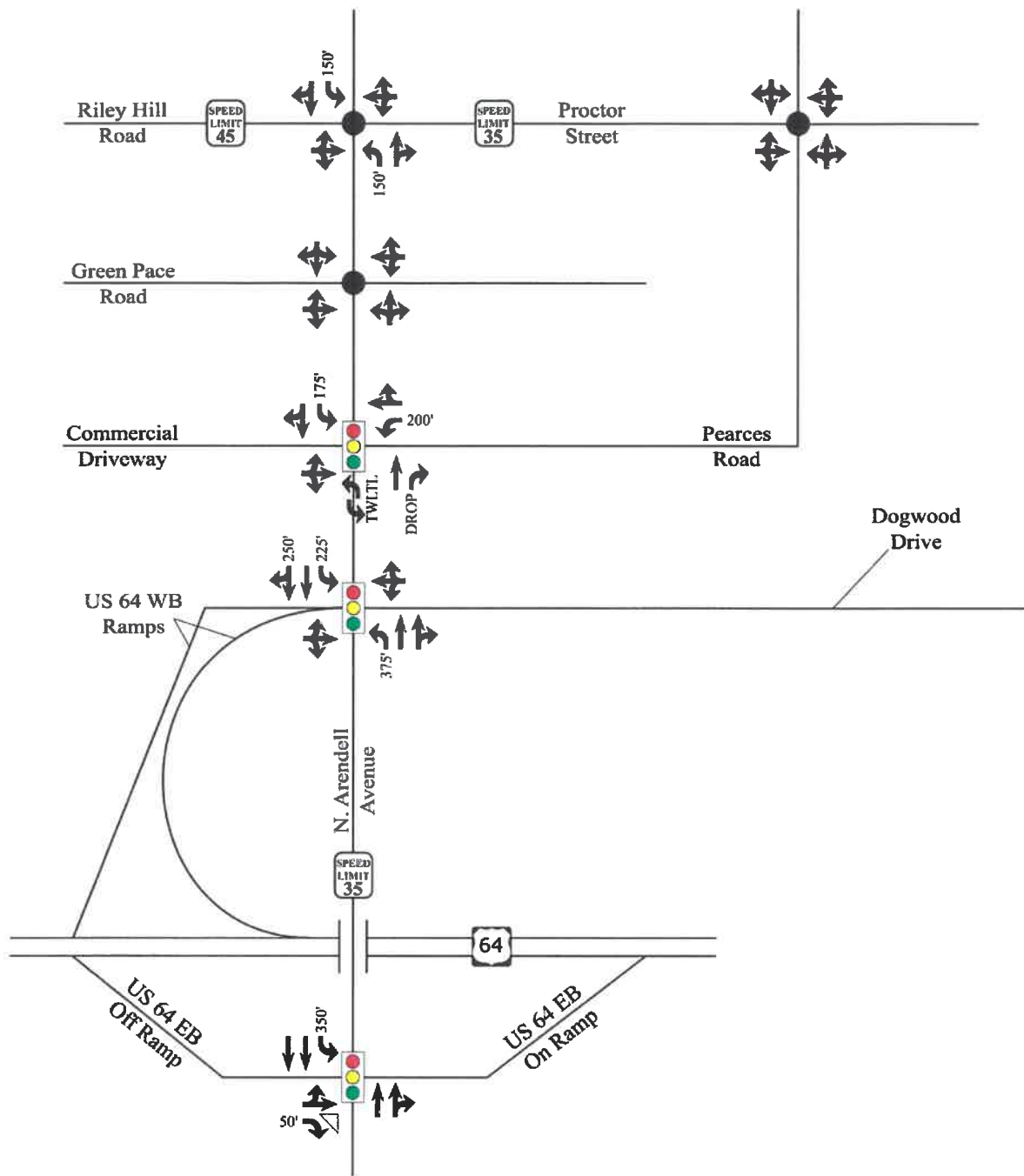
SITE SUMMARY	
AREA	152,875 S.F.±
PARKING SPACES	41



DATE	DESCRIPTION	BY
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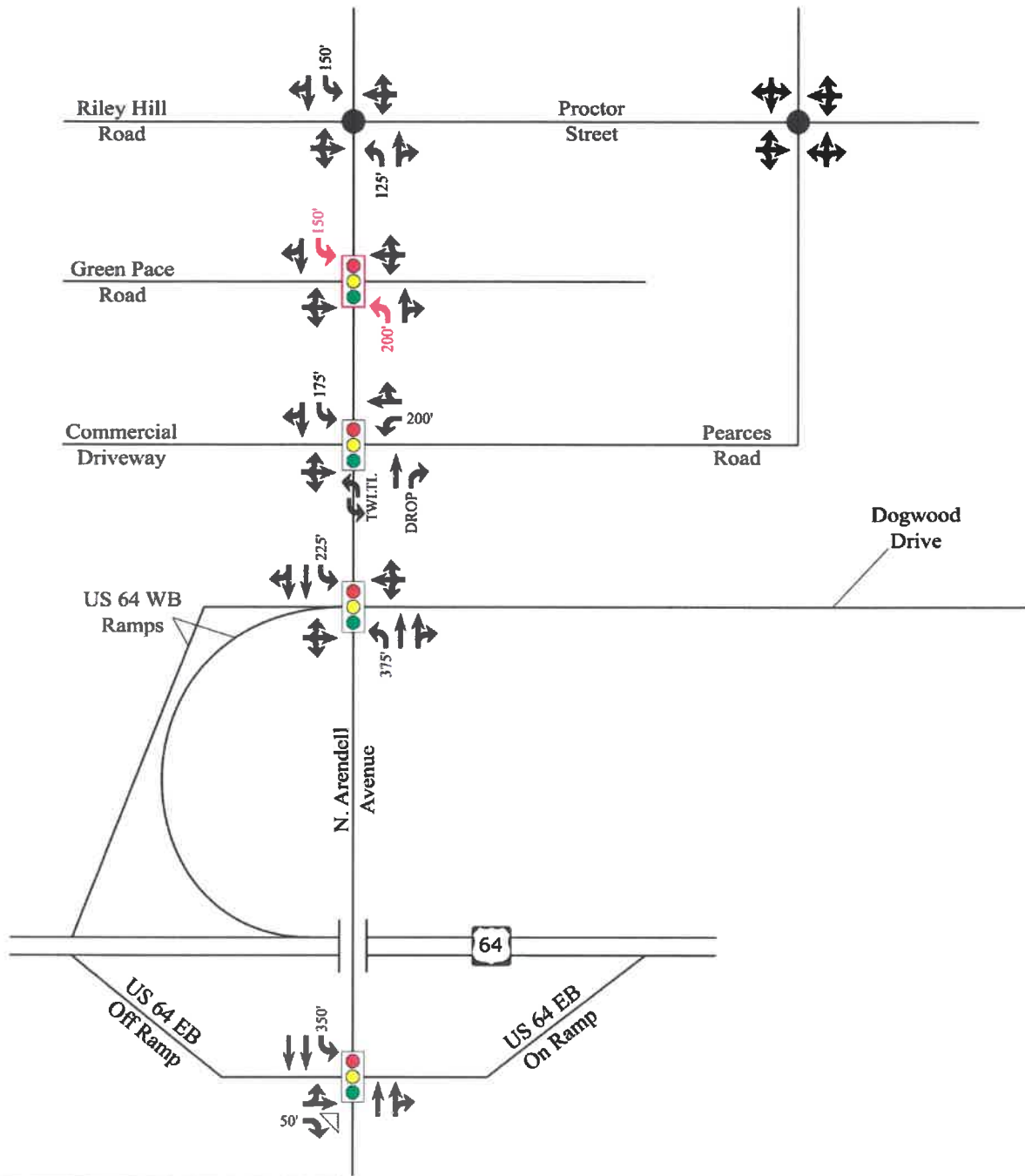
CONCEPTUAL SITE PLAN
 N ARENDELL AVE & DOGWOOD DR
 ZEBULON, NC

SHEET
CSP1



LEGEND	
	Signalized Intersection
	Unsignalized Intersection
	Existing Lane
	Channelized Movement
	Storage (In Feet)
	Posted Speed Limit

IMPACT Designs, Inc.		
<i>Zebulon 7-Eleven Zebulon, NC</i>		
Existing Lane Configurations and Traffic Control		
Scale: Not to Scale	Figure	3



LEGEND	
	Signalized Intersection
	New Signalized Intersection (by Others)
	Unsignalized Intersection
	Existing Lane
	Improvement by Others
	Channelized Movement
	Storage (In Feet)
	Posted Speed Limit

IMPACT Designs, Inc.		
<i>Zebulon 7-Eleven Zebulon, NC</i>		
Future Lane Configurations and Traffic Control		
Scale: Not to Scale	Figure	4

2. TRAFFIC VOLUME DEVELOPMENT

2.1. Existing Traffic Volumes

Existing turning movement counts were conducted at the intersections during the weekday AM (7:00 AM to 9:00 AM) and weekday PM (4:00 PM to 6:00 PM) peak periods in November 2022 and January 2023. The existing traffic volumes are illustrated in Figure 5. Refer to Appendix B for a copy of the raw traffic count data.

2.2. Projected Traffic Volumes

Based on coordination with NCDOT, a 2% annual growth was applied to the 2023 counts to project traffic volumes for the future (2024) scenarios. This growth rate was applied to account for all background growth in the area without any adjacent and/or the proposed developments. Refer to Figure 6 for an illustration of the No-Build traffic volumes.

2.3. Proposed Development Traffic Volumes

As mentioned previously, the proposed development is expected to consist of 4,714-square-foot convenience store with 16 vehicle fueling pumps and 3 truck fueling pumps and is expected to be completed by 2024. The trip generation potential for the development was estimated utilizing methodology contained within the ITE’s *Trip Generation Manual*, 11th Edition. Utilizing ITE equations for ITE Code 945, traffic volumes were generated for the weekday daily, the weekday AM peak hour, and the weekday PM peak hour. Refer to Table 2 for a summary of the trip generation potential of the proposed development.

Table 2 – Trip Generation

ITE Land Use (Code)	Density	Independent Variable	Daily Traffic	AM Peak		PM Peak	
				Enter	Exit	Enter	Exit
<u>All Vehicles</u>							
Convenience Store/Gas Station (VFP 16-24) (ITE Code 945)	4.71	KSF	6,045	215	215	186	186
<u>Passenger Vehicles</u>							
Convenience Store/Gas Station (VFP 16-24) (ITE Code 945)	4.71	KSF	6,002	213	212	185	185
<i>Pass By Trips [AM: 62%, PM: 56%]</i>				132	132	104	104
Total Primary Passenger Vehicle Trips				81	80	81	81
<u>Trucks</u>							
Convenience Store/Gas Station (VFP 16-24) (ITE Code 945)	4.71	KSF	43	2	3	1	1

It is estimated that the proposed development could generate a total of 6,045 trips (in and out) during a typical 24-hour weekday period with 430 trips (215 entering and 215 exiting) generated during the AM peak hour and 372 trips (186 entering and 186 exiting) generated during the PM peak hour at full build-out in 2024.

Traffic associated with the proposed development was distributed and assigned to the roadway network based upon existing travel patterns and are summarized below:

Passenger Vehicles

- 10% to/from the north via N. Arendell Avenue
- 20% to/from the south via N. Arendell Avenue
- 30% to/from the east via US 64
- 30% to/from the west via US 64
- 5% to/from the north via Pearces Road
- 5% to/from the east via Proctor Street

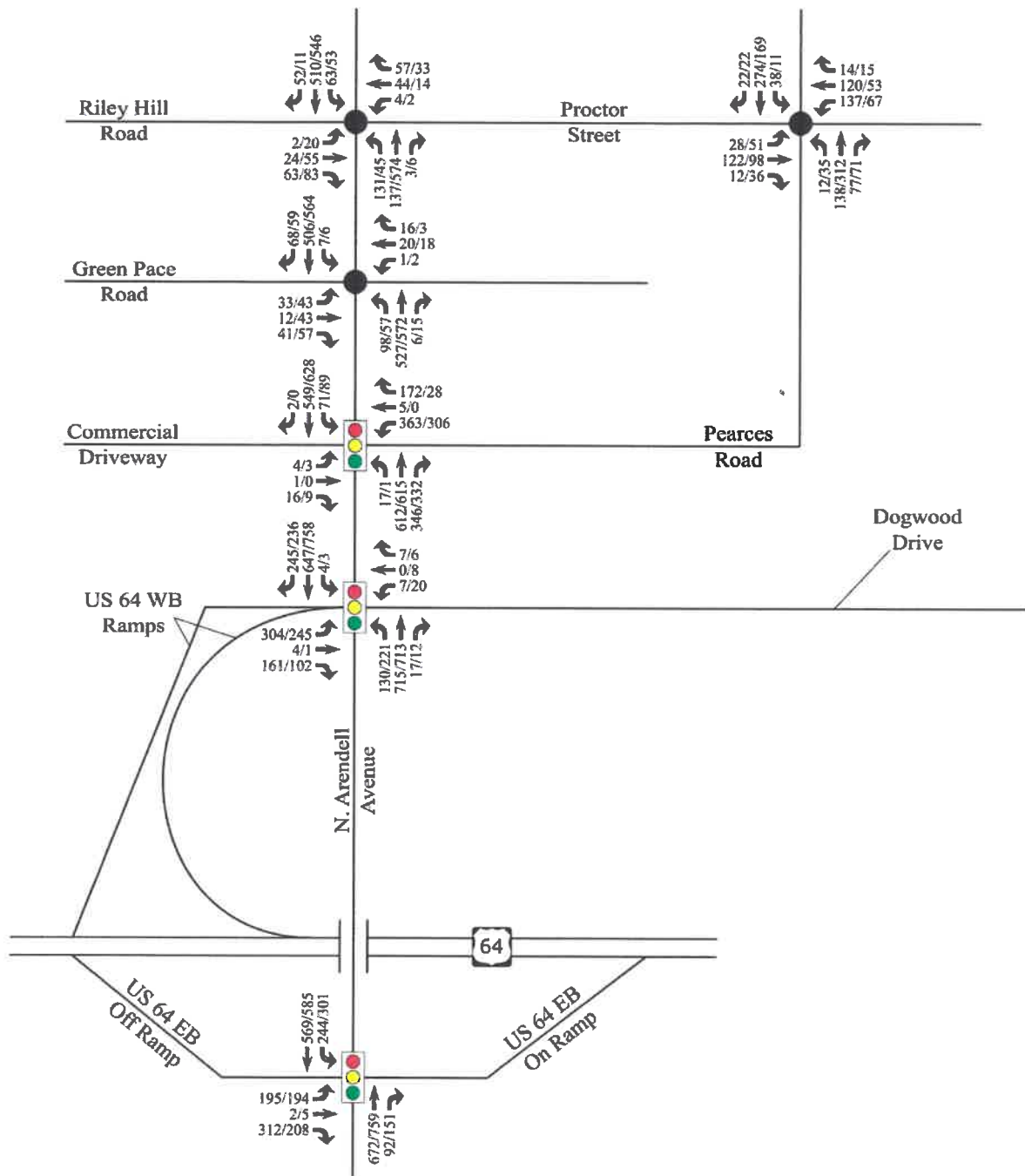
Trucks

- 50% to/from the east via US 64
- 50% to/from the west via US 64



Refer to Figures 7 through 12 for illustrations of the site trip distributions and assignments for the proposed development.

2.4. Future Build Traffic Volumes

The site generated traffic volumes were added to the No-Build traffic volumes to determine the Build traffic volumes. The Build (2024) volumes are illustrated in Figure 13.



LEGEND

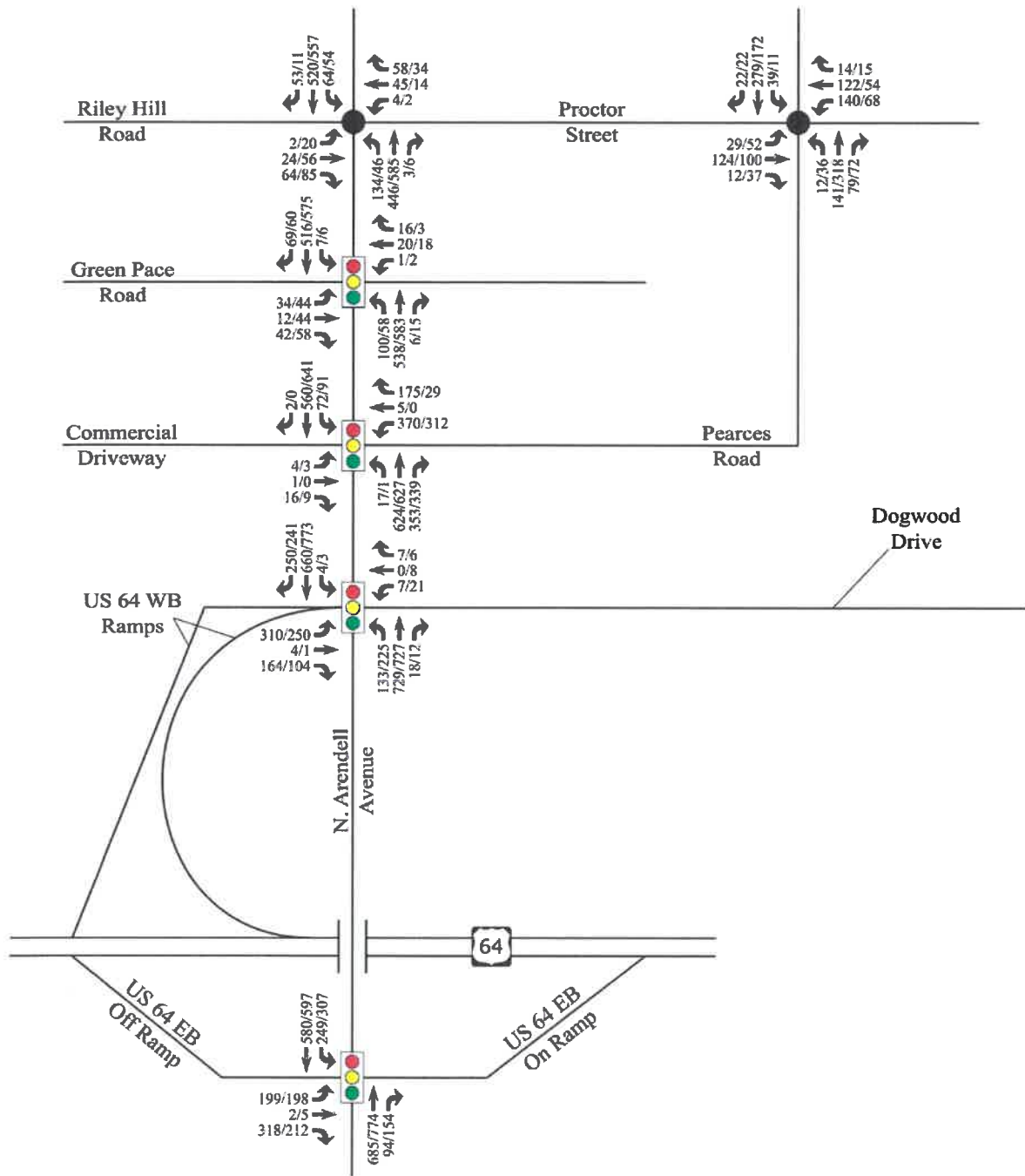
-  Signalized Intersection
-  Unsignalized Intersection
- X/Y → AM / PM Peak Hour Traffic

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Designs, Inc.

*Zebulon 7-Eleven
Zebulon, NC*

**Existing (2023)
Traffic Volumes**

Scale: Not to Scale	Figure	5
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IMPACT

Designs, Inc.

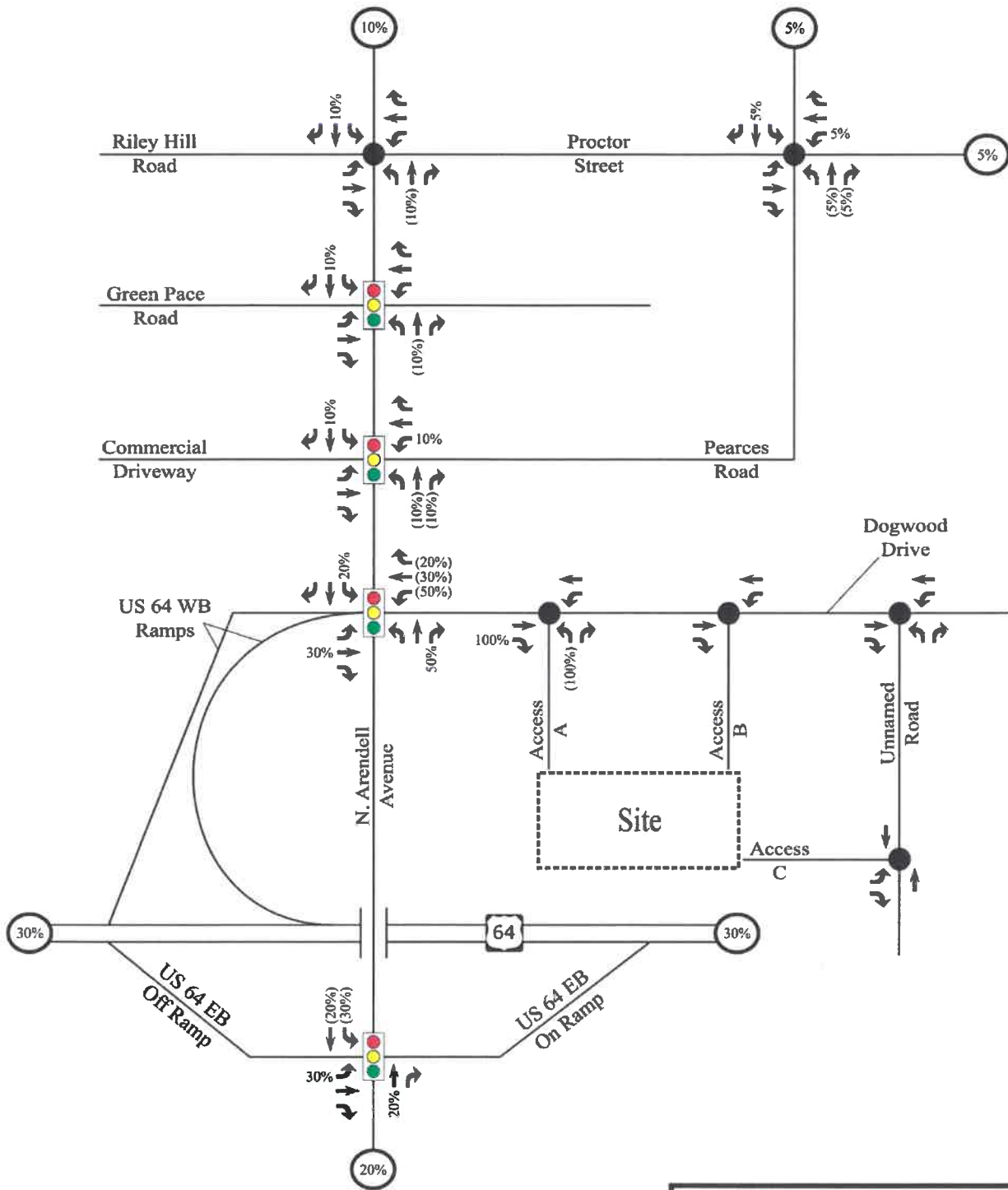
Zebulon 7-Eleven
Zebulon, NC

No-Build (2024)
Traffic Volumes

Scale: Not to Scale

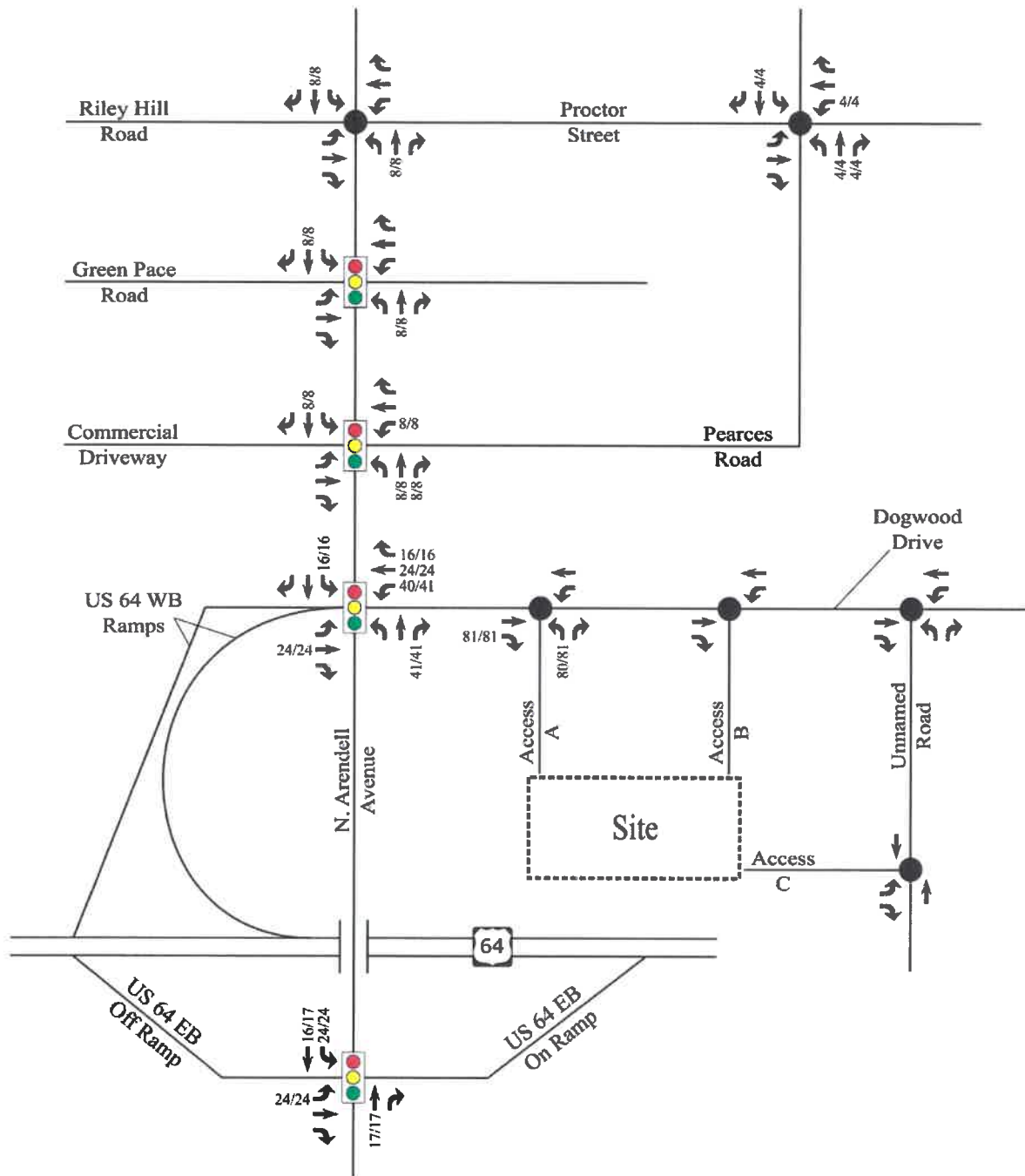
Figure

6



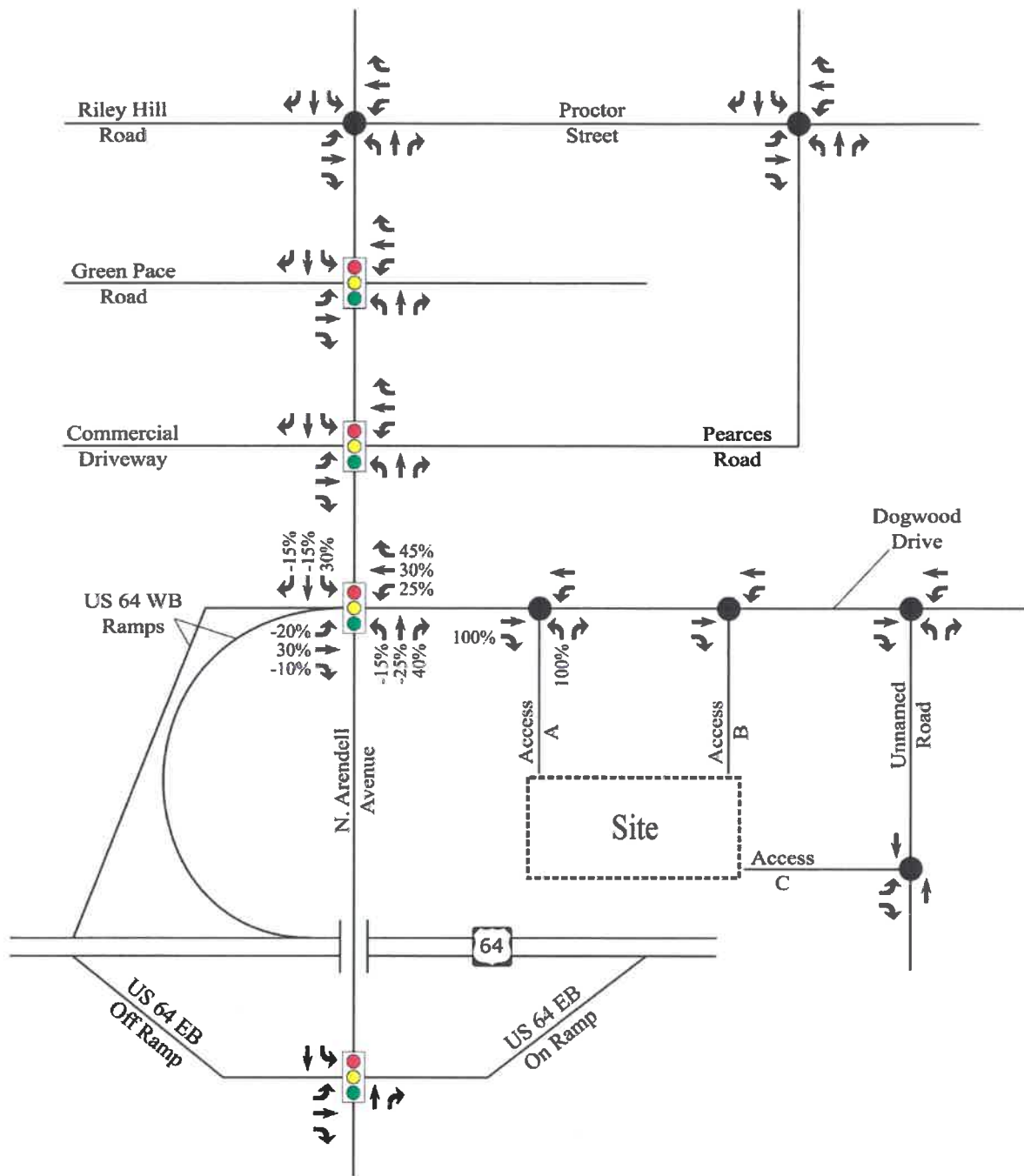
LEGEND	
	Signalized Intersection
	Unsignalized Intersection
	X% Entering Trip Distribution
	Y% Exiting Trip Distribution
	X% Regional Trip Distribution

IMPACT Designs, Inc.		
<i>Zebulon 7-Eleven</i> <i>Zebulon, NC</i>		
Trip Distribution - Passenger Vehicles		
Scale: Not to Scale	Figure	7



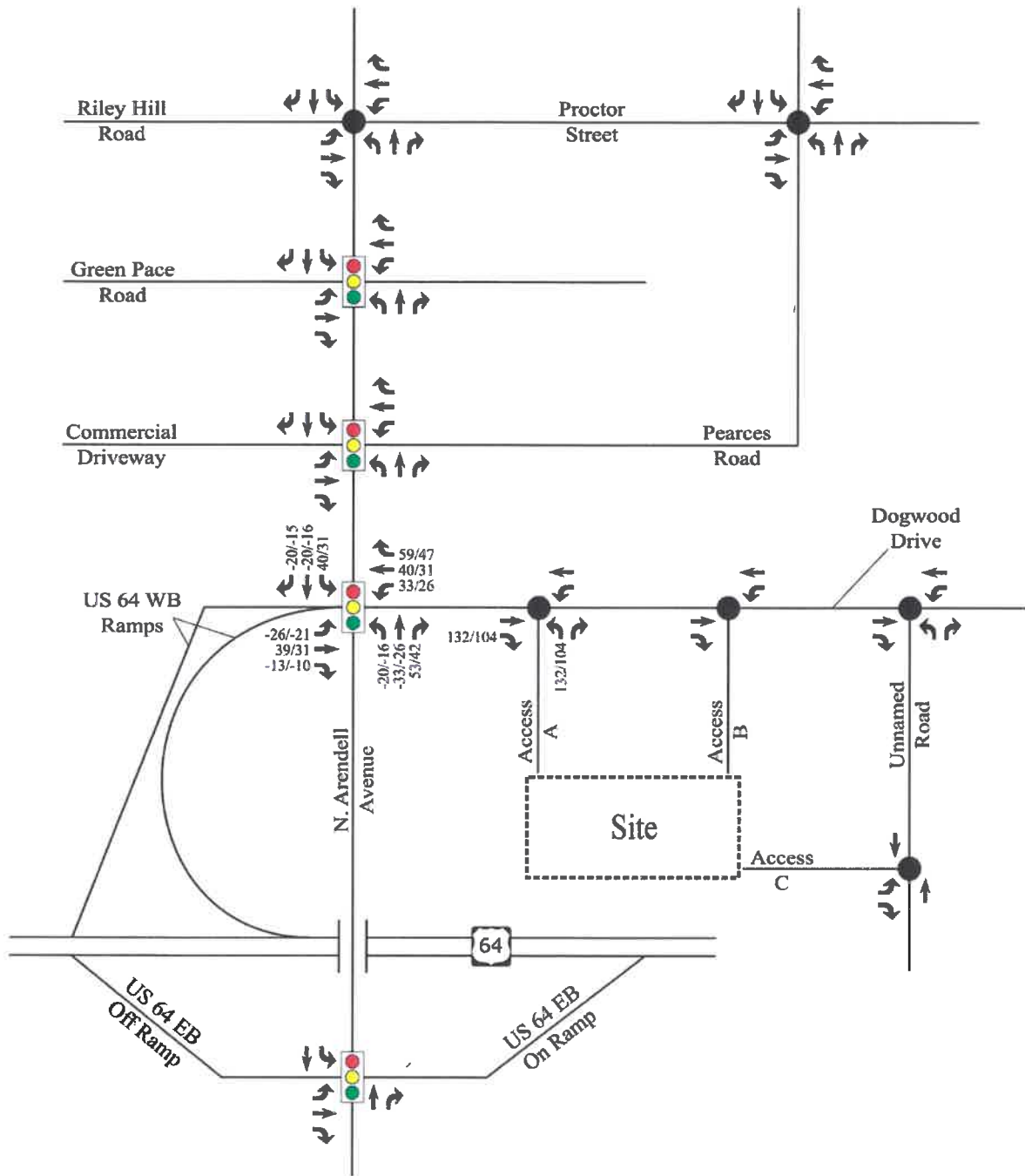
LEGEND	
	Signalized Intersection
	Unsignalized Intersection
X / Y →	AM / PM Passenger Vehicle Site Trips

IMPACT Designs, Inc.		
<i>Zebulon 7-Eleven</i> <i>Zebulon, NC</i>		
Primary Trip Assignments - Passenger Vehicles		
Scale: Not to Scale	Figure	8



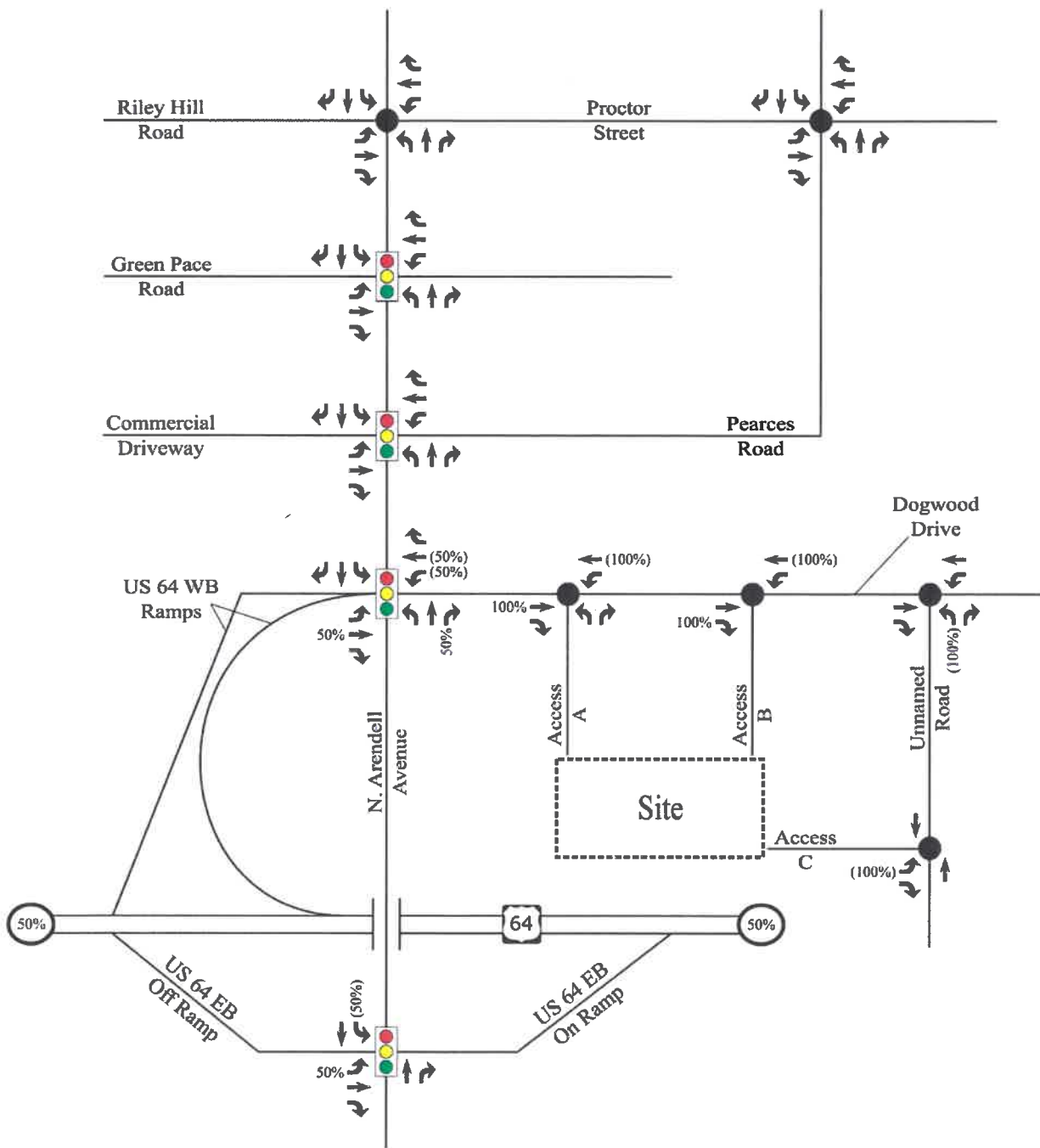
LEGEND	
	Signalized Intersection
	Unsignalized Intersection
	Entering Trip Distribution

IMPACT Designs, Inc.		
<i>Zebulon 7-Eleven</i> <i>Zebulon, NC</i>		
Pass-By Trip Distribution		
Scale: Not to Scale	Figure	9



LEGEND	
	Signalized Intersection
	Unsignalized Intersection
X / Y →	AM / PM Pass-By Trips

IMPACT Designs, Inc.		
Zebulon 7-Eleven Zebulon, NC		
Pass-By Trip Assignments		
Scale: Not to Scale	Figure	10



LEGEND

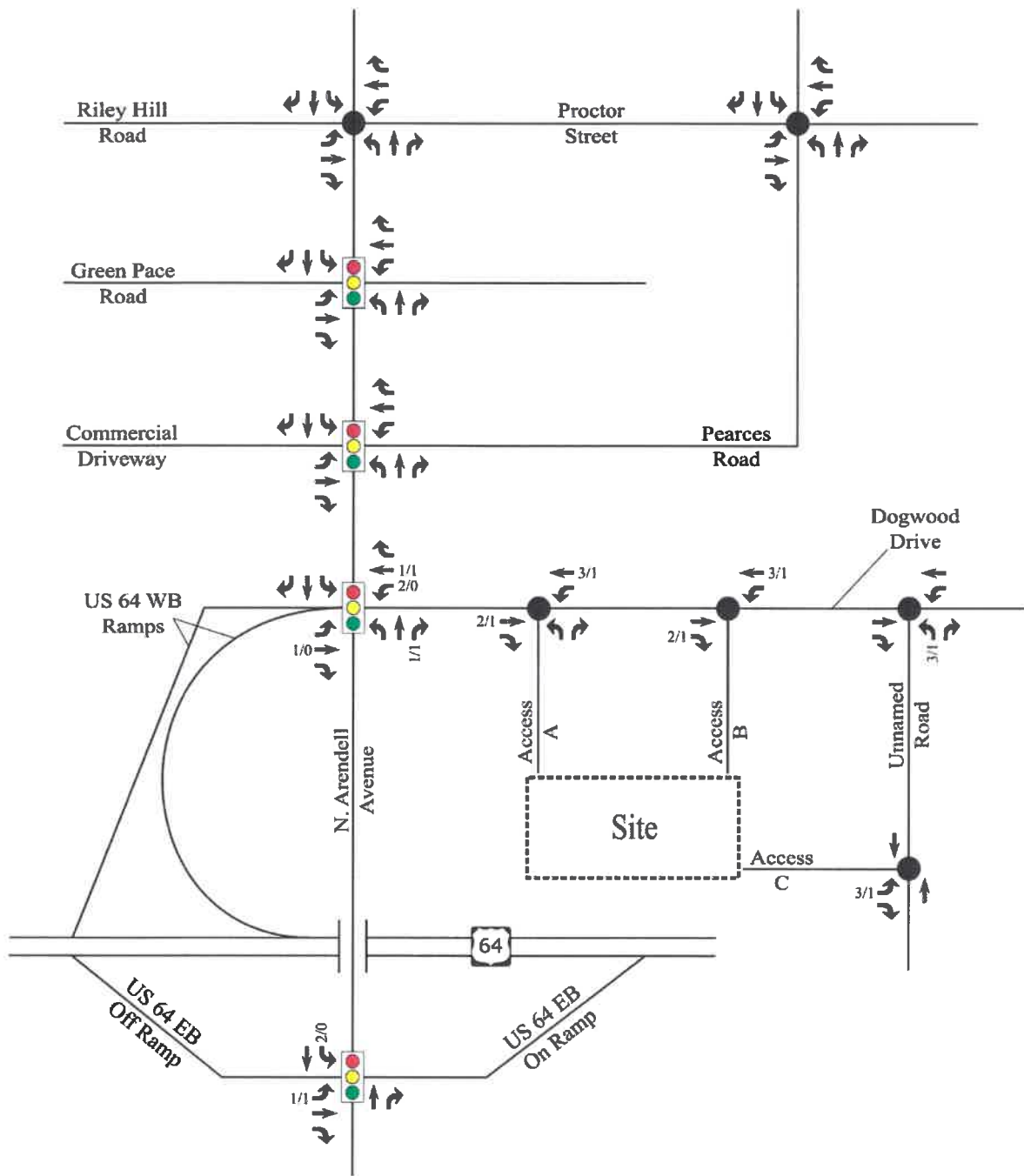
- Signalized Intersection
- Unsignalized Intersection
- Entering Trip Distribution
- Exiting Trip Distribution
- Regional Trip Distribution

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*Zebulon 7-Eleven
Zebulon, NC*

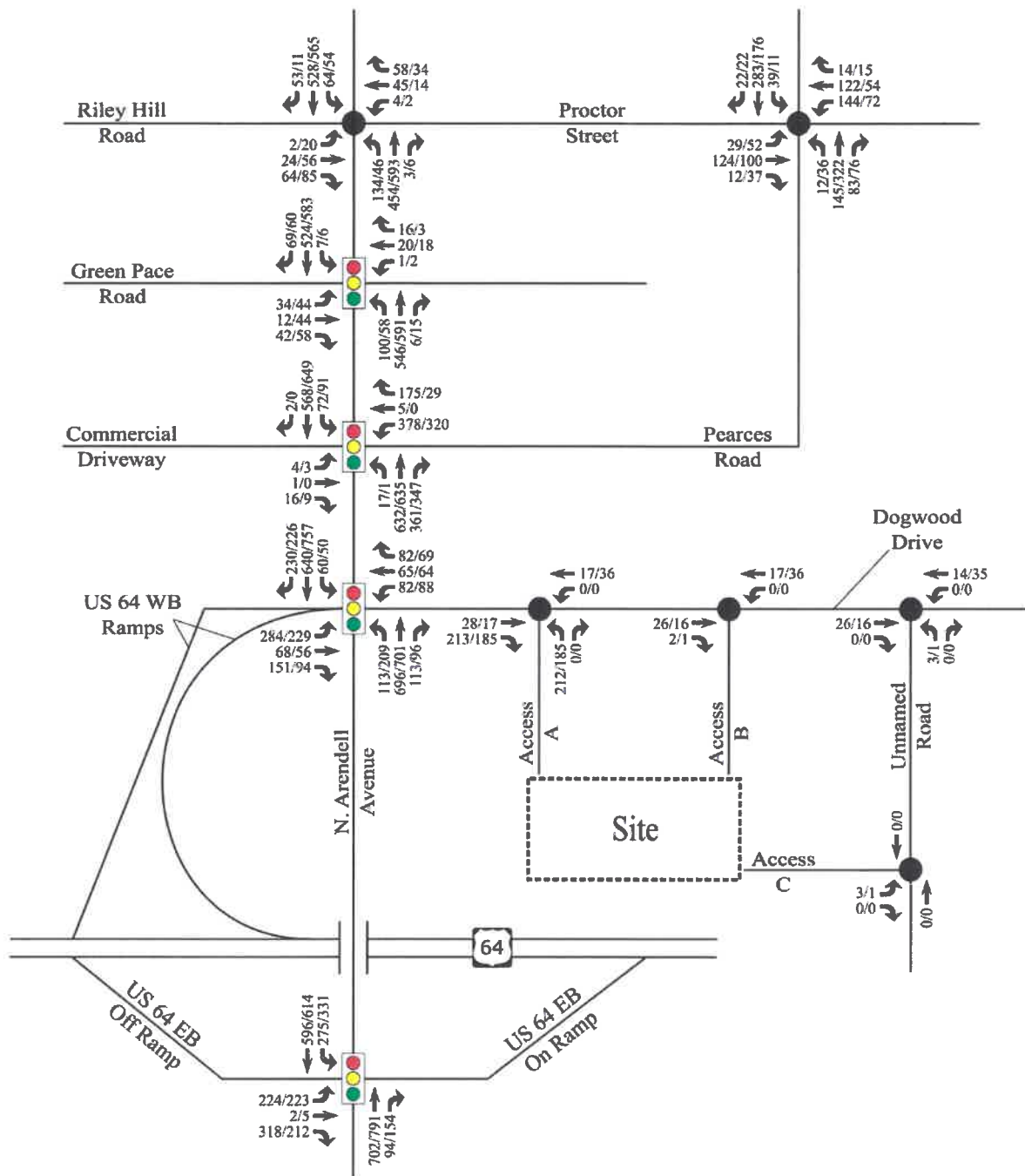
Trip Distribution - Trucks

Scale: Not to Scale	Figure	11
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LEGEND	
	Signalized Intersection
	Unsignalized Intersection
X/Y →	AM / PM Truck Site Trips

IMPACT Designs, Inc.		
<i>Zebulon 7-Eleven Zebulon, NC</i>		
Primary Trip Assignments - Trucks		
Scale: Not to Scale	Figure	12



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 Designs, Inc.

*Zebulon 7-Eleven
 Zebulon, NC*

**Build (2024)
 Traffic Volumes**

Scale: Not to Scale

Figure

13

3. TRAFFIC IMPACT ANALYSIS

3.1. Turn Lane Analysis

A turn lane analysis was conducted utilizing the Build (2024) volumes. Based on build out volumes, a right turn lane is warranted on Dogwood Drive at Access A. It is recommended that right turn lane be constructed with 100 feet of storage and appropriate taper. Refer to Appendix B for the turn lane warrants with volumes graphed.

3.2. Intersection LOS Analysis

Using the existing, no-build, and build traffic volumes, intersection analyses were conducted for the study intersections under Existing (2023) conditions, No-Build (2024) conditions, and Build (2024) conditions. This analysis was conducted using the Transportation Research Board’s *Highway Capacity Manual 6th Edition (HCM 6th Edition)* methodologies of the *Synchro*, Version 11 software.

Intersection level of service (LOS) grades range from LOS A to LOS F, which are directly related to the level of control delay at the intersection and characterize the operational conditions of the intersection traffic flow. LOS A operations typically represent ideal, free-flow conditions where vehicles experience little to no delays, and LOS F operations typically represent poor, forced-flow (bumper-to-bumper) conditions with high vehicular delays, and are generally considered undesirable. Table 3 summarizes the *HCM 6th Edition* control delay thresholds associated with each LOS grade for signalized and unsignalized intersections.

Table 3 – HCM 6th Edition LOS Criteria for Signalized & Unsignalized Intersections

Signalized Intersections		Unsignalized Intersections	
LOS	Control Delay per Vehicle (seconds)	LOS	Control Delay per Vehicle (seconds)
A	≤ 10	A	≤ 10
B	> 10 and ≤ 20	B	> 10 and ≤ 15
C	> 20 and ≤ 35	C	> 15 and ≤ 25
D	> 35 and ≤ 55	D	> 25 and ≤ 35
E	> 55 and ≤ 80	E	> 35 and ≤ 50
F	> 85	F	> 50

A PHF of 0.90 was applied and a heavy vehicle percentages based on existing counts were utilized for the purpose of this analysis. With the addition of truck traffic from the site, heavy vehicles percentages were adjusted proportionally in the Build scenarios. Existing signal data was obtained from NCDOT and was utilized for the purpose of this analysis. Additionally, a conservative approach was taken in which no right turns on red were permitted, although right turns on red are permitted on all intersections in the field. Additionally, all signals with protected-permitted left turn phasing were modeled as protected only in all scenarios.

3.3. Mitigation Requirements

NCDOT typically requires mitigation to be identified when developments are expected to impact the traffic operations as described below:

- Overall intersection or intersection approach delay increases by 25%.
- LOS degrades by at least one level.
- LOS is F.
- Synchro 95th or SimTraffic maximum queue results are greater than the existing turn lane storage length.

3.4. Capacity Analysis

3.3.1. N. Arendell Avenue and US 64 Eastbound Ramps

The intersection of N. Arendell Avenue and the US 64 eastbound ramps was analyzed as a three-leg signalized intersection during all existing and future scenarios. The results of the capacity analysis for the study intersection are summarized in Table 4. Refer to Appendix D for more detailed capacity analysis reports.

Table 4 - Analysis Summary of N. Arendell Avenue and US 64 Eastbound Ramps

Scenario	Approach	LOS (Delay in seconds)			
		Weekday AM Peak Hour		Weekday PM peak Hour	
		Approach	Overall	Approach	Overall
Existing (2023)	EB	D (40.9)	C (24.9)	D (46.3)	C (23.9)
	NB	C (30.1)		C (27.0)	
	SB	A (9.9)		B (10.4)	
No-Build (2024)	EB	D (41.2)	C (25.3)	D (47.0)	C (24.4)
	NB	C (30.9)		C (27.7)	
	SB	B (10.1)		B (10.5)	
Build (2024)	EB	D (41.3)	C (26.7)	D (49.3)	C (25.9)
	NB	C (32.4)		C (28.9)	
	SB	B (12.4)		B (12.0)	
Build Improved (2024)	EB	D (43.8)	C (28.0)	D (49.3)	C (25.9)
	NB	C (33.9)		C (28.9)	
	SB	B (12.7)		B (12.1)	

The capacity analysis indicates that all movements are expected to operate at a LOS D or better under all existing and future conditions. Operations under Build conditions are anticipated to be similar to No-Build conditions. With the corridor retiming proposed as mitigation for impact at another intersection, the traffic signal would still be expected to operate acceptably, as shown in the “Improved” scenario.

3.3.2. N. Arendell Avenue and US 64 Westbound Ramps/Dogwood Drive

The intersection of N. Arendell Avenue and the US 64 westbound ramps/Dogwood Drive was analyzed as a four-leg signalized intersection during all existing and future scenarios. The results of the capacity analysis for the study intersection are summarized in Table 5. Refer to Appendix D for more detailed capacity analysis reports.

Table 5 - Analysis Summary of N. Arendell Avenue and US 64 Westbound Ramps

Scenario	Approach	LOS (Delay in seconds)			
		Weekday AM Peak Hour		Weekday PM peak Hour	
		Approach	Overall	Approach	Overall
Existing (2023)	EB	E (57.9)	C (30.4)	E (58.6)	C (29.7)
	WB	B (16.7)		C (22.0)	
	NB	B (13.9)		B (15.9)	
	SB	C (32.2)		C (33.0)	
No-Build (2024)	EB	E (59.4)	C (31.8)	E (60.8)	C (31.2)
	WB	B (16.7)		C (22.0)	
	NB	B (14.7)		B (16.1)	
	SB	C (34.1)		D (35.4)	
Build (2024)	EB	F (133.3)	D (43.1)	F (113.3)	D (36.7)
	WB	C (24.0)		C (31.3)	
	NB	B (11.9)		B (13.9)	
	SB	C (30.0)		C (32.1)	
Build Improved (2024)	EB	E (61.2)	C (34.9)	E (64.2)	C (32.7)
	WB	B (18.3)		C (23.5)	
	NB	B (17.6)		B (18.9)	
	SB	D (41.9)		D (36.7)	

The capacity analysis indicates that all approaches are expected to operate at a LOS E or better under No-Build conditions, while the eastbound approach is anticipated to drop to LOS F with the addition of site traffic in the Build scenario. As mitigation, it is recommended that a westbound right turn lane be installed on Dogwood Drive. Additionally, it is recommended that all the signals in the corridor be retimed to better accommodate the new traffic demand. With these improvements, the signal is expected to operate similar to the No-Build conditions, as shown in the “Improved” scenario.

3.3.3. N. Arendell Avenue and Pearces Road

The intersection of N. Arendell Avenue and Pearces Road was analyzed as a four-leg signalized intersection during all existing and future scenarios. While the private driveway opposite Pearces Road is not under signal control, the traffic utilizing this driveway likely affects the operations. To be conservative, the private driveway was modeled as a fourth leg of the traffic signal. The results of the capacity analysis for the study intersection are summarized in Table 6. Refer to Appendix D for more detailed capacity analysis reports.

Table 6 - Analysis Summary of N. Arendell Avenue and Pearces Road

Scenario	Approach	LOS (Delay in seconds)			
		Weekday AM Peak Hour		Weekday PM peak Hour	
		Approach	Overall	Approach	Overall
Existing (2023)	EB	B (18.9)	C (20.6)	C (20.3)	B (17.5)
	WB	D (40.5)		D (43.9)	
	NB	B (11.4)		A (8.6)	
	SB	B (17.7)		B (16.6)	
No-Build (2024)	EB	B (18.9)	C (20.5)	C (20.3)	B (18.4)
	WB	D (41.3)		D (44.3)	
	NB	B (11.8)		A (8.9)	
	SB	B (16.0)		B (18.7)	
Build (2024)	EB	B (18.9)	C (20.5)	C (20.1)	B (19.0)
	WB	D (41.7)		D (44.9)	
	NB	B (11.6)		A (9.5)	
	SB	B (16.4)		B (19.3)	
Build Improved (2024)	EB	B (19.9)	C (21.7)	C (20.1)	B (19.1)
	WB	D (42.4)		D (44.9)	
	NB	B (12.7)		A (9.7)	
	SB	B (18.0)		B (19.3)	

The capacity analysis indicates that all approaches are expected to operate at LOS D or better in all existing and future scenarios. The operations under Build conditions are expected to be similar to No-Build conditions. With the corridor retiming proposed as mitigation for another intersection, the traffic signal would still be expected to operate acceptably, as shown in the “Improved” scenario.

3.3.4. N. Arendell Avenue and Green Pace Road

The intersection of N. Arendell Avenue and Green Pace Road was analyzed as a four-leg unsignalized intersection with two-way stop control under existing conditions. A locally managed construction project is scheduled to install a new traffic signal at this intersection as well as left turn lanes on both N. Arendell Avenue approaches prior to the completion of the proposed development. This improvement is reflected in all future scenarios. The results of the capacity analysis for the study intersection are summarized in Table 7. Refer to Appendix D for more detailed capacity analysis reports.

Table 7 - Analysis Summary of N. Arendell Avenue and Green Pace Road

Scenario	Approach	LOS (Delay in seconds)			
		Weekday AM Peak Hour		Weekday PM peak Hour	
		Approach	Overall	Approach	Overall
Existing (2023)	EB	F (75.5)	-	F (173.2)	-
	WB	E (40.4)		F (50.7)	
	NB	A (9.3)		A (9.2)	
	SB	A (8.7)		A (8.8)	
No-Build (2024)	EB	D (43.7)	A (8.1)	D (43.1)	A (9.2)
	WB	D (35.1)		C (29.8)	
	NB	A (3.8)		A (1.5)	
	SB	A (5.6)		A (8.6)	
Build (2024)	EB	D (43.7)	A (8.2)	D (43.1)	A (9.2)
	WB	D (35.1)		C (29.8)	
	NB	A (4.0)		A (1.5)	
	SB	A (5.7)		A (8.7)	
Build Improved (2024)	EB	D (47.9)	A (8.4)	D (43.1)	A (9.2)
	WB	D (38.4)		C (29.8)	
	NB	A (3.9)		A (1.5)	
	SB	A (5.6)		A (8.7)	

The capacity analysis indicates that all approaches are expected to operate at LOS D or better in future scenarios with the new traffic signal in place. With the corridor retiming proposed as mitigation for another intersection, the traffic signal would still be expected to operate acceptably, as shown in the “Improved” scenario.

3.3.5. N. Arendell Avenue and Proctor Street/Riley Hill Road

The intersection of N. Arendell Avenue and Proctor Street/Riley Hill Road was analyzed as a four-leg unsignalized intersection with two-way stop control in all existing and future scenarios. The results of the capacity analysis for the study intersection are summarized in Table 8. Refer to Appendix D for more detailed capacity analysis reports.

Table 8 - Analysis Summary of N. Arendell Avenue and Proctor Street/Riley Hill Road

Scenario	Approach	LOS (Delay in seconds)			
		Weekday AM Peak Hour		Weekday PM peak Hour	
		Approach	Overall	Approach	Overall
Existing (2023)	EB	E (44.9)	-	F (126.7)	-
	WB	F (74.0)		E (35.4)	
	NB	A (9.5)		A (8.9)	
	SB	A (8.6)		A (9.1)	
No-Build (2024)	EB	E (48.9)	-	F (145.8)	-
	WB	F (84.6)		E (37.8)	
	NB	A (9.5)		A (9.0)	
	SB	A (8.6)		A (9.1)	
Build (2024)	EB	F (51.6)	-	F (155.7)	-
	WB	F (88.8)		E (39.7)	
	NB	A (9.6)		A (9.0)	
	SB	A (8.7)		A (9.2)	

The capacity analysis indicates that the side street movements are expected to operate at LOS E or F under existing conditions and in future scenarios, with or without the site traffic. Higher side street delay is not uncommon at unsignalized intersections, particularly during peak times when mainline volumes are highest. Additionally, the installation of the traffic signal to the south at N. Arendell Avenue and Green Pace Road would likely attract a portion of traffic from the Proctor Street intersection which would increase the availability of gaps in mainline traffic for vehicles turning off of Riley Hill Road. No mitigation is recommended for this intersection.

3.3.6. Proctor Street and Pearces Road

The intersection of Proctor Street and Pearces Road was analyzed as a four-leg unsignalized intersection with all-way stop control in all existing and future scenarios. The results of the capacity analysis for the study intersection are summarized in Table 9. Refer to Appendix D for more detailed capacity analysis reports.

Table 9 - Analysis Summary of Proctor Street and Pearces Road

Scenario	Approach	LOS (Delay in seconds)			
		Weekday AM Peak Hour		Weekday PM peak Hour	
		Approach	Overall	Approach	Overall
Existing (2023)	EB	B (12.9)	C (15.9)	B (12.3)	C (15.1)
	WB	C (16.3)		B (11.6)	
	NB	B (13.6)		C (19.1)	
	SB	C (18.7)		B (11.9)	
No-Build (2024)	EB	B (13.2)	C (16.5)	B (12.5)	C (15.7)
	WB	C (16.9)		B (11.8)	
	NB	B (14.0)		C (20.1)	
	SB	C (19.6)		B (12.1)	
Build (2024)	EB	B (13.4)	C (17.1)	B (12.8)	C (16.4)
	WB	C (17.5)		B (12.1)	
	NB	B (14.5)		C (21.2)	
	SB	C (20.3)		B (12.5)	

The capacity analysis indicates that all approaches are expected to operate at LOS C or better in all existing and future scenarios. No mitigation is recommended.

3.3.7. Dogwood Drive and Site Accesses/Unnamed Road

The site access driveway intersections as well as the unnamed road intersection along Dogwood Drive are expected to all be stop controlled. These intersections were analyzed under Build conditions only. The results of the capacity analysis for the site access intersections are summarized in Table 9. Refer to Appendix D for more detailed capacity analysis reports.

Table 10 - Build (2024) Dogwood Drive and Site Accesses/Unnamed Road

Intersection	Approach	Build (2024) Conditions	
		AM	PM
Dogwood Drive and Access A	EB	-	-
	WB	A (7.8)	A (7.7)
	NB	B (11.2)	B (10.8)
Dogwood Drive and Access B (Truck Entrance)	EB	-	-
	WB	A (8.2)	A (8.2)
Dogwood Drive and Unnamed Road	EB	-	-
	WB	A (7.3)	A (7.2)
	NB	A (9.1)	A (9.2)
Unnamed Road and Access C (Truck Exit)	EB	A (9.4)	A (9.4)

The capacity analysis indicates that all approaches of at all site driveways are expected to operate at LOS B or better. No additional improvements are recommended.

3.5. Queuing Analysis

A queuing analysis was also completed for all no-build and build-improved traffic. Reported in Table 10 are the maximum value between the Synchro 95th percentile queue and the SimTraffic maximum queue for each turn lane or side street approach lane. It is recommended that storage lengths be extended where Build Improved queue lengths increase over the No-Build scenario and exceed the available storage.

Table 11 - Queuing Analysis

Intersections	Movement	No-Build Storage	Max Queue (feet)			
			AM Peak Hour		PM Peak Hour	
			No-Build	Build	No-Build	Build
N. Arendell Avenue & US 64 EB Ramps	EB-LT	Full	347	615	533	407
	EB-R	50	311	324	222	222
	SB-L	350	352	318	323	337
N. Arendell Avenue & US 64 WB Ramps	EB-LTR	Full	499	562	393	468
	WB-LT	Full	56	160	74	160
	WB-R	150	0	115	0	95
	NB-L	375	257	240	330	353
	SB-L	225	28	71	27	137
N. Arendell Avenue & Pearces Road	EB-LTR	Full	50	50	49	50
	WB-L	200	370	394	299	311
	WB-TR	Full	518	380	50	71
	NB-R	Full	188	193	104	157
	SB-L	175	265	274	109	219
N. Arendell Avenue & Green Pace Road	EB-LTR	Full	135	182	165	159
	WB-LTR	Full	132	104	90	89
	NB-L	200	90	69	91	48
	SB-L	150	17	17	17	16
N. Arendell Avenue & Proctor Road/Riley Hill Road	EB-LTR	Full	170	88	269	280
	WB-LTR	Full	172	140	47	51
	NB-LTR	Full	89	70	42	70
	SB-LTR	Full	28	44	28	30
Proctor Road & Pearces Road	EB-LTR	Full	76	89	77	55
	WB-LTR	Full	120	82	74	76
	NB-LTR	Full	92	76	143	174
	SB-LTR	Full	138	98	76	95

The queuing analysis indicates that queuing is expected to be an issue with or without the project at some intersections. In general, the locations where queuing is expected to be a concern in the No-Build scenario, it would also be a concern in the Build scenario. In this analysis, there are no lanes where the available storage is adequate under No-Build conditions where the addition of site traffic causes the queue to exceed the available storage.

4. SUMMARY OF FINDINGS AND RECOMMENDATIONS

A traffic impact study was conducted for the proposed Zebulon 7-Eleven in accordance NCDOT guidelines. The proposed development is located on the east side of N. Arendell Avenue, north of US 64, in Zebulon, North Carolina. The development is expected to consist of 4,714-square-foot convenience store with 16 vehicle fueling pumps and 3 truck fueling pumps and is planned to be completed by 2024. Access to the site is to be provided via a full movement access and a truck entrance on Dogwood Drive and a truck exit on an new unnamed road which will connect to back to Dogwood Drive.

The study was determined through coordination with NCDOT and the Town of Zebulon and consists of the following intersections:

- N. Arendell Avenue & US 64 EB Ramps
- N. Arendell Avenue & US 64 WB Ramps/Dogwood Drive
- N. Arendell Avenue & Pearces Road
- N. Arendell Avenue & Green Pace Road
- N. Arendell Avenue & Proctor Street/Riley Hill Road
- Proctor Street & Pearces Road
- Dogwood Drive and Access A
- Dogwood Drive and Access B
- Dogwood Drive and Unnamed Road
- Unnamed Road and Access C

For the purpose of this analysis, the study intersections listed above were analyzed under the following scenarios:

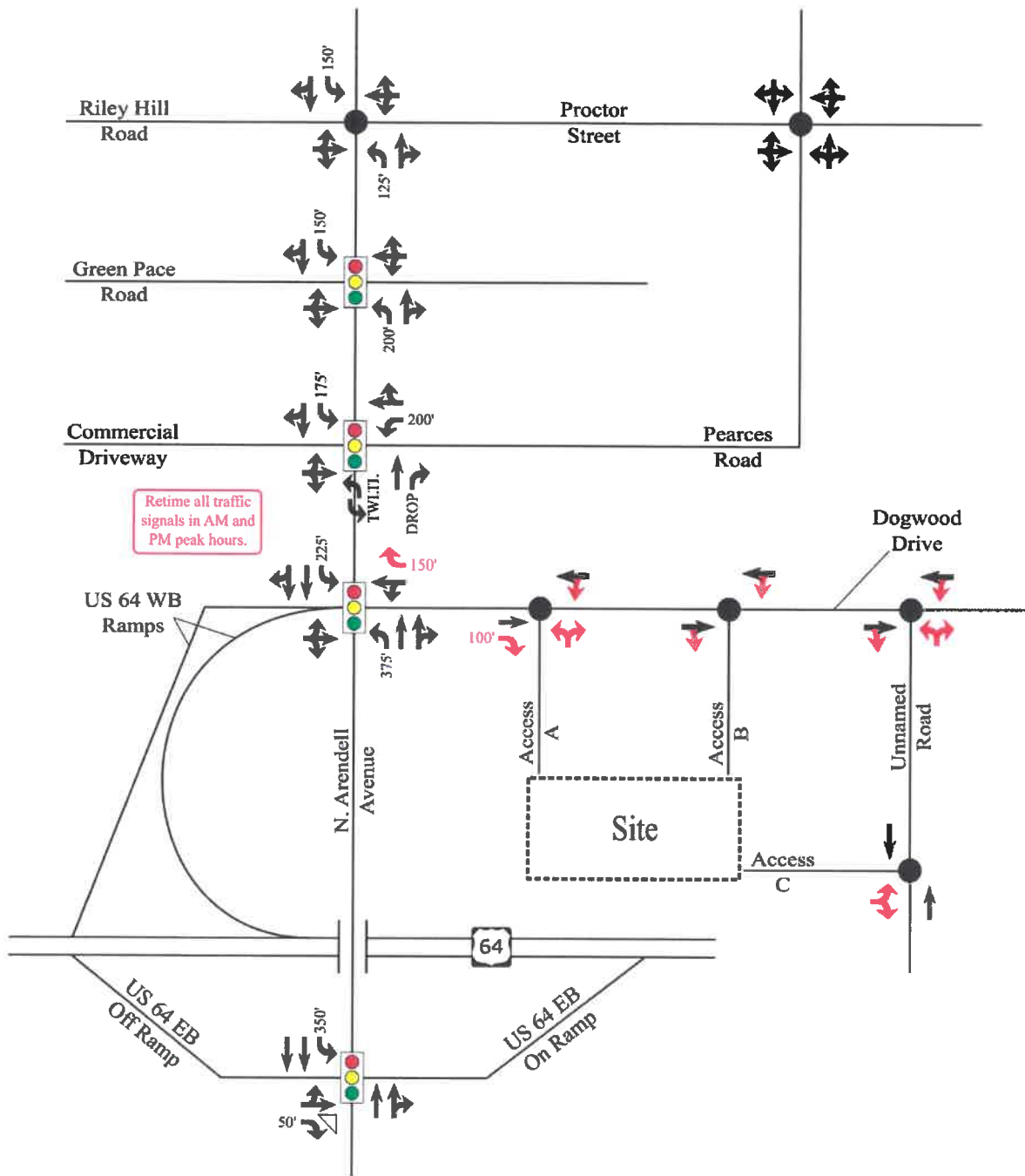
- Existing (2023) Conditions
- No-Build (2024) Conditions
- Build (2024) Conditions

Traffic operations during the AM and PM peak hours were modeled for each scenario. The results of each scenario were compared to determine impacts from background traffic growth and the proposed development.

The capacity analysis indicates that the existing road network can accommodate the proposed development with some minor improvements. By constructing a westbound right turn lane on Dogwood Drive at N. Arendell Avenue and retiming the corridor in both peak hours, operations are expected to be similar to the No-Build scenario.

Recommendations

- Construct an eastbound right turn lane on Dogwood Drive at Access A with 100 feet of storage and appropriate taper.
- Construct a westbound right turn lane on Dogwood Drive at N. Arendell Avenue with 150 feet of storage and appropriate taper.
- Retime existing traffic signals.



Retime all traffic signals in AM and PM peak hours.

LEGEND

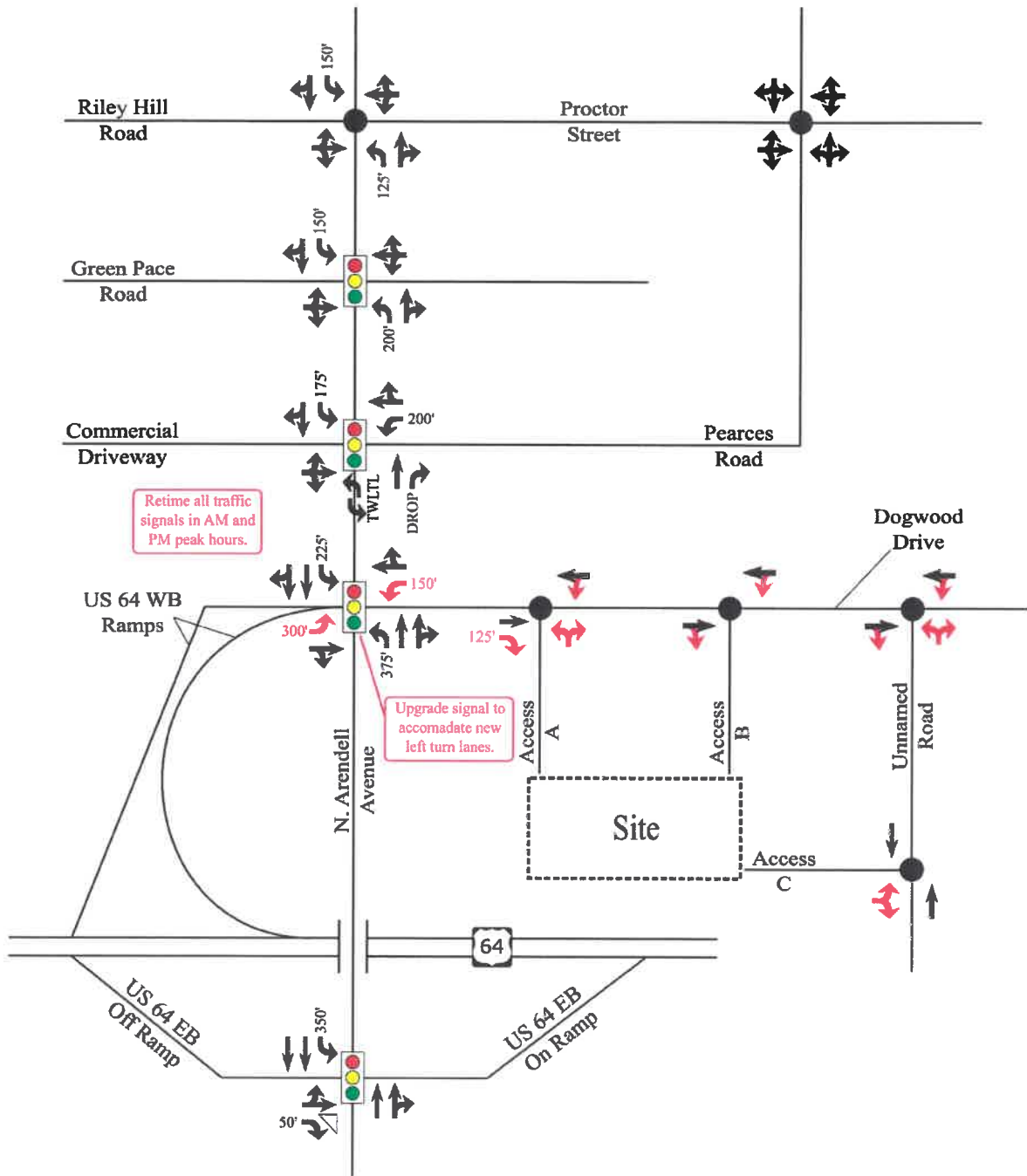
- Signalized Intersection
- Unsignalized Intersection
- Existing Lane
- Channelized Movement
- Recommended Improvement
- Storage (In Feet)

IMPACT
 Designs, Inc.






Zebulon 7-Eleven
 Zebulon, NC

Proposed Lane Configurations
 and Traffic Control

Scale: Not to Scale	Figure	14
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LEGEND

-  Signalized Intersection
-  Unsignalized Intersection
-  Existing Lane
-  Channelized Movement
-  Recommended Improvement
- X' Storage (In Feet)

IMPACT
Designs, Inc.

*Zebulon 7-Eleven
Zebulon, NC*

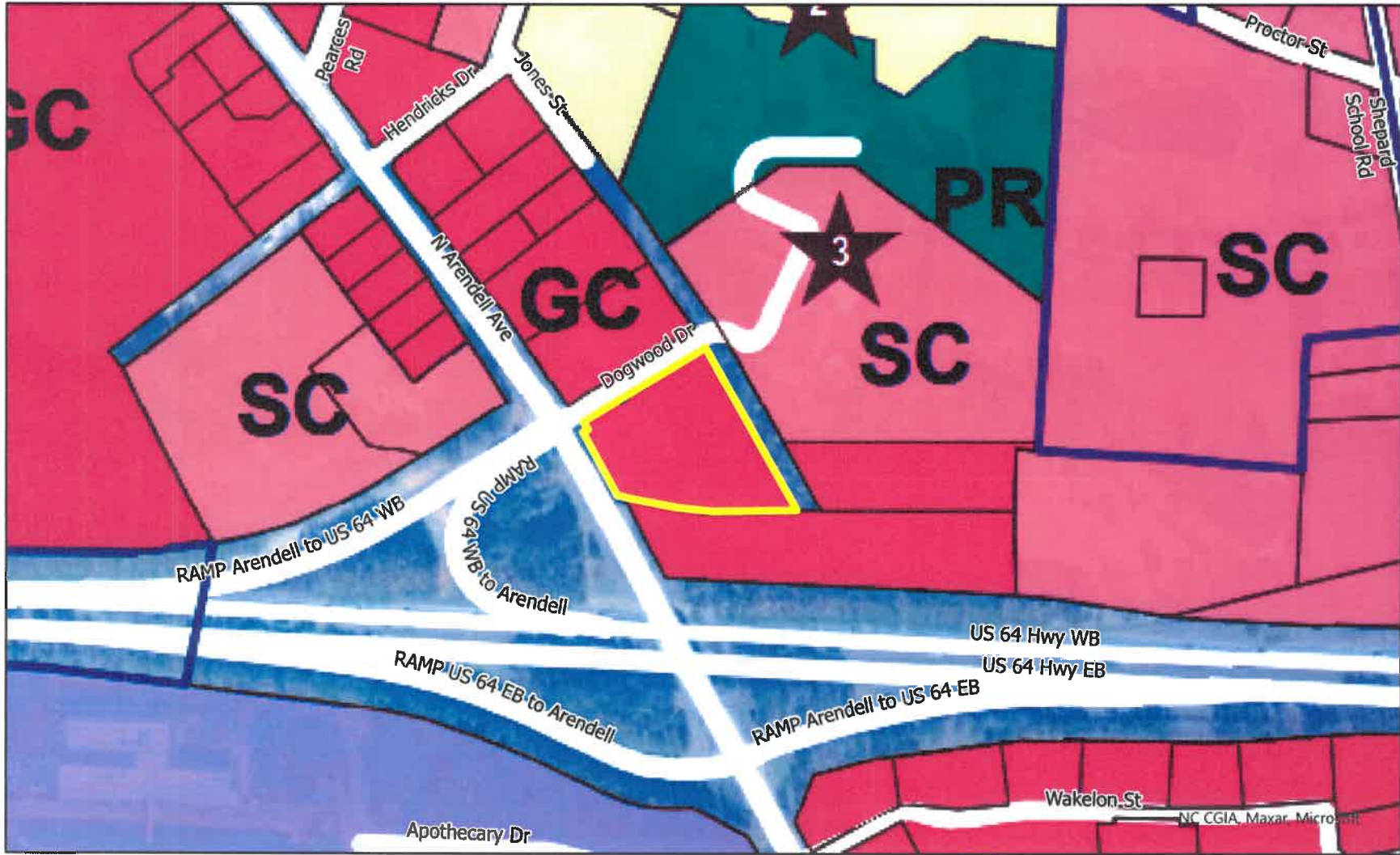
**Proposed Lane Configurations
and Traffic Control**

Scale: Not to Scale

Figure

14

Attachment 2 - Future Land Use and Character Map

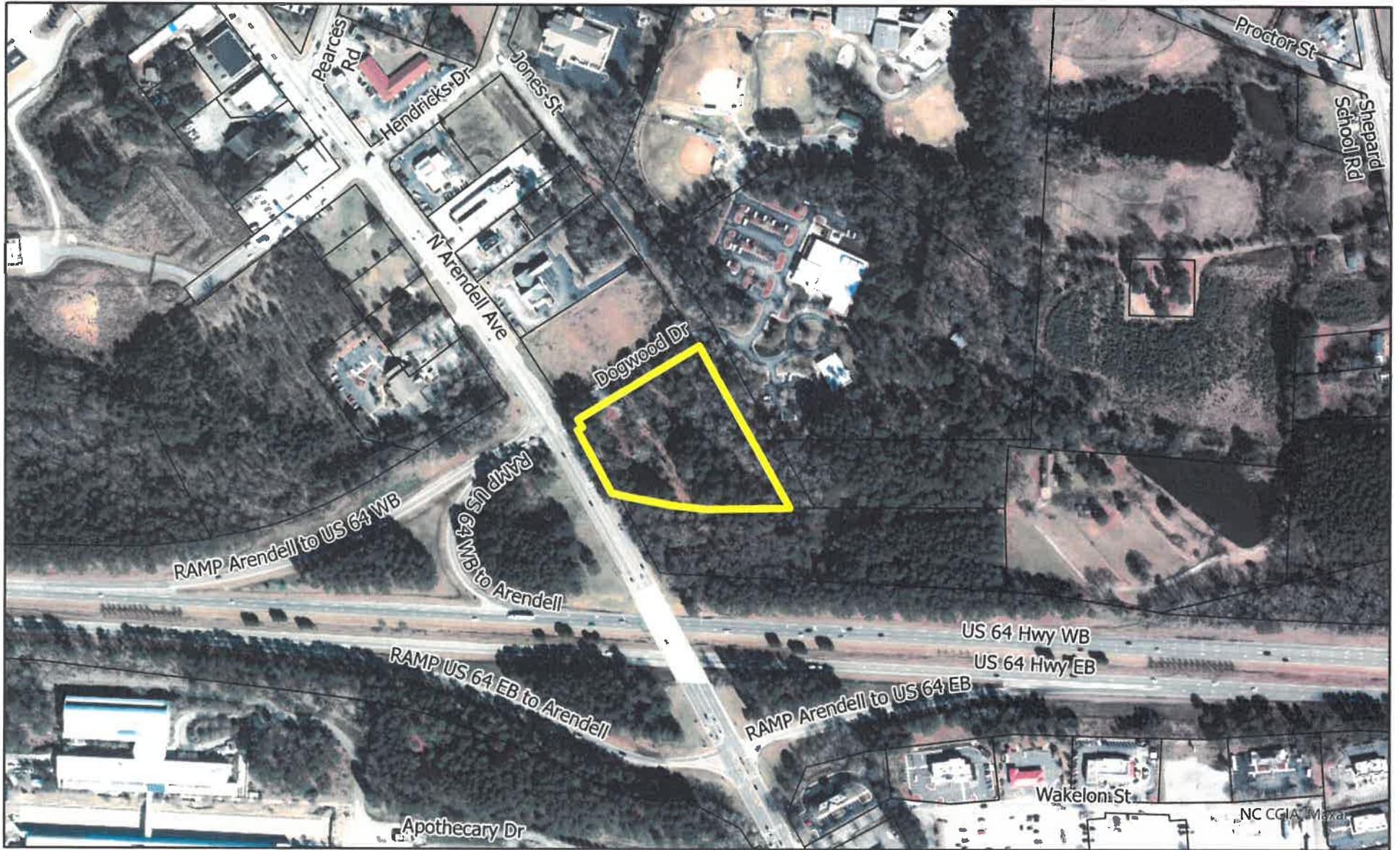




Planning
ZEBULON
 NORTH CAROLINA



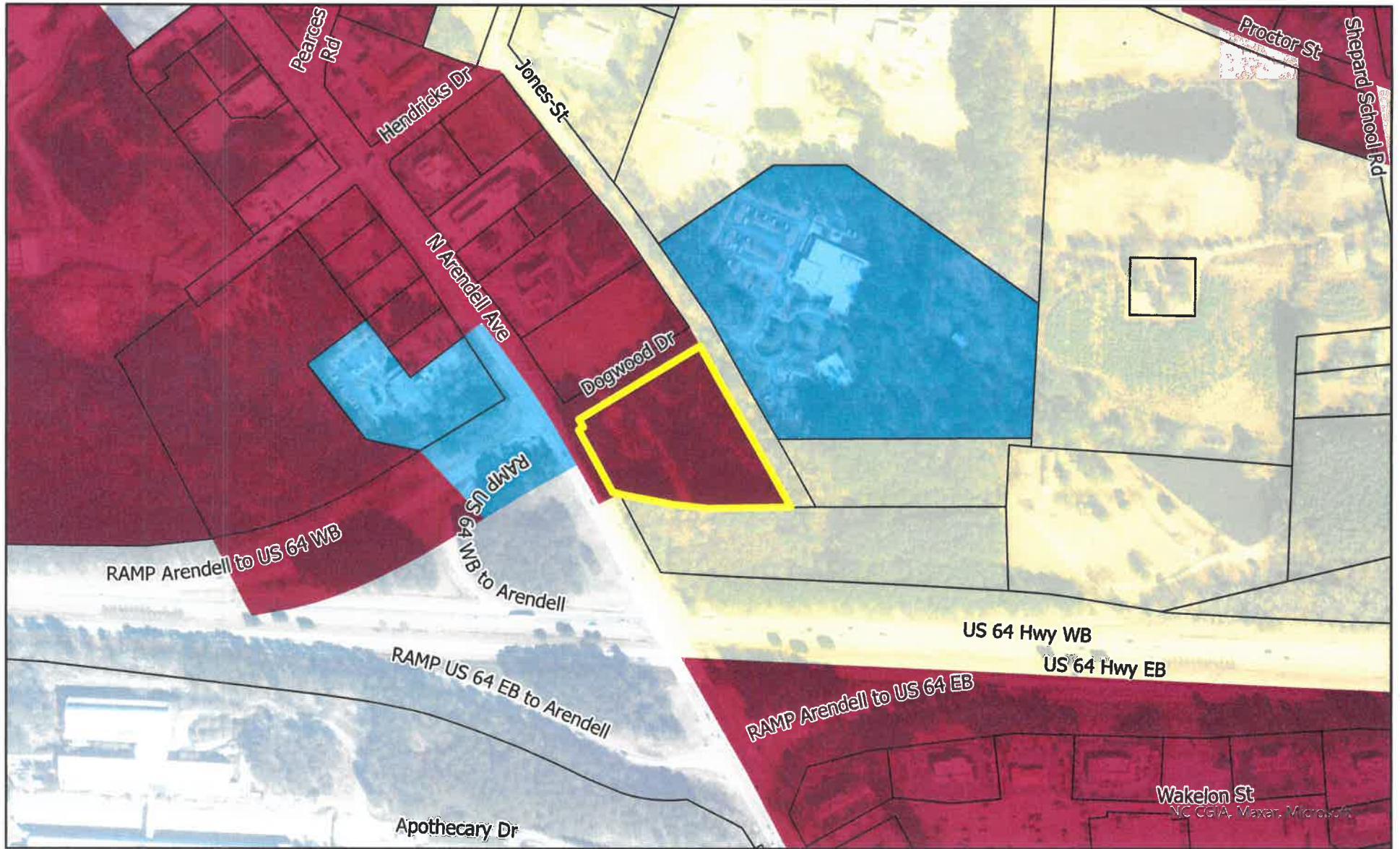
- Subject Property (1106 N Arendell Ave)
- Parcels
- Parks and Recreation (PR)
- Suburban Residential (SR)
- General Commercial (GC)
- Industrial Light (IL)
- Suburban Commercial (SC)

Attachment 3 - Aerial Map



-  Subject Property (1106 N Arendell Ave)
-  Parcels

Attachment 4 - Zoning Map



Subject Property (1106 N Arendell Ave)

Parcels

Zoning Districts

- R2, Residential Suburban
- HC, Heavy Commercial
- LI, Light Industrial
- OI, Office and Institutional

Attachment 5 - Site Pictures



View of property at Dogwood Dr

Attachment 5 - Site Pictures



View of property at N Arendell Ave

UTILITY ALLOCATION WORKSHEET – TOWN OF ZEBULON

1106 N ARENDELL AVE CONDITIONAL REZONING

The table below summarizes how the development proposed by the above rezoning request, as shown on the associated concept plan, qualifies for allocation under the amended Utility Allocation Policy adopted by the Zebulon Board of Commissioners on May 9, 2023.

BASE POINTS	
Single Use Retail Newly constructed single use, stand-alone building used primarily for retail, restaurant, or similar commercial use.	40
BONUS POINTS	
Section 1B - Roadway Infrastructure Not Warranted by TIA/UDO/CTP	
Construction of full cross section of existing off-site public street	5
Section 2C - Stormwater SCM's	
Stormwater - Wetland	5
Section 3A – Outdoor Enhancement	
Installation of Native Shade Tree Species (per Tree up to 10 Trees)	10
Total	60

Below are comments by the applicant regarding the proposed development and the bonus point criteria utilized for this project as identified above:

Section 1B - Roadway Infrastructure Not Warranted by TIA/UDO/CTP

The proposed concept plan depicts construction of the full width of the cross-section for Jones Street along almost the entire length of the subject property's respective frontage. This significantly exceeds the minimum UDO requirement for construction of only ½ the width of the cross section along the frontage.

Section 2C – Stormwater SCM's

Stormwater management for development on the site will include a constructed wetland in the area shown on the plan.

Section 3A – Outdoor Enhancement

In addition to all required landscape plantings, the applicant proposes to plant an additional 10 native species shade trees on the site. A note stating this commitment is included on the landscape plan.



MUNICIPAL UTILITY ALLOCATION POLICY

Statement of Purpose and Goals

Introduction

Drinking water supplies throughout the greater City of Raleigh distribution system are finite, subject to disruption by drought and/or other calamity and Zebulon’s allocation is contractually limited. The Town staff, the Planning Board, and the Board of Commissioners have given a great deal of thought and study as to the best utilization of this valuable resource to benefit current and future citizens.

The Town of Zebulon’s municipal water and sewer capacity is a valuable resource that must be conserved and apportioned to new development projects that promote the Town’s policy of ensuring a diversified tax base and housing supply. Such an allocation policy will tend to promote diversity of housing available to a wide cross section of citizens of diverse socio-economic backgrounds and promote economic viability and sustainability by providing for retail and other commercial development within the Town of Zebulon.

In order to preserve and enhance property values, manage its limited water supply as a vital natural resource, promote economic development, and incentivize smart growth practices, the allocation of Zebulon’s potable water capacity shall hereafter be in accordance with this policy.

Land Use and the Tax Base

The local government expense of providing fire and police protection, schools, parks, social services, water and sewage systems and other essential public services to residential neighborhoods is generally greater than the ad valorem tax revenue generated by such neighborhoods. On the other hand, the cost of providing services to commercial and industrial development is generally less than the tax revenue accruing to the local government. Having a predominantly residential tax base would require the Town of Zebulon over time to assess a higher tax levy to raise funds to provide essential services or to reduce the level of public services provided. This is one reason among many why local governments including Zebulon strive to achieve a balance of both residential and non-residential growth.

Zebulon’s historical development is transitioning from industrial to residential, leading to a current tax base of approximately 40% residential and 60% commercial/industrial. The following table shows Zebulon’s tax base over the past five years ¹

Zebulon Tax Base (Past Five Years)

Fiscal Year	Commercial	Residential
2021-2022	60%	40%
2020-2021	65%	35%
2019-2020	72%	28%
2018-2019	73%	27%
2017-2018	71%	29%

¹ “Tax Base Components | Wake County Government,” *Wake County North Carolina*, <https://www.wakegov.com/departments-government/tax-administration/data-files-statistics-and-reports/tax-base-components>

As shown in the table above, the residential tax base has steadily increased proportionally over the past five years. This trend in the tax base data, combined with the vested planned residential development in the coming years, demonstrates the need for the Town to address this shift through policy. The Zebulon Board of Commissioners believes that it is fiscally responsible and otherwise in the public interest to promote and encourage non-residential development in the jurisdiction as an alternative to rapid residential development to keep the ratio between the two development types well balanced. A goal of maintaining a tax base of 60% residential and 40% commercial/industrial is hereby established.

Development Goals for the Full Build-Out of Zebulon

Communities without a wide variety of housing types and styles also put pressure on the Wake County Public School System which remains committed to having students of a wide range of socio-economic backgrounds attend each local school. In addition to the goal of maintaining a balanced tax base, the Town of Zebulon is committed to achieving a balance of housing types within its jurisdiction.

This commitment is consistent with both the Town’s Strategic Plan and Comprehensive Plan. The *Town of Zebulon: Vision 2030 Strategic Plan* lists “Growing Smart” as one of its three focus areas, calling for the planning of appropriate land uses and affordability of the community. The *Grow Zebulon Comprehensive Land Use Plan* identifies six guiding principles for the town. Two of those principles are “Zebulon will be BALANCED” and “Zebulon will be PRUDENT.” A balance should be achieved for the Town’s tax base, its land uses, and its housing types to allow for an affordable community with employment and business opportunities that will help the community prosper. The achievement of balance in Zebulon will contribute to the Town being prudent. As stated previously, a local government’s cost of providing services to commercial properties is generally less than that of residential properties. Having a balanced tax base that is not proportionally over-saturated with residential properties will contribute to keeping the Town financially sound.

Below are three development goals that are integral to the utility allocation policy and the future of the Town. These development goals apply to the entire, future Zebulon jurisdiction including the ETJ, short-range and long-range urban service areas.

GOAL #1: Maintain 60%-40% ratio of residential to non-residential tax values.

<u>Upon Adoption-January 2021</u> 60% Residential - 40% Non-Residential
--

GOAL #2: Residential Housing Percentage Breakdown
SFD|TH|MF – 75%|10%|15% (Note – Duplex counted as MF)

<u>Upon Adoption-January 2021</u> 80.5% | 0.5% | 19%

GOAL #3: Encourage Mixed Use Development to improve pedestrian connectivity to non-residential activity.

Policy and Procedures

Water Allocation

All existing parcels of real property within the corporate limits of Zebulon, regardless of proposed acreage, shape, or location as of the adoption of this ordinance are entitled to **115 gallons per day** of water allocation to build and sustain a single family or a limited business or commercial use. No additional water allocation will be awarded for proposed development except in accordance with the requirements of this policy.

Wastewater Connection

All projects considered for utility allocation must provide a wastewater system connection with adequate receiving capacity, as determined by the Wake County Health Department and/or City of Raleigh Public Utilities Department and approved by the Town of Zebulon Planning Director.

General Conditions & Requirements

- All proposed projects must be within the existing corporate limits or have filed a valid and complete petition for Voluntary Annexation.
- All proposed projects under consideration must have a complete application submitted for the appropriate Master Plan, Subdivision, Site Plan, Special Use Permit, Conditional Zoning Request, Zoning Compliance Permit, Building Permit, or any other necessary approval.
- All projects are subject to a **Utility Allocation or Developer's Agreement** approved by the Town's Board of Commissioners. If the Developer/Applicant fails to meet all terms of that agreement the unused allocation will be reclaimed, no new building permits will be issued, and no new connections to the water or wastewater systems will be permitted. Active building permits will have certificates of occupancy held until mitigating measures are agreed to by all parties.
- Projects with proven vested rights upon adoption of this ordinance will be permitted to finish their projects as previously approved.
- Public water may be utilized for irrigation purposes so long as the Primary Use associated with the site has previously gained water allocation through the Town.
- Any third parties who buy land to build upon are bound by the approved Utility Allocation Agreement or Development Agreement for that property. If the agreement is not fulfilled, the above terms and conditions still apply regardless of who owns the land.

Compliance Required

This policy allocates municipal water in gallons per day for new development proposals, master plans, site plans, building plans, and/or structures seeking construction approval. Each phase of a phased development must comply with the terms and development schedule of an approved Utility Allocation Agreement before the next phase can begin or the development risks loss of previously reserved allocation.

Previously dedicated but unused allocation can be reclaimed by the Town's Board of Commissioners for:

- (1) the lack of compliance with any existing Utility Allocation or Developer's Agreement;
- (2) violation of applicable town policy provision, ordinance standard, condition of approval;
- (3) violation of federal or state regulation; or
- (4) other good cause.

Utility Allocation Application Process

Upon receiving a new development proposal requesting water capacity, the Planning Staff shall direct the Developer/Applicant to demonstrate the project's qualifications. A Developer/Applicant shall state on the appropriate application, and stipulate within an approved Utility Allocation Agreement, the use or uses proposed to be built as part of the project along with the construction design and materials. Town action on the request will be deferred until the application is complete and the requested information has been provided.

Proposed projects shall complete the UTILITY ALLOCATION WORKSHEET according to its instructions to determine the total number of points achieved. The Utility Allocation Application package will be reviewed for completeness and compliance by the Technical Review Committee (TRC) in conjunction with the applicable development approval for the subject property (conditional rezoning, planned development, site plan, etc.).

Qualification for water allocation is judged by:

- The level of developer investment
- Anticipated increases in the Town's ad valorem tax base
- Construction and dedication of public infrastructure
- Provision of employment opportunities for Zebulon citizens
- Provisions of diversified housing stock
- Preservation of open space
- Protection of existing tree canopy
- Conservation of existing habitat
- The provision of recreational amenities for current or future Zebulon residents

Projects must be awarded **60 TOTAL POINTS** or more to merit water allocation.

Points are awarded in two categories, BASE POINTS and BONUS POINTS. BONUS POINTS are broken down into six categories.

1. Nonconformity Abatement and Public Infrastructure Improvements
2. Green Development Standards
3. Gateway and Transit Improvements
4. Amenities
5. Affordable Housing
6. Other

Unless a project can gain all necessary BONUS POINTS from a single improvement identified in the approved list, improvements must be made from at least two of the categories of BONUS POINTS.

All features and/or improvements that earn a projects BONUS POINTS must be clearly shown on a development plan for each application type.

Expiration of Allocation Award

A developer/applicant who has secured allocation according to this policy and hasn't progressed in construction plan approval, building permit approval, or on-site construction for a period of 12 months will lose the award of allocation without benefit.

Annual Review of Policy & Appeals

This policy shall be reviewed in January of each year and, when appropriate, readjusted by the Town's Board of Commissioners. The Town's overall progress on policy goals will be considered and the multipliers and/or point thresholds readjusted accordingly.

Appeals of any provision of this ordinance shall be decided upon by the Town's Board of Commissioners upon receiving a recommendation from the Planning Board.

BASE POINTS: List of Preferred Land Uses and Required Characteristics:

The uses listed below have been determined to be the most desirable and important uses for the Town of Zebulon to promote and maintain economic and housing diversity. Only projects that completely meet the stated performance characteristics will be considered for utility allocation. Please select one of the following Base Point classifications.

60 Base Points	Single Family Homes (Expedited Subdivision or Recombination) Newly constructed Single Family Homes built upon new lots created via the minor subdivision, exempt subdivision, expedited subdivision (3 or fewer lots) or recombination process.
60 Base Points	Change of Use This category captures renovation, rehabilitation, up-fit or retrofit of existing buildings or portions of buildings that pre-date this policy and require a code summary sheet, change in building occupancy, certificate of occupancy, building permit and/or building inspections and do not increase the utility demand from the previous use of the building.
45 Base Points	Business Office/Finance/ Insurance / Professional Services Center - Large Qualifying projects must exceed 100,000 square feet of heated floor space and create at least 150 employment positions that exceed the average annual Wake County salary according to Wake County Economic Development or the Employment Security Commission. Employees perform professional, scientific, and technical services for others. Such services require a high degree of expertise and training and provide high salaried employment opportunities. Examples include software engineering, legal, medical, accounting, consulting, architectural, biomedical, chemical, research and development, and administrative services. Finance or Insurance Centers shall also pool financial risks by underwriting insurance and annuities. Some establishments support employee benefit programs. Examples include bank or credit union headquarters, brokerages, investments, insurance, financing, and data processing establishments.
45 Base Points	Manufacturing/Industrial Employment Center Manufacturing or Industrial establishments in this category exceed 200,000 square feet of floor space located in plants, factories, or mills and employ power-

	<p>driven machines and materials-handling equipment. They may also employ workers who assemble or create new products by hand, without the characteristic machinery-intensive enterprise. Many manufacturing establishments process products of agriculture, forestry, fishing, mining, or quarrying as well as products of other manufacturing establishments. Most manufacturing establishments have some form of captive services (e.g., research and development, and administrative operations, such as accounting, payroll, or management) in conjunction on-site.</p>
45 Base Points	<p>Governmental Uses/Public Administration This category encompasses centers for all government functions; it includes federal, state, and local government agencies that administer, oversee, and manage public programs and budgets and have executive, legislative, or judicial authority. Establishments develop policy, create laws, adjudicate civil and criminal legal cases, and provide for public safety and national defense.</p>
40 Base Points	<p>Single Use Retail Newly constructed single use, stand-alone building used primarily for retail, restaurant, or similar commercial use.</p>
40 Base Points	<p>Hotels, Motels, or other Accommodation Service Establishments This category serves lodging and short-term accommodations for travelers. They may offer a wide range of services, from overnight sleeping space to full-service hotel suites. They may offer these services in conjunction with other activities, such as entertainment or recreation. Stays in these establishments are generally less than one month. This classification does not include boarding or rooming houses.</p>
40 Base Points	<p>Arts/Entertainment/Museums These establishments operate facilities or provide services for a variety of cultural, entertainment, and performing art functions. Establishments include those that produce, promote, or participate in live performances, events, or exhibits intended for public viewing; those that preserve and exhibit objects and sites of historical, cultural, or educational interest; and those that operate facilities or provide services to serve activities associated with the aforementioned.</p>
40 Base Points	<p>Amusement, Sports or Recreational Establishment Establishments in this category operate either indoor or outdoor facilities offering family activities (i.e. sports, recreation, or amusement) and provide services, such as facilitating amusement in places operated by others, operating recreational sports groups and leagues. Examples include golf courses, indoor sports venues, bowling alleys, miniature golf courses, athletic clubs, skating rinks and arcades. This category may be used in conjunction with a commercial or residential development as a mixed use development.</p>
40 Base Points	<p>Mixed Use Development (Transit Oriented) Newly constructed or substantially rehabilitated collection of vertically mixed retail, office and residential uses in multi-story buildings centered within a one-half mile radius of an existing rail or bus transit station or the intersection of</p>

	Horton Street and North Arendell Avenue in Downtown Zebulon. In order to qualify as mixed use, developments must dedicate at least one-third of the total heated square footage to residential use and the remainder to a mix of retail and office uses. All three use types must be represented and at least 10% of the heated square footage must be dedicated to street level, storefront retail uses.
40 Base Points	Mixed Use Development (Urban Infill) Newly constructed or substantially rehabilitated collection of mixed retail, office and residential uses in a multi-story building on a previously developed parcel within the corporate limits. In order to qualify as mixed use, developments must dedicate at least one-third of the total heated square footage to residential use and the remainder to a mix of retail and office uses. All three use types must be represented and at least 10% of the heated square footage must be dedicated to street level, storefront retail uses.
40 Base Points	Mixed Use Development (Greenfield) Newly constructed collection of mixed retail, office and residential uses in a multi-story building or buildings on a previously undeveloped parcel. In order to qualify as mixed use, developments must dedicate at least one-third of the total heated square footage to residential use and the remainder to a mix of retail and office uses. All three use types must be represented and at least 10% of the heated square footage must be dedicated to street level, storefront retail uses.
35 Base Points	Housing Services for the Elderly Establishments This category offers housing services for the aged, not requiring a license from the North Carolina Department of Health and Human Services, such as independent retirement housing, multi-unit assisted housing with services (MAHS), and continuing care retirement centers. All facilities must provide, but not necessarily be limited to, the following services/facilities: On-site laundry facilities, on site management, guaranteed transportation services at least four days per week, on-site exercise facilities, on-site computer access, and a clubhouse/common lounge area for all residents.
35 Base Points	Mixture of Use Development (Retail/Office-Institutional/Commercial) Newly constructed collection of horizontally arranged uses including retail, office-institutional and commercial within a master planned project on a previously undeveloped parcel or parcels totaling at least 10 acres. Mixture of use projects must include at least two (2) use types with at least 25% of the space devoted to each use type included in the development.
30 Base Points	Retail/Commercial Center Newly constructed center of at least 50,000 square feet, typically containing an anchor such as a grocery store and other smaller spaces and/or outparcels for subordinate uses. Uses are entirely consumer-driven and include all manner of retail, service and office possibilities.
30 Base Points	Business Office/Finance/ Insurance / Professional Services Center – Medium Qualifying projects must exceed 50,000 square feet of heated floor space and create at least 75 employment positions that exceed the average annual Wake County salary according to Wake County Economic Development or the

	<p>Employment Security Commission. Employees perform professional, scientific, and technical services for others. Such services require a high degree of expertise and training and provide high salaried employment opportunities. Examples include software engineering, legal, medical, accounting, consulting, architectural, biomedical, chemical, research and development, and administrative services. Finance or Insurance Centers shall also pool financial risks by underwriting insurance and annuities. Some establishments support employee benefit programs. Examples include bank or credit union headquarters, brokerages, investments, insurance, financing, and data processing establishments.</p>
30 Base Points	<p>Business Office/Finance/ Insurance / Professional Services Center – Small Qualifying projects 50,000 square feet of heated floor space or less. Employees perform professional, scientific, and technical services for others. Such services require a high degree of expertise and training and provide high salaried employment opportunities. Examples include software engineering, legal, medical, accounting, consulting, architectural, biomedical, chemical, research and development, and administrative services. Finance or Insurance Centers shall also pool financial risks by underwriting insurance and annuities. Some establishments support employee benefit programs. Examples include bank or credit union headquarters, brokerages, investments, insurance, financing, and data processing establishments.</p>
30 Base Points	<p>Multi-Tenant Retail Center Newly constructed center 50,000 square feet or less, typically containing a more than one tenant space within a single structure. Uses are entirely consumer-driven and include all manner of retail, service and office possibilities.</p>
30 Base Points	<p>Single Use Office Newly constructed single use, stand-alone building used primarily for office and professional.</p>
30 Base Points	<p>Bungalow Court or Pocket Neighborhood Newly constructed Bungalow Court or Pocket Neighborhood per the standards of the Unified Development Ordinance.</p>
30 Base Points	<p>Distribution/Trucking Center Newly constructed center of at least 500,000 square feet where products and resources are transported to and delivered from via truck or rail.</p>
25 Base Points	<p>Warehouse Newly constructed center of at least 500,000 square feet where products and resources are stored.</p>
25 Base Points	<p>Religious Institutions Any facility such as a church, temple, synagogue, mosque or monastery used for worship by a non-profit organization and their customarily related uses.</p>
20 Base Points	<p>Intensive Industrial Uses: Uses classified as Special Land Uses within the Industrial Classification.</p>

20 Base Points	Multi-Family Residential & Condo Units
20 Base Points	Major Subdivision 4- 25 Lots Any subdivision of land of four (4) – 25 Lots.
10 Base Points	Major Subdivision 26 lots or more Any subdivision of land of 26 or more lots.
Board Determination	All Other Uses Not Categorized This category of use captures all other uses not categorized elsewhere. Allocations for such uses are left to the discretion of the Town’s Board of Commissioners upon recommendation of the Planning Board and acted on a case-by-case basis.

BONUS POINTS

Proposed projects can gain BONUS POINTS by agreeing to provide any of the following items over and above the UDO or Standard Specification requirements for their development proposal.

NOTE: No bonus points are given for UDO requirements.

CATEGORY 1 – Non-Conformity Abatement and Public Infrastructure Improvements

Section 1A - Abatement of Nonconformities		(Max - 3 points)
	Abatement of any existing non-conforming structures	3
	Abatement of any existing non-conforming use of land	2
	Abatement of any existing non-conforming lots	1

Section 1B - Roadway Infrastructure Not Warranted by TIA/UDO/CTP		(Max - 10 points)
5	Construction of full cross section of existing off-site public street	5
	Nearby intersection improvements	5
	Traffic signal improvements	4
	Signage or striping improvements	1

Section 1C - Off-Site Public Greenway Improvements		(Max - 10 points)
	Construct more than 4000 linear feet of 10-foot-wide path	10
	Construct more than 3000 linear feet of 10-foot-wide path	8
	Construct more than 2000 linear feet of 10-foot-wide path	6
	Construct more than 1000 linear feet of 10-foot-wide path	4
	Construct 500 to 1000 linear feet of 10-foot-wide path	2

Section 1D – Off-Site Bike-Ped Improvements		(Max – 5 points)
	Construction of off-site sidewalk improvements (Subject to TRC Approval)	2
	Construction of off-site bike lane improvements (Subject to TRC Approval)	3

CATEGORY 2. Green Development Standards/ Building & Site Design

Section 2A - Conservation of Natural Habitat Meeting Active Open Space Requirements as Defined in the UDO		(Max - 10 points)
	One point per acre up to 10 acres	1 - 10

Section 2B - Parking		(Max – 15 points)
	Structured Parking Facilities - must reduce footprint by 20%	10
	EV Charging Stations (two-port)	5
	Provision of on-street public parking (1 point per stall up to 10 Max)	1 - 10

Section 2C - Stormwater SCM's		(Max – 10 points)
	Stormwater - Restored Riparian Buffer	10
	Construct a fountain or other stormwater amenity within the BMP/SCM (as approved by Staff)	4
	Stormwater - Landscaped Green Roof	5
	Stormwater - Underground capture system for on-site irrigation	5
	Stormwater - Bioretention	5
5	Stormwater - Wetland	5
	Exclusive use of porous pavement in parking areas where suitable	2

Section 2D - Building/Site Design		(Max - 20 points)
	Compliance with residential design guidelines per Section 5.2 of the UDO	10
	Non-Residential building design that incorporates an active upper story.	5
	Pedestrian oriented and walkable site design which promotes alternatives to vehicular travel within the development. (Subject to TRC Approval)	5

Section 2E - Infill/Redevelopment		(Max – 16 points)
	Development or Redevelopment within DTC	10
	Development or Redevelopment within DTP	6
	Redevelopment of previously vacant building space over 20,000 square feet	6
	Redevelopment of previously vacant building space under 20,000 square feet	5

Section 2F - Historic Preservation		
	Historic Structure Preservation via Deed Restriction (Determined by TRC)	10
	Restoration of Historic Structure (Must be approved by TRC)	5

Section 2G – LEED Certification		(Max – 10 points)
	LEED Certification for Neighborhood Development (LEED ND)	10
	Platinum LEED Certification	10
	Gold LEED Certification	8
	Silver LEED Certification	6
	Bronze LEED Certification	4
	LEED Certified Certification	2

CATEGORY 3 – Outdoor Enhancement and Transit Improvements

Section 3A – Outdoor Enhancement		(Max – 12 points)
	Construction of a Parkway Street Section on a Collector level street	5

	Construction or Preservation of Gateway Landscaping or Structure (Subject to Comprehensive Plan Consistency and TRC approval)	5
	Outdoor Display of Public Art (Subject to TRC Approval)	4
	Public Facing Outdoor Mural (Subject to TRC Approval)	4
	Maintenance of Roadside Gateway Plant Bed (requires maintenance agreement)	3
	Planting Pollinator Garden (225 Square Foot Minimum)	3
	Exclusive use of xeriscaping techniques and drought tolerant species	3
	Enhanced Roadside Landscaping (Subject to TRC Approval)	2
	Enhanced Buffer Landscaping (Subject to TRC Approval)	2
	Construction of a Parkway Street Section on a Local level street	2
10	Installation of Native Shade Tree Species (per Tree up to 10 Trees)	1

Section 3B – Transit (Pursuant to location being adjacent to a planned or active transit route)		(Max - 8 points)
	Provision of more than 50 designated Park & Ride Stalls	8
	Provision of 25 designated Park & Ride Stalls	5
	Provision of 10 designated Park & Ride Stalls	3
	Provision of mass transit easement w/ structure (bus stop with shelter & bench)	2

CATEGORY 4 - Amenities

Section 4A - Private Greenway		(Max - 3 points)
	Construction of more than 3000 linear feet private greenway meeting Town of Zebulon standards	3
	Construction of more than 2000 linear feet of private greenway meeting Town of Zebulon standards	2
	Construction of more than 1000 linear feet of private greenway meeting Town of Zebulon standards	1

Section 4B – Pool (Combinations may be approved by TRC)		(Max - 8 points)
	Olympic Pool and Aquatic Center	8
	Junior Olympic Pool	5
	Lap Pool (four lane minimum)	3
	Resort Style Pool	2
	Any Other Pool	1

Section 4C - Outdoor Deck/Patio		(Max - 3 points)
	Deck/Patio - More than 3000 square feet	3
	Deck/Patio - More than 2000 square feet	2
	Deck/Patio - More than 1000 square feet	1

Section 4D - Pool Amenities		(Max - 2 points)
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	Jacuzzi/Hot Tub/Whirlpool	2
	Water Playground with apparatus	2
	Sauna/Steam room	2

Section 4E - Clubhouse		(Max - 10 points)
	Commercial Coffee Shop with at least 10 designated public seating spaces.	10
	With full kitchen and over 4000 square feet of meeting space	10
	With full kitchen and less than 4000 square feet of meeting space	9
	Meeting space without kitchen more than 3500 square feet	8
	Meeting space without kitchen 2500 - 3499 square feet	7
	Meeting Space without kitchen 1500 - 2499 square feet	5
	Meeting Space without kitchen less than 1500 square feet	4
	No meeting space, bathrooms and changing rooms only	3
	Outdoor Kitchen or Grills	2

Section 4F - Additional Active Recreation		(Max - 10 points)
	Gymnasium (regulation size indoor basketball court)	10
	Baseball/Softball Field (regulation size)	5
	Football/Soccer Field (regulation size)	5
	Skate Park	5
	Tennis Courts (two regulation courts, fenced)	5
	Multi-Use Hardcourt (two regulation basketball courts, street hockey, fenced)	5
	Pickleball Court (three regulation courts, fenced)	5
	Pocket Park – 5,000 square feet	3
	IPEMA Certified Playground Equipment	4
	Lighted Field of Play for nighttime use	3
	Electronic Scoreboard or Covered Dugouts or Bleachers	3
	Community Garden – 15-foot by 15-foot, with water access and potting shed.	3

Section 4G – Additional Urban Open Space Enhancements (Within Non Residential Zoning Districts)		(Max – 10 points)
	Fountain	2
	Canopy Including Fixed Permanent Seating	2
	Drinking Fountain with Pet Fountain	2
	Permanent Game Tables	1
	Permanent Tables with Shade Cover	1
	All Weather Bulletin Board	1
	Covered or Internal Bicycle Parking	1
	Artist-Design Bicycle Racks	1
	Little Free Library	1
	Drinking Fountain	1
	Public Work Bike Stand With Tools	1

CATEGORY 5 – Affordable Housing

Inclusion of a percentage of the provided housing stock of a proposed development cost no more than 30% of a household income not exceeding 80% of the Area Median Income (AMI)		(Max – 10 Points)
	15% Affordable Housing	10
	10% Affordable Housing	5

CATEGORY 6 – Other

(Max 5 Points)

	Integrated public safety operation systems (EX. Flock Safety or others as approved by the Police Department)	3
	Smart Waste and Recycling Stations	2

ZEBULON

NORTH CAROLINA

CASE # CZ 2023-03 IDT# 964911 – 1106 N Arendell Conditional Rezoning

PROJECT ADDRESS 1106 N Arendell Ave

PIN NUMBER: 2705191832

HEARING DATE: August 14, 2023

State of North Carolina

County of Wake

BEFORE ME, the undersigned Notary, Stacie Paratore on this 4th day of August 2023, personally appeared Michael J. Clark, 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 Michael J. Clark, acting as the 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.

- First Class Mailing Sent on **8/1/2023** (see attached mailing list and copy of mailing)
- Advertisement in a Paper of General Circulation sent on **8/1/2023** (Wake weekly, publication dates **8/4 & 8/11/2023**)
- Posting Public Hearing Signage on Property on **7/27/2023** (pictures attached)
- Posted to Planning Department Website **8/2/2023**
- Sent to E-Mail Distribution List on **8/4/2023**

Michael J. Clark

8/4/2023

Michael J. Clark, AICP, CZO

Date

Subscribed and sworn to before me, this 4th day of August 2023.

[Notary Seal:]

Stacie Paratore

[signature of Notary]

Stacie Paratore

[printed name of Notary]

NOTARY PUBLIC

My commission expires: 6/27, 2025.

STACIE PARATORE
NOTARY PUBLIC
WAKE COUNTY, N.C.

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 14, 2023 at 6:00 PM** at the **Zebulon Municipal Complex, 1003 N. Arendell Avenue**, and will be conducted by the Board of Commissioners and Planning Board of the Town of Zebulon for the purpose of considering the following items:

IDT Project Number 964911 - CZ 2023-03 – 1106 N Arendell Ave (1106 N Arendell Ave)

PIN # 2705191832. A request by Thomas Johnson of Williams Mullen on behalf of C4 CStore Holdings III, LLC and property owners Carl Victor Tart Jr., for a Conditional Rezoning to the Heavy Commercial Conditional (HC-C) zoning district for the development of a convenience store with gasoline sales.

Public comments may be submitted to Deputy Town Clerk Stacie Paratore at SParatore@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) 823-1816.

Wake Weekly August 4th & 11th





ORDINANCE 2024-07
CONDITIONAL ZONING
1106 N. ARENDELL AVENUE

1. Development of the property for a convenience store with gasoline sales use shall be substantially as shown on the concept plan approved as part of this rezoning request and as shown on a site/development plan approved subsequent and pursuant to this rezoning. Development of the use on the property as described above shall not be subject to the use-specific standard in UDO 4.3.5.Q.1.a, more specifically this condition permits gasoline pump island to be located between the building and street as shown on the concept plan.

2. This rezoning and the associated site/building design proposed as part of the request considers certain UDO requirements in relation to: the nature of the proposed commercial use which is permitted by-right under the existing HC zoning; the property being adjacent to street rights-of-way on three sides, subjecting proposed development at this location to additional standards not applicable to the same development type throughout all HC zoning; and, aspects of the proposed site/building design that exceed minimum UDO requirements as shown and described in the documents submitted as part of the rezoning request. Based on consideration of these factors, variation in the fenestration requirements for the south, west and east building facades is allowed as shown on plans approved as part of this rezoning, more specifically:
 - South wall – 29% transparency/glazing provided (minimum 30% required); wall does not face an adjacent street.
 - West wall – 33% transparency/glazing provided (minimum 30% required), use of spandrel glazing due to interior layout requirements for specific building use; canopies are provided above glazing on this façade.
 - East wall – no transparency provided (view of wall from the adjacent street will be screened by multiple different design aspects required by the UDO and other features including: required dumpster enclosure and landscape screening; street trees; canopy and understory trees and shrubs within the required street buffer; and the proposed fueling area and associated structures).

3. The developer shall construct/provide the following traffic improvements as shown on the diagram titled: "Proposed Land Configurations and Traffic Control, Zebulon 7-Eleven, Zebulon, NC, Figure 14", prepared by Impact Designs, Inc. agreed upon by development team, Town of Zebulon, and NCDOT on 7/27/2023. Plans/details of these improvements shall be shown on the site/construction plans submitted to the Town for review subsequent to rezoning.
 - 125-foot eastbound right turn lane on Dogwood Drive at Site Access A.
 - 150-foot westbound left turn lane on Dogwood Drive at N Arendell Ave.
 - 300-foot left turn lane on the US 64 Highway WB off-ramp.
 - Retime traffic signals in the AM and PM peak hours.
 - Upgrade signal at N Arendell Ave/Dogwood Drive/US 64 WB ramps to accommodate new left turn lanes.

Adopted this the 11th day of September 2023


Glenn L. York – Mayor

SEAL

Lisa M. Markland, CMC – Town Clerk

STAFF REPORT
ORDINANCE 2024-08
CHILD CARE, DROP-IN AMENDMENT
SEPTEMBER 11, 2023

Topic: Ordinance 2024-08 Child Care, Drop-In Text Amendment

Speaker: Catherine Farrell, CZO Planner II
From: Michael J. Clark, AICP, CZO, Planning Director
Prepared by: Catherine Farrell, CZO Planner II
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider text amendments to Section 4.2.3 and Section 9.4 of the UDO to allow for consideration of a new use “Child Care, Drop-In”.

Background:

The Use Table within Article 4 of the UDO provides a list of uses and how those uses are regulated per zoning district. The Table currently includes Child Care Center but does not include a possibility of the establishment of a drop-in option which is regulated differently by the State of North Carolina.

The UDO’s definition and regulation of Child Care Center does not address the short-term nature of a drop-in daycare. These are typically found in more urbanized areas and allow for parents to perform non-work-related activities on a short duration, such as medical appointments, shopping, or other activities where they can return to the site with short notice.

Staff have received a couple of inquiries about this use over the past two-years.

The Text Amendment was presented at the JPH on August 14th. During public comment nobody spoke for or against the amendment.

Discussion:

The Board shall measure the request against the following standards (UDO § 2.2.20.G):

1. Enhances the public’s health, safety, and welfare;
2. Is consistent with the Town’s adopted policy guidance;
3. Is not in conflict with any provision of UDO or the Town Code of Ordinances;
4. Is required by changed conditions;
5. Addresses a demonstrated community need;
6. Addresses an unforeseen matter not present when the Ordinance was adopted;
7. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;
8. Would result in a logical and orderly development pattern;
9. Addresses other factors determined to be relevant by the Board of Commissioners;
10. Would not result in significantly adverse impacts on the natural environment, including water, air, noise, stormwater management, wildlife, vegetation, and the natural functioning of the environment.

STAFF REPORT
ORDINANCE 2024-08
CHILD CARE, DROP-IN AMENDMENT
SEPTEMBER 11, 2023

Policy Analysis:

The Economic Development section of the Comprehensive Land Use Plan provides a list of policies. Policy “C” states, “Maintain a regulatory framework and Town processes that signals its interest in attracting target business sectors, needed and compatible revenue-generating uses, and lifestyle and leisure uses that support Zebulon’s livability and residents’ quality of life.” Furthermore, Policy “K” states, “Continue to promote a “stay local, buy local” mentality as Zebulon adds to its retail, service and restaurant options in the years ahead.”

The inclusion of this use reflects the changing demographic of the Town as the number of families with young children continues to grow and this use allows for guardians to shop at local businesses whereas they may hesitate if childcare options were not available.

Financial Analysis:

The inclusion of this new use would help to further diversify the childcare options within the region which promotes economic vitality especially in more urbanized settings such as downtown. This results in increased property values and improved market conditions for property owners. Furthermore, it creates a more affordable option for citizens who may not need a more extended care option for their children due to irregular schedules.

Planning Board Recommendation:

At the August 14, 2023, meeting, the Planning Board recommend approval of the request as amended with the addition of use specific standards that reference the State code by unanimous vote, finding that the request is consistent with Section 2.2.20.G of the UDO and the Land Use and Development section of the Comprehensive Land Use Plan.

Staff Recommendation:

Staff Recommends approval of Ordinance 2024-08 for the text amendment as proposed.

Attachments:

1. Draft Text Amendment
2. Ordinance 2024-08

ARTICLE 4: USES

4.2. Principal Uses

4.2.3. Principal Use Table

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	CJ	HI	OI	DTC	DTP	PD	
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
Community Garden	P	P	P	P	P	P	-	-	-	-	-	-	-	P	A	
Coliseum or Arena	-	-	-	-	-	-	-	P	P	P	-	-	-	P	A	4.3.4.H
Conference or Convention Center	-	-	-	-	-	-	-	P	-	-	-	-	P	P	A	4.3.4.H
Cultural Facility, Library, or Museum	-	-	-	-	S	P	P	P	-	-	-	P	P	P	A	
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	-	
Government Maintenance, Storage, Distribution	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	
Helicopter Landing Pad	-	-	-	-	-	-	-	-	P	P	P	S	-	-	A	4.3.4.K
Hospital	-	-	-	-	-	-	-	S	-	-	-	S	-	S	A	4.3.4.L
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	
Psychiatric Treatment Facility	-	-	-	-	-	-	-	-	-	S	-	S	-	-	-	
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
School, Vocational	-	-	-	-	-	-	-	P	P	P	P	P	-	P	A	4.3.4.O
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, Major	-	-	-	-	-	-	-	S	S	-	P	-	-	-	-	4.3.4.Q; 4.3.4.S

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Check Cashing/Payday Lending Establishment

DEFINITIONS	
CHECK CASHING/PAYDAY LENDING ESTABLISHMENT	An establishment engaged in loaning money upon deposit of personal property or signature on a promise to repay. Such uses also store personal property on site and may sell goods at retail sale.
CHICANE	A serpentine curve added to a street as a traffic calming measure.
CHILD CARE, INCIDENTAL	A program or arrangement, licensed by the State and located in the provider's residence where, at any one time, three or more children under the age of 13, receive child care on a regular basis of at least once per week for at least four (but less than 24) hours per day from persons other than their guardians, full-time custodians, or persons related to them by blood, marriage, or adoption. This definition does not include child day care centers, cooperative arrangements among parents, or other activities not defined as child care by Section 110-86 of the North Carolina General Statutes. Provision of day care services for more than six children in a residential dwelling is subject to the standards for a child day care center.
CHILD DAY CARE CENTER	A commercial or non-profit use licensed by the State where, at any one time, three or more unrelated children under the age of 13 receive child care from an unrelated person in a building other than a private residence on a regular basis of at least one occurrence per week for more than four hours per occurrence. Such uses may also involve the provision of educational services in preparation for elementary school. This definition does not include incidental child care, cooperative arrangements among parents, or drop-in or short-term child care provided while parents work part-time or participate in other activities on the premises (e.g., churches, shopping malls, hotels, health spas).
<u>CHILD DAY CARE, DROP-IN</u>	<u>A commercial or non-profit use regulated by the State where, at any one time, three or more unrelated children under the age of 13 receive child care from an unrelated person in a building other than a private residence on an irregular basis where guardians participate in activities that are not employment related such as running errands or leisure activities and are otherwise easily accessible (within 15 minutes).</u>
CLIMATE CONTROL EQUIPMENT	Heating, ventilation, air conditioning, and similar heating or cooling equipment typically located outdoors.
CLUSTER MAILBOX UNIT	A centralized grouping of individually locked and keyed mailboxes meeting the specifications of the United States Postal Service.
COFFEE SHOP	A commercial establishment engaged in the retail sale of coffee, tea, and related beverages for on-site and off-site consumption. Coffee shops may also offer a limited range of food available for on-site or off-site consumption as well as merchandise associated with home consumption of coffee or tea. A coffee shop may also include, as an accessory use, equipment and facilities to prepare coffee beans for consumption. Uses engaged solely in coffee bean processing for off-site consumption are manufacturing uses. Uses that derive the majority of their income from sales of food are restaurant uses.
COLISEUM OR ARENA	A building or structure designed or intended for use for spectator sports, entertainment events, expositions, and other public gatherings. Such uses may or may not include lighting facilities for illuminating the field or stage area, concessions, parking facilities, and maintenance areas.
COLLECTOR STREET	See "Street, Collector."

ORDINANCE 2024-08
TEXT AMENDMENT – ARTICLE 4 USE TABLE and
ARTICLE 9 DEFINITIONS for
DROP IN CHILDCARE

ARTICLE 4: USES

4.2. Principal Uses

4.2.3. Principal Use Table

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	
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
<u>Child Day Care, Drop In</u>						<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>A</u>	
College or University	-	-	-	-	-	-	S	S	-	-	-	P	-	P	A	
Community/Youth/ Senior Center	-	-	-	-	P	P	P	P	-	-	-	P	P	P	A	4.3.4.G
Community Garden	P	P	P	P	P	P	-	-	-	-	-	-	-	P	A	
Coliseum or Arena	-	-	-	-	-	-	-	P	P	P	-	-	-	P	A	4.3.4.H
Conference or Convention Center	-	-	-	-	-	-	-	P	-	-	-	-	P	P	A	4.3.4.H
Cultural Facility, Library, or Museum	-	-	-	-	S	P	P	P	-	-	-	P	P	P	A	
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	-	
Government Maintenance, Storage, Distribution	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	

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ORDINANCE 2024-08
TEXT AMENDMENT – ARTICLE 4 USE TABLE and
ARTICLE 9 DEFINITIONS for
DROP IN CHILDCARE

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Check Cashing/Payday Lending Establishment

DEFINITIONS

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CHILD CARE, INCIDENTAL	A program or arrangement, licensed by the State and located in the provider’s residence where, at any one time, three or more children under the age of 13, receive child care on a regular basis of at least once per week for at least four (but less than 24) hours per day from persons other than their guardians, full-time custodians, or persons related to them by blood, marriage, or adoption. This definition does not include child day care centers, cooperative arrangements among parents, or other activities not defined as child care by Section 110-86 of the North Carolina General Statutes. Provision of day care services for more than six children in a residential dwelling is subject to the standards for a child day care center.
CHILD DAY CARE CENTER	A commercial or non-profit use licensed by the State where, at any one time, three or more unrelated children under the age of 13 receive child care from an unrelated person in a building other than a private residence on a regular basis of at least one occurrence per week for more than four hours per occurrence. Such uses may also involve the provision of educational services in preparation for elementary school. This definition does not include incidental child care, cooperative arrangements among parents, or drop-in or short-term child care provided while parents work part-time or participate in other activities on the premises (e.g., churches, shopping malls, hotels, health spas).
<u>CHILD DAY CARE, DROP-IN</u>	<u>A commercial or non-profit use regulated by the State where, at any one time, three or more unrelated children under the age of 13 receive childcare from an unrelated person in a building other than a private residence on an irregular basis where guardians participate in activities that are not employment related such as running errands or leisure activities and are otherwise easily accessible (within 15 minutes).</u>
COLISEUM OR ARENA	A building or structure designed or intended for use for spectator sports, entertainment events, expositions, and other public gatherings. Such uses may or may not include lighting facilities for illuminating the field or stage area, concessions, parking facilities, and maintenance areas.
COLLECTOR STREET	See “Street, Collector.”

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Adopted this the 11th day of September 2023


Glenn L. York – Mayor

SEAL

Lisa M. Markland, CMC – Town Clerk

STAFF REPORT
ORDINANCE 2024-09
RV PARK TEXT AMENDMENT
SEPTEMBER 11, 2023

Topic: Ordinance 2024-09 Recreational Vehicle Park Text Amendment

Speaker: Michael J. Clark, AICP, CZO, Planning Director
From: Michael J. Clark, AICP, CZO, Planning Director
Prepared by: Michael J. Clark, AICP, CZO, Planning Director
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider a text amendment to Section 4.2.3 of the UDO to allow for consideration of Recreational Vehicle Parks as part of Planned Development requests.

Background:

The Use Table within Article 4 of the UDO lists “RV Parks” as a special land use within three zoning districts. Jennifer Ashton, attorney with Long Leaf Partners, applied for a text amendment to Section 4.2.3 to allow consideration of RV Parks when presented as part of a Planned Development request.

The UDO has selected uses that require a greater level of scrutiny to be regulated as special land uses. RV Parks are one such use. However, Section 2.2.13.A of the UDO regulating Planned Developments establishes a legislative framework for consideration of uses, such as RV Parks, to be considered in a much larger context than the limitations of the quasi-judicial process as well as the limited applicable standards of Section 2.2.18.F of the UDO.

On August 14, 2023, the Board held a joint public hearing. The applicant spoke in favor of the proposed request. No one from the public spoke in opposition to the proposed request.

Discussion:

The Board shall measure the request against the following standards (UDO § 2.2.20.G):

1. Enhances the public’s health, safety, and welfare;
2. Is consistent with the Town’s adopted policy guidance;
3. Is not in conflict with any provision of UDO or the Town Code of Ordinances;
4. Is required by changed conditions;
5. Addresses a demonstrated community need;
6. Addresses an unforeseen matter not present when the Ordinance was adopted;
7. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;
8. Would result in a logical and orderly development pattern;
9. Addresses other factors determined to be relevant by the Board of Commissioners;
10. Would not result in significantly adverse impacts on the natural environment, including water, air, noise, stormwater management, wildlife, vegetation, and the natural functioning of the environment.

STAFF REPORT
ORDINANCE 2024-09
RV PARK TEXT AMENDMENT
SEPTEMBER 11, 2023

Policy Analysis:

The Economic Development section of the Comprehensive Land Use Plan provides a list of policies. Policy "G" states, "Make tourism promotion an increasing focus within its overall economic development portfolio, in support of initiatives elsewhere in this CLUP and the Town's Strategic Plan to make Zebulon more of a destination and offer visitors a memorable experience." As an indirect element which would be privately funding, a range of tourist-based lodging opportunities would be consistent with the spirit and intent of this action.

Financial Analysis:

Additional lodging opportunities would increase tourism related tax dollars within the region. Furthermore, as a Planned Development, any project would be required to construct any applicable infrastructure including but not limited to road improvements, utility extensions, or other physical enhancements without cost to the Town.

Planning Board Recommendation:

At the August 14, 2023, meeting, the Planning Board unanimously recommended approval of the proposed text amendment finding that the request was consistent with the standards of Section 2.2.20.G of the UDO and the Economic Development section of the Comprehensive Land Use Plan.

Staff Recommendation:

Staff Recommends approval of Ordinance 2024-09 for the text amendment as proposed.

Attachments:

1. Application
2. Uses Table
3. Ordinance 2024-09



Town of Zebulon

Planning Department

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

UDO TEXT AMENDMENT PETITION

GENERAL INFORMATION:

In cases where the standards of specific to a particular zoning district is inconsistent with the future land use or necessitates changes to the UDO text are needed to accommodate new practices, technology, or conditions, the UDO Text Amendment request as outlined in Section 2.2.20 of the UDO provides details on how to amend the UDO to for Town to apply different regulations.

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 details of the proposed request to Planning Director Michael Clark (mclark@TownofZebulon.org) no later than five (5) working days prior to the desired meeting day.

APPLICATION PROCEDURE: The applicant requesting a UDO Text Amendment must submit a written application to the Zebulon Planning Department using the forms included in this packet.

- Completed Application Form
- Petition Fee (Please See Fee Schedule)
- One (1) Legal Description (metes and bounds) of subject property


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. 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.



APPLICATION FOR UDO TEXT AMENDMENT

PART 1. DESCRIPTION OF REQUEST		
UDO Section to be amended: UDO Sec. 4.2.3 - Principal Use Table		
Reason for Proposed Text Amendment: Add Recreational Vehicle Park as a Permitted Use in a Planned Development District		
Proposed Text: The proposed text amendment seeks to amend UDO Sec. 4.2.3 - Principal Use Table to add Recreational Vehicle Park as a permitted use in a Planned Development District, provided that the specific use type is included in the list of potential use types in the master plan or terms and conditions statement.		

PART 2. APPLICANT/AGENT INFORMATION		
Name of Applicant/Agent: Jennifer G. Ashton, Esq.		
Street Address of Applicant/Agent: 4509 Creedmoor Road, Suite 302		
City: Raleigh	State: NC	Zip Code: 27612
Email of Applicant/Agent: jashton@longleaflp.com	Telephone Number of Applicant/Agent: 919-780-5433	Fax Number of Applicant/Agent: N/A

<i>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.</i>		
Signature of Applicant: 	Print Name: Jennifer G. Ashton	Date: 5/31/23



APPLICATION FOR UDO TEXT AMENDMENT

LEGISLATIVE CONSIDERATIONS –ZONING MAP AMENDMENT

A UDO Text Amendment is a legislative process and subject to applicable review standards as set forth in Section 2.2.20.G of the UDO. Please note that the Planning Board and Board of Commissioners will be reviewing the proposed request based on all potential uses and activities that would be permitted within the subject request. Please provide detailed response on how the proposed rezoning request addresses each of these standards:

1) Please provide details on how the proposed amendment advances the public health, safety, or welfare.
The proposed text amendment advances the public health, safety or welfare because a Recreational Vehicle Park use will cater to families and visitors to the Town of Zebulon who enjoy outdoor and nature activities and a healthy, active lifestyle, and further advances the Town's economic development goals of bringing new visitors to Downtown and to the businesses within the Town.
2) Please provide details on how the proposed amendment is consistent with the Town's adopted policy guidance.
The proposed text amendment to allow Recreational Vehicle Parks within a Planned Development District is consistent with the Town's Vision 2030 Strategic Plan by providing visitors with a temporary place to stay while vacationing in Town or visiting family and friends, which will assist in drawing visitors to Downtown Zebulon and the nearby businesses. The proposed amendment further will assist in providing for appropriate development to meet the Town's transportation and pedestrian connectivity needs given that the text amendment requires that the proposed use be developed under the Town's planned development process.
3) Please provide details on how the proposed amendment is not in conflict with any provision of this Ordinance or the Town Code of Ordinances
The proposed text amendment is not in conflict with any provisions of the Town's Code of Ordinances or the UDO. The proposed amendment seeks only to add Recreational Vehicle Park as a permitted use within a Planned Development District.
4) Please provide details if the proposed amendment is required by changed conditions.
The proposed amendment is not being requested because of changed conditions.
5) Please demonstrate how the proposed amendment addresses a demonstrated community need;
The proposed text amendment seeks to add Recreational Vehicle Park as a permitted use in the Planned Development District to specifically address the lack of hotels and temporary stay accommodations within the Town. The Town's Vision 2030 Strategic Plan specifically seeks to revitalize Downtown Zebulon and attract visitors to the Downtown, and this proposed text amendment assists in addressing those goals.



APPLICATION FOR UDO TEXT AMENDMENT

6) Please provide details on how the proposed amendment addresses an unforeseen matter not present when the Ordinance was adopted;

The UDO currently allows Campgrounds as permitted uses under a Planned Development District. Campgrounds and Recreational Vehicle Parks oftentimes are developed together in the same outdoor recreation resort facility, given that they both cater to individuals seeking a temporary stay in the great outdoors. The proposed text amendment seeks to add Recreational Vehicle Park as a permitted use in a Planned Development District in order to allow such a use to be developed concurrently with a Campground use in order to meet market demands and visitor expectations.

7) Please provide details on how the proposed amendment is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town

The proposed text amendment only requests that Recreational Vehicle Park be added as a permitted use to the Planned Development District, similar to Campgrounds, which already are a permitted use in said District. Any specific property seeking to construct a Recreational Vehicle Park would then be required to rezone the parcel to that zoning designation, which will include a master plan, all of which will be reviewed by the Board of Commissioners prior to approval. This process will ensure community engagement, compatibility among uses and ensure efficient development within the Town.

8) Please provide details on how the proposed amendment would result in a logical and orderly development pattern;

The proposed text amendment only requests that Recreational Vehicle Park be added as a permitted use to the Planned Development District, similar to Campgrounds, which already are a permitted use in said District. Any specific property seeking to construct a Recreational Vehicle Park would then be required to rezone the parcel to that zoning designation, which will include a master plan, all of which will be reviewed by the Board of Commissioners prior to approval. This process will ensure community engagement and a logical and orderly development pattern.

9) Please provide details on how the proposed request addresses other factors determined to be relevant by the Board of Commissioners;

Per the Town's Vision 2030 Strategic Plan, the proposed text amendment will assist in addressing the Board of Commissioner's goals of revitalizing Downtown by bringing new visitors to the Town and to local businesses. The proposed text amendment further will enhance the family-oriented community and quality of life of Town residents by providing a place where relatives and friends can stay while visiting from out of town. The proposed text amendment further will provide for a use that generally has lower traffic counts and traffic volumes than residential developments or shopping centers.

10) Please provide details on how the proposed request would not result in significantly adverse impacts on the natural environment, including water, air, noise, stormwater management, wildlife, vegetation, and the natural functioning of the environment.

The proposed text amendment will not adversely impact the natural environment. Instead, the proposed use is intended to function within the natural environment, and will promote coexistence with existing wildlife and vegetation.

ARTICLE 4: USES

4.2. Principal Uses

4.2.3. Principal Use Table

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; "X"—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	
Office, Sales or Service	P	P	P	.	P	.	P	P	P	A	
Outdoor Commercial Recreation	P	S	.	S	.	.	.	A	4.3.5.FF
Outdoor Storage	P	.	P	.	.	.	.	4.3.5.GG
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		
Racetrack	S	.	S	.	.	.	.
Recreational Vehicle Park	X	X	X	X	S	X	X	X	S	X	S	X	X	X	X	4.3.5.LL
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, External Access Only	S	P	.	P	.	.	.	A	4.3.5.QQ
Self Service Storage, Internal Access Only	S	S	P	.	P	.	.	P	A	4.3.5.QQ
Shooting Range, Indoor	S	S	.	.	.	.	.	.	4.3.5.RR
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	
Truck Stop	P	P	.	P	.	.	.	.	4.3.5.TT
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

**ORDINANCE 2024-09
TEXT AMENDMENT – ARTICLE 4
ADDITION OF RECREATIONAL VEHICLE PARK**

ARTICLE 4: USES

4.2. Principal Uses

4.2.3. Principal Use Table

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	
Office, Sales or Service	P	P	P	.	P	.	P	P	P	A	
Outdoor Commercial Recreation	P	S	.	S	.	.	.	A	4.3.5.FF
Outdoor Storage	P	.	P	.	.	.	.	4.3.5.GG
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	
Racetrack	S	.	S	.	.	.	.
Recreational Vehicle Park	S	.	.	.	S	.	S	.	.	.	A	4.3.5.LL
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

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Adopted this the 11th day of September 2023


Glenn L. York – Mayor

SEAL

Lisa M. Markland, CMC – Town Clerk

STAFF REPORT
ORDINANCE 2024-10
DEVELOPMENT REVIEW
PROCEDURES AMENDMENT
SEPTEMBER 11, 2023

Topic: Ordinance 2024-10 – Development Review Procedures Text Amendment

Speaker: Adam Culpepper, Senior Planner
From: Michael J. Clark, AICP, CZO, Planning Director
Prepared by: Adam Culpepper, Senior Planner
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider amending Article 2 of the UDO to revise and clarify site plan and construction drawing development review procedures.

Background:

The Application Review Procedures (UDO Article 2) currently lists the broad processes for development review, but does not categorize the difference between a preliminary plan review process and a construction plan review process. The proposed amendment clarifies the difference between the preliminary plan and the construction plan phases of the development review process.

Under the proposed amendment, developers have the option to establish a preliminary approval with either a Residential Preliminary Plan or a Non-Residential Site Plan. These plans will not include engineer designed infrastructure, final utility details, etc. These preliminary plans will be the required degree of plans needed for Conditional Rezoning, Planned Developments and Special Use Permits. Preliminary plans will provide a detail of lot or site design that ensure conformance with the UDO, but their approval will not authorize construction.

Following the approval of one of the preliminary plan types, projects would move into the Construction Drawing phase. Both residential and non-residential plans will be evaluated through the Construction Drawing process which will include the grading, engineering, utility design, etc. This level of plan review will encompass a full review the Technical Review Committee (The TRC includes Staff (Planning, Police, Fire, Public Works, and Parks and Recreation), City of Raleigh Public Utilities, NCDOT, Wake County Environmental Control, the Town's contract engineer and other State Agencies as applicable).

Discussion:

The Board shall measure the request against the following standards (UDO § 2.2.20.G):

1. Enhances the public's health, safety, and welfare;
2. Is consistent with the Town's adopted policy guidance;
3. Is not in conflict with any provision of UDO or the Town Code of Ordinances;
4. Is required by changed conditions;
5. Addresses a demonstrated community need;
6. Addresses an unforeseen matter not present when the Ordinance was adopted;

STAFF REPORT
ORDINANCE 2024-10
DEVELOPMENT REVIEW
PROCEDURES AMENDMENT
SEPTEMBER 11, 2023

7. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;
8. Would result in a logical and orderly development pattern;
9. Addresses other factors determined to be relevant by the Board of Commissioners;
10. Would not result in significantly adverse impacts on the natural environment, including water, air, noise, stormwater management, wildlife, vegetation, and the natural functioning of the environment.

Policy Analysis:

The proposed amendment is consistent with “Regulations and Standards” action item #2 under the Land Use and Development section of the Comprehensive Land Use Plan (CLUP). Item #2 states, “Add new or amend current UDO provisions, as needed, that are directly linked to actions in other CLUP sections related to housing attainability, neighborhood conservation, business retention and attraction, leisure and lifestyle related land uses, transit support, a more pedestrian- and cycling-friendly community, and park and open space protection.”

The amendment is also consistent with the CLUPs recommended use of smart growth principles which include but are not limited to streamlining the development process to make development decisions more predictable, fair and cost effective.

Financial Analysis:

The proposed text amendment would not have a significant impact on staff resources as it clarifies an existing process and establishes internal efficiencies.

Planning Board Recommendation:

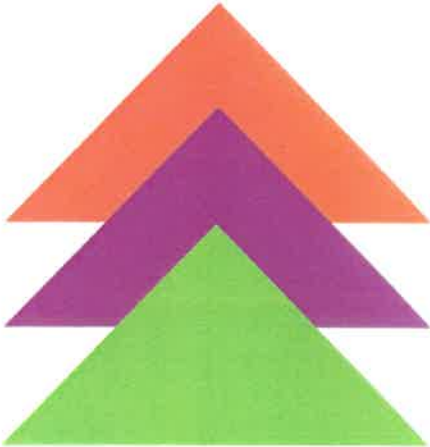
At the August 14, 2023, meeting, the Planning Board recommend approval of the request by unanimous vote, finding that the request is consistent with Section 2.2.20.G of the UDO and the Land Use and Development section of the Comprehensive Land Use Plan.

Staff Recommendation:

Staff Recommends approval of Ordinance 2024-10 for the text amendment as proposed.

Attachments:

1. Procedures
2. Ordinance 2024-10



2: PROCEDURES 2-1

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ARTICLE 2: PROCEDURES

2.2. Application Review Procedures

2.1.3. Steps in the Development Review Process

2.1.3. STEPS IN THE DEVELOPMENT REVIEW PROCESS

- A. The first step in the development review process is to determine the specific type(s) of development application to be submitted. Table 2.2, Application Review Procedures, describes all the application review procedures in this Ordinance and the review authorities who decide them.
- B. The second step is to find the relevant application procedure in Section 2.2, Application Review Procedures, and review that information to better understand the steps and the criteria used in the decision-making process.
- C. The third step is to review the application processing information in Section 2.3, Application Processing, to understand how the Town will process the application.
- D. Step four is to review the Procedures Manual for application forms, submittal requirements, application fees, and application review schedules.
- E. Applications that are not prepared, filed, and determined to be complete in accordance with this article and the Procedures Manual will not be processed by the Town.

2.1.4. FOR ADDITIONAL INFORMATION

Applicants who need additional information on how to file an application should schedule a pre-application conference with Town staff (see Section 2.3.2, Pre-application Conference) to better understand the review requirements and relevant procedural steps associated with their particular application.

2.2. APPLICATION REVIEW PROCEDURES

Table 2.2, Application Review Procedures, lists the development application procedures (in alphabetical order), identifies the section of this Ordinance where the information may be found, whether or not a pre-application conference is required or is optional, and the review authority(ies) who review and decide the application type.

TABLE 2.2: APPLICATION REVIEW PROCEDURES

Pre-application Conference: "M" = Mandatory "O" = Optional "." = not applicable
 Type of Action: "R"=Recommendation "D"=Decision "A"=Appeal
 Table symbols: | =Public Meeting <=>=Legislative Public Hearing / \ =Quasi-Judicial Hearing
 [] =see Notes

REVIEW PROCEDURE	SECTION REFERENCE	PRE-APPLICATION CONFERENCE	REVIEW AUTHORITIES					
			PLANNING DIRECTOR [1]	TECHNICAL REVIEW COMMITTEE		PLANNING BOARD [2]	BOARD OF COMMISSIONERS	BOARD OF ADJUSTMENT
Administrative Adjustment	<u>2.2.1</u>	M	D	.		.	.	/A\
Annexation [3]	<u>2.2.2</u>	O	.	.		.	<D>	.
Appeal	<u>2.2.3</u>	O	.	.		.	.	/D\
Building Permit	<u>2.2.4</u>	O	[4]	.		.	.	.
Certificate of Occupancy	<u>2.2.5</u>	O	[4]	.		.	.	.
Conditional Rezoning [2]	<u>2.2.6</u>	M	.	[6]		|R|	|D|	.
Construction Drawing	<u>2.2.</u>	O	.	D				
Development Agreement	<u>2.2.7</u>	M	.	.		.	<D>	.

ARTICLE 2: PROCEDURES

2.2. Application Review Procedures

2.1.4. For Additional Information

TABLE 2.2: APPLICATION REVIEW PROCEDURES

Pre-application Conference: "M" = Mandatory "O" = Optional "." = not applicable
 Type of Action: "R"=Recommendation "D"=Decision "A"=Appeal
 Table symbols: | =Public Meeting <>=Legislative Public Hearing / \ =Quasi-Judicial Hearing
 [] =see Notes

REVIEW PROCEDURE	SECTION REFERENCE	PRE-APPLICATION CONFERENCE	REVIEW AUTHORITIES					
			PLANNING DIRECTOR [1]	TECHNICAL REVIEW COMMITTEE		PLANNING BOARD [2]	BOARD OF COMMISSIONERS	BOARD OF ADJUSTMENT
Exempt Subdivision [5]	<u>2.2.8</u>	O	D	.		.	.	/A\
Expedited Subdivision	<u>2.2.9</u>	M	D	.		.	.	/A\
Final Plat	<u>2.2.10</u>	O	D	.		.	.	/A\
Floodplain Development Permit	<u>2.2.11</u>	O	D	.		.	.	/A\
Interpretation	<u>2.2.12</u>	O	D	.		.	.	/A\
Planned Development [2]	<u>2.2.13</u>	M	.	[6]		|R|	|D|	.
Residential Preliminary Plan†	2.2.14	M	.	D		[2]	[2]	/A\
Reasonable Accommodation	<u>2.2.15</u>	M						/D\
Sign Permit	<u>2.2.16</u>	O	D	.		.	.	/A\
Non-Residential Site Plan	2.2.17	M	.	D		[2]	[2]	/A\
Special Use Permit	<u>2.2.18</u>	M	.	[6]		.	/D\	.
Temporary Use Permit	<u>2.2.19</u>	O	D	.		.	.	/A\
UDO Text Amendment [2]	<u>2.2.20</u>	M	.	.		|R|	|D|	.
Variance	<u>2.2.21</u>	M	.	.		.	.	/D\
Vested Rights Determination	<u>2.2.22</u>	M	.	.		.	<D>	.
Zoning Compliance Permit	<u>2.2.23</u>	O	D	.		.	.	/A\
Zoning Map Amendment [2]	<u>2.2.24</u>	M	.	.		|R|	|D|	.

NOTES:

[1] The Planning Director may delegate review authority in accordance with Section 9.1.9, Delegation of Authority.

[2] Applications subject to a recommendation by the Planning Board shall first be heard by the Board of Commissioners and the Planning Board in a joint legislative public hearing noticed in accordance with Section 2.3.6, Public Notice. Following the joint public hearing, the application is considered by the Planning Board during a public meeting and then by the Board of Commissioners in a second public meeting. Public meetings are not subject to public notification requirements in Section 2.3.6, Public Notice.

[3] In the event land being annexed is also subject to another application (such as a zoning map amendment), the annexation shall be reviewed and decided prior to any subsequent application.

[4] Building permits and certificates of occupancy are issued in cooperation with the Wake County Building Inspector.

[5] The exempt subdivision review procedure is provided as a courtesy, and is not mandated.

ARTICLE 2: PROCEDURES

TABLE 2.2: APPLICATION REVIEW PROCEDURES

Pre-application Conference: "M" = Mandatory "O" = Optional "." = not applicable
 Type of Action: "R"=Recommendation "D"=Decision "A"=Appeal
 Table symbols: | =Public Meeting < >=Legislative Public Hearing / \ =Quasi-Judicial Hearing
 [] =see Notes

REVIEW PROCEDURE	SECTION REFERENCE	PRE-APPLICATION CONFERENCE	REVIEW AUTHORITIES				
			PLANNING DIRECTOR [1]	TECHNICAL REVIEW COMMITTEE		PLANNING BOARD [2]	BOARD OF COMMISSIONERS	BOARD OF ADJUSTMENT

[6] The TRC shall conduct a preliminary review of a site or concept plan attached to an application prior to consideration by the Board of Commissioners.

ARTICLE 2: PROCEDURES

2.2.7. CONSTRUCTION DRAWING

A. PURPOSE AND INTENT

The purpose for the Construction Drawing procedure is to establish a consistent and predictable process for the review of proposed development, through a detailed representation of the proposal. Construction Drawing review is an analysis to ensure that allowable development is configured in accordance with required utilities and constructions standards, not a consideration of whether or not a proposed development is allowed.

B. APPLICABILITY

1. Except for development exempted from Construction Drawing review in accordance with [Section 2.2.7.C, Exemptions](#), all forms of development that involve construction, moving, or significant alteration of a building or habitable structure, that result in the increase in the amount of impervious surface on a lot, or that involve the provision of landscaping, off-street parking, stormwater management devices, or similar site features shall be subject to Construction Drawing review in accordance with this section.
2. Changes in use that trigger requirements for sidewalk provision or changes to roadway configuration shall also require site plan approval.

C. EXEMPTIONS

The following forms of development are exempted from construction drawing review, but shall require a plot plan and shall be subject to the standards in [Section 2.2.4, Building Permit](#), or [Section 2.2.24, Zoning Compliance Permit](#), as appropriate:

1. Construction of a single-family detached dwelling on an individual lot;
2. Establishment of an accessory use or structure; and
3. Changes of use that do not result in the need for additional off-street parking spaces, additional screening, differing stormwater practices, or additional landscaping.

D. CONSTRUCTION DRAWING PROCEDURE

The Construction Drawing procedure is described in [Figure 2.2.7, Construction Drawing Procedure](#), as supplemented by [Section 2.3, Application Processing](#), and the Procedures Manual.

E. APPLICATION

The application shall include details sheets and to scale engineered plans.

F. DECISION BY TECHNICAL REVIEW COMMITTEE

The Technical Review Committee shall review and decide the application in accordance with [Section 2.2.7.G, Construction Drawing Review Standards](#).

G. CONSTRUCTION DRAWING REVIEW STANDARDS

A Construction Drawing shall be approved on a decision the application complies with:

1. All standards or conditions of any prior applicable permits and development approvals;
2. All applicable requirements of this Ordinance and the Town Code of Ordinances; and

FIGURE 2.2.7: CONSTRUCTION DRAWING PROCEDURE	
Step	Action
1	Pre-application Conference See Section 2.3.2, Pre-application Conference
2	File Application See Section 2.3.3, Application Filing
3	Completeness Determination See Section 2.3.3.G, Determination of Application Completeness
4	Technical Review Committee Review and Decision See Section 2.3.5, Staff Review and Action
5	Notification of Decision See Section 2.3.9, Notification of Decision

ARTICLE 2: PROCEDURES

2.2. Application Review Procedures

2.2.7. Construction Drawing

3. All applicable county, state, and federal requirements.

H. EFFECT

1. CONSTRUCTION PLANS

- a. Construction Drawing plans for all public improvements included with or filed subsequent to the Non-Residential Site Plan or Residential Preliminary Plan shall be approved prior to street and utility construction in accordance with the applicable Town standards.
- b. In the case of a multi-phase site plan, any street and utility construction plans shall include all improvements within a phase and all public improvements outside the phase but necessary to serve development within that phase.

2. PERFORMANCE GUARANTEES

All public improvements that have not been installed by the developer, inspected, and accepted by the Town shall comply with the requirements in [Section 6.6. Performance Guarantees](#), prior to the issuance of a certificate of occupancy.

I. AMENDMENT

Amendment of a Construction Drawing may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

J. EXPIRATION

If the work authorized by a Construction Drawing approval is not commenced within one year from the date of issuance, the approval shall become null and void.

K. APPEAL

Appeal of the decision on a site plan shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with [Section 2.2.3. Appeal](#).

ARTICLE 2: PROCEDURES

2.2.14. NON-RESIDENTIAL SITE PLAN

A. PURPOSE AND INTENT

The purpose for the Non-Residential Site Plan procedure is to establish a consistent and predictable process for the review of proposed non-residential development, through a graphical representation of the proposal. Non-Residential Site Plan review is an analysis to ensure that allowable development is configured in accordance with the standards in this Ordinance, not a consideration of whether or not a proposed development is allowed.

B. APPLICABILITY

1. Except for development exempted from Non-Residential Site Plan review in accordance with [Section 2.2.6.C, Exemptions](#), all forms of commercial development that involve construction, moving, or significant alteration of a building or habitable structure, that result in the increase in the amount of impervious surface on a lot, or that involve the provision of landscaping, off-street parking, stormwater management devices, or similar site features shall be subject to Commercial Site Plan review in accordance with this section.
2. Changes in use that trigger requirements for sidewalk provision or changes to roadway configuration shall also require site plan approval.

C. EXEMPTIONS

The following forms of development are exempted from site plan review, but shall require a plot plan and shall be subject to the standards in [Section 2.2.4, Building Permit](#), or [Section 2.2.24, Zoning Compliance Permit](#), as appropriate:

1. Construction of a single-family detached dwelling on an individual lot;
2. Establishment of an accessory use or structure; and
3. Changes of use that do not result in the need for additional off-street parking spaces, additional screening, differing stormwater practices, or additional landscaping.

D. NON-RESIDENTIAL SITE PLAN PROCEDURE

The site plan procedure is described in [Figure 2.2.17, Site Plan Procedure](#), as supplemented by [Section 2.3, Application Processing](#), and the Procedures Manual.

E. APPLICATION

The application shall include a transportation impact analysis for review, when required by [Section 6.13, Transportation Impact Analysis](#).

F. DECISION BY TECHNICAL REVIEW COMMITTEE

The Technical Review Committee shall review and decide the application in accordance with [Section 2.2.17.G, Site Plan Review Standards](#).

G. SITE PLAN REVIEW STANDARDS

A site plan shall be approved on a decision the application complies with:

1. All standards or conditions of any prior applicable permits and development approvals;

FIGURE 2.2.6: NON-RESIDENTIAL SITE PLAN PROCEDURE	
Step	Action
1	Pre-application Conference See Section 2.3.2, Pre-application Conference
2	File Application See Section 2.3.3, Application Filing
3	Completeness Determination See Section 2.3.3.G, Determination of Application Completeness
4	Technical Review Committee Review and Decision See Section 2.3.5, Staff Review and Action
5	Notification of Decision See Section 2.3.9, Notification of Decision
6	File Construction Drawings or Final Plat, as appropriate

ARTICLE 2: PROCEDURES

2.2. Application Review Procedures

2.2.14. Non-Residential Site Plan

2. All applicable requirements of this Ordinance and the Town Code of Ordinances; and
3. All applicable county, state, and federal requirements

H. **EFFECT**

1. Approval of a non-residential site plan authorizes the submittal of construction drawings. Construction drawings shall be required in cases where public infrastructure (e.g., streets, waterlines, sanitary., streets, waterlines, sanitary sewer, etc.) is extended to serve the development.

I. **AMENDMENT**

Amendment of a site plan may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

J. **EXPIRATION**

If a construction drawing is not submitted within one year from the date of issuance, the approval shall become null and void.

K. **APPEAL**

Appeal of the decision on a site plan shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with Section 2.2.3, Appeal.

ARTICLE 2: PROCEDURES

2.2.14. PRELIMINARY PLAT

A. PURPOSE AND INTENT

The purpose for this preliminary plat procedure is to establish a fair, consistent, and predictable procedure for the review of requests to divide land into a series of lots for development or sale in ways that promote the health, safety, and welfare of the citizens of the Town of Zebulon. The intent of these standards is to ensure:

1. Orderly growth and development;
2. Coordination of transportation and utility networks;
3. Preservation of open space for purposes of recreation or natural resource protection;
4. Protection from flooding, damaging sedimentation, and decreased surface water quality; and
5. Distribution of population in ways that supports infrastructure investment and diminishes the impact of traffic and overcrowding.

B. APPLICABILITY

Divisions of land that do not qualify as an exempt subdivision (see Section 2.2.8, Exempt Subdivision), or an expedited subdivision (see Section 2.2.9, Expedited Subdivision), shall be reviewed and decided as a preliminary plat in accordance with these standards.

C. PRELIMINARY PLAT REVIEW PROCEDURE

The preliminary plat procedure is described in Figure 2.2.14, Preliminary Plat Review Procedure, as supplemented by Section 2.3, Application Processing, and the Procedures Manual.

D. APPLICATION

The application shall include a transportation impact analysis for review, when required by Section 6.13, Transportation Impact Analysis.

E. REVIEW AND DECISION BY THE TECHNICAL REVIEW COMMITTEE

The Technical Review Committee shall review and decide the application in accordance with Section 2.2.14.F, Preliminary Plat Review Standards.

F. PRELIMINARY PLAT REVIEW STANDARDS

1. An application for a preliminary plat shall be approved, provided:
 - a. The preliminary plat is prepared and sealed by a licensed professional land surveyor, registered professional landscape architect, or licensed professional engineer;
 - b. The preliminary plat complies with the applicable standards in Section 47-30 of the North Carolina General Statutes;
 - c. The preliminary plat includes all applicable certifications identified in the Procedures Manual;
 - d. All lots have been certified by Wake County Environmental Resources as capable of accommodating the wastewater generated from the proposed use, in cases when the lot(s) is not served by a centralized wastewater system;
 - e. The preliminary plat is in substantial conformance with all applicable requirements in Article 3: Districts;

FIGURE 2.2.14: PRELIMINARY PLAT PROCEDURE	
Step	Action
1	Pre-application Conference See Section 2.3.2, Pre-application Conference
2	File Application See Section 2.3.3, Application Filing
3	Completeness Determination See Section 2.3.3.G, Determination of Application Completeness
4	Technical Review Committee Review and Decision See Section 2.3.5, Staff Review and Action
5	Notice of Decision See Section 2.3.9, Notification of Decision
6	File Construction Drawings or Final Plat, as appropriate

ARTICLE 2: PROCEDURES

2.2. Application Review Procedures

2.2.14. Preliminary Plat

- ~~f. The preliminary plat complies with all standards and conditions of any applicable permits and development approvals;~~
 - ~~g. The name of the subdivision shall not duplicate or be similar to the name of an existing subdivision in Wake County or the town; and~~
 - ~~h. The preliminary plat complies with all other applicable requirements in this Ordinance and the County Code of Ordinances.~~
- ~~2. Preliminary plats of land located within a special flood hazard area shall comply with the standards in Section 3.8.2, Flood Hazard Overlay (FHO) District, and any recorded plats shall include the following statement:~~
- ~~"Use of land within a floodplain or flood hazard overlay is substantially restricted by the Town of Zebulon."~~

~~G. EFFECT~~

- ~~1. Approval of a preliminary plat authorizes the submittal of construction drawings, and/or a final plat. Construction drawings shall be required in cases where public infrastructure (e.g., streets, water lines, sanitary sewer, etc.) is being extended to serve lots in the development.~~
- ~~2. Approval of a preliminary plat shall not constitute the approval for recording a subdivision with the Wake County Register of Deeds, or approval for the conveyance of lots.~~

~~H. AMENDMENT~~

~~Amendment of a preliminary plat approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval.~~

~~1. EXPIRATION~~

~~An approved preliminary plat shall be valid for two years from the date of approval.~~

~~2. EXTENSION~~

- ~~a. An applicant may request an extension of a preliminary plat approval in writing to the Planning Director at least 30 days prior to expiration.~~
- ~~b. Extension requests shall be reviewed and decided by the Technical Review Committee.~~
- ~~c. A preliminary plat may be extended once for a maximum duration of one year.~~

~~I. APPEAL~~

~~Appeal of a decision on a preliminary plat shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with Section 2.2.3, Appeal.~~

2.2.17. SITE PLAN

A. PURPOSE AND INTENT

The purpose for the site plan procedure is to establish a consistent and predictable process for the review of proposed development, through a graphical representation of the proposal. Site plan review is an analysis to ensure that allowable development is configured in accordance with the standards in this Ordinance, not a consideration of whether or not a proposed development is allowed.

B. APPLICABILITY

1. Except for development exempted from site plan review in accordance with Section 2.2.17.C, Exemptions, all forms of development that involve construction, moving, or significant alteration of a building or habitable structure, that result in the increase in the amount of impervious surface on a lot, or that involve the provision of landscaping, off-street parking, stormwater management devices, or similar site features shall be subject to site plan review in accordance with this section.
2. Changes in use that trigger requirements for sidewalk provision or changes to roadway configuration shall also require site plan approval.

C. EXEMPTIONS

The following forms of development are exempted from site plan review, but shall require a plot plan and shall be subject to the standards in Section 2.2.4, Building Permit, or Section 2.2.23, Zoning Compliance Permit, as appropriate:

1. Construction of a single-family detached dwelling on an individual lot;
2. Establishment of an accessory use or structure; and
3. Changes of use that do not result in the need for additional off-street parking spaces, additional screening, differing stormwater practices, or additional landscaping.

D. SITE PLAN PROCEDURE

The site plan procedure is described in Figure 2.2.17, Site Plan Procedure, as supplemented by Section 2.3, Application Processing, and the Procedures Manual.

E. APPLICATION

The application shall include a transportation impact analysis for review, when required by Section 6.13, Transportation Impact Analysis.

F. DECISION BY TECHNICAL REVIEW COMMITTEE

The Technical Review Committee shall review and decide the application in accordance with Section 2.2.17.G, Site Plan Review Standards.

G. SITE PLAN REVIEW STANDARDS

A site plan shall be approved on a decision the application complies with:

1. All standards or conditions of any prior applicable permits and development approvals;
2. All applicable requirements of this Ordinance and the Town Code of Ordinances; and
3. All applicable county, state, and federal requirements.

FIGURE 2.2.17: SITE PLAN PROCEDURE	
Steps	Action
1	Pre-application Conference See <u>Section 2.3.2, Pre-application Conference</u>
2	File Application See <u>Section 2.3.3, Application Filing</u>
3	Completeness Determination See <u>Section 2.3.3.C, Determination of Application Completeness</u>
4	Technical Review, Committee Review and Decision See <u>Section 2.3.5, Staff Review and Action</u>
5	Notification of Decision See <u>Section 2.3.9, Notification of Decision</u>

ARTICLE 2: PROCEDURES

2.2. Application Review Procedures

2.2.17. Site Plan

~~H. EFFECT~~

~~1. CONSTRUCTION PLANS~~

- ~~a. Construction plans for all public improvements included with or filed subsequent to the site plan shall be approved prior to street and utility construction in accordance with the applicable Town standards.~~
- ~~b. In the case of a multi-phase site plan, any street and utility construction plans shall include all improvements within a phase and all public improvements outside the phase but necessary to serve development within that phase.~~

~~2. PERFORMANCE GUARANTEES~~

~~All public improvements that have not been installed by the developer, inspected, and accepted by the Town shall comply with the requirements in Section 6.6, Performance Guarantees, prior to the issuance of a certificate of occupancy.~~

~~3. AS-BUILT PLANS~~

~~As-built plans for all public improvements shall be submitted in accordance with Section 6.6.11, As-Built Plans Required.~~

~~I. AMENDMENT~~

~~Amendment of a site plan may only be reviewed and considered in accordance with the procedures and standards established for its original approval.~~

~~J. EXPIRATION~~

~~If the work authorized by a site plan approval is not commenced within one year from the date of issuance, the approval shall become null and void.~~

~~K. APPEAL~~

~~Appeal of the decision on a site plan shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with Section 2.2.3, Appeal.~~

ARTICLE 2: PROCEDURES

2.2.17. RESIDENTIAL PRELIMINARY PLAN

A. PURPOSE AND INTENT

The purpose for this preliminary plan procedure is to establish a fair, consistent, and predictable procedure for the review of requests to divide land into a series of lots for development or sale in ways that promote the health, safety, and welfare of the citizens of the Town of Zebulon. The intent of these standards is to ensure:

1. Orderly growth and development;
2. Coordination of transportation and utility networks;
3. Preservation of open space for purposes of recreation or natural resource protection;
4. Protection from flooding, damaging sedimentation, and decreased surface water quality; and
5. Distribution of population in ways that supports infrastructure investment and diminishes the impact of traffic and overcrowding.

B. APPLICABILITY

Divisions of land that do not qualify as an exempt subdivision (see [Section 2.2.9, Exempt Subdivision](#)), or an expedited subdivision (see [Section 2.2.9, Expedited Subdivision](#)), shall be reviewed and decided as a preliminary plat in accordance with these standards.

C. PRELIMINARY PLAN REVIEW PROCEDURE

The preliminary plan procedure is described in [Figure 2.2.14, Preliminary Plan Review Procedure](#), as supplemented by [Section 2.3, Application Processing](#), and the Procedures Manual.

D. APPLICATION

The application shall include a transportation impact analysis for review, when required by [Section 6.13, Transportation Impact Analysis](#).

E. REVIEW AND DECISION BY THE TECHNICAL REVIEW COMMITTEE

The Technical Review Committee shall review and decide the application in accordance with [Section 2.2.14.F, Preliminary Plan Review Standards](#).

F. PRELIMINARY PLAN REVIEW STANDARDS

1. An application for a preliminary plan shall be approved, provided:
 - a. The preliminary plan is prepared and sealed by a licensed professional land surveyor, registered professional landscape architect, or licensed professional engineer;
 - b. The preliminary plan complies with the applicable standards in Section 47-30 of the North Carolina General Statutes;
 - c. The preliminary plan includes all applicable certifications identified in the Procedures Manual;
 - d. All lots have been certified by Wake County Environmental Resources as capable of accommodating the wastewater generated from the proposed use, in cases when the lot(s) is not served by a centralized wastewater system;
 - e. The preliminary plan is in substantial conformance with all applicable requirements in [Article 3: Districts](#);

FIGURE 2.2.14: PRELIMINARY PLAN PROCEDURE	
Step	Action
1	Pre-application Conference See Section 2.3.2, Pre-application Conference
2	File Application See Section 2.3.3, Application Filing
3	Completeness Determination See Section 2.3.3.G, Determination of Application Completeness
4	Technical Review Committee Review and Decision See Section 2.3.5, Staff Review and Action
5	Notice of Decision See Section 2.3.9, Notification of Decision
6	File Construction Drawings or Final Plat, as appropriate

ARTICLE 2: PROCEDURES

2.2. Application Review Procedures

2.2.17. Residential Preliminary Plan

- f. The preliminary plan complies with all standards and conditions of any applicable permits and development approvals;
 - g. The name of the subdivision shall not duplicate or be similar to the name of an existing subdivision in Wake County or the town; and
 - h. The preliminary plan complies with all other applicable requirements in this Ordinance and the County Code of Ordinances.
2. Preliminary plan containing parcels of land located within a special flood hazard area shall comply with the standards in Section 3.8.2, Flood Hazard Overlay (FHO) District, and any recorded plats shall include the following statement:

"Use of land within a floodplain or flood hazard overlay is substantially restricted by the Town of Zebulon."

G. **EFFECT**

1. Approval of a preliminary plan authorizes the submittal of construction drawings, and/or a final plat. Construction drawings shall be required in cases where public infrastructure (e.g., streets, water lines, sanitary sewer, etc.) is being extended to serve lots in the development.
2. Approval of a preliminary plan shall not constitute the approval for recording a subdivision with the Wake County Register of Deeds, or approval for the conveyance of lots.

H. **AMENDMENT**

Amendment of a preliminary plan approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

1. **EXPIRATION**

An approved preliminary plan shall be valid for two years from the date of approval.

2. **EXTENSION**

- a. An applicant may request an extension of a preliminary plan approval in writing to the Planning Director at least 30 days prior to expiration.
- b. Extension requests shall be reviewed and decided by the Technical Review Committee.
- c. A preliminary plan may be extended once for a maximum duration of one year.

I. **APPEAL**

Appeal of a decision on a preliminary plan shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with Section 2.2.3, Appeal.

ORDINANCE 2024-10
TEXT AMENDMENT – ARTICLE 2 PROCEDURES

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2.1.3. STEPS IN THE DEVELOPMENT REVIEW PROCESS

- A. The first step in the development review process is to determine the specific type(s) of development application to be submitted. Table 2.2, Application Review Procedures, describes all the application review procedures in this Ordinance and the review authorities who decide them.
- B. The second step is to find the relevant application procedure in Section 2.2, Application Review Procedures, and review that information to better understand the steps and the criteria used in the decision-making process.
- C. The third step is to review the application processing information in Section 2.3, Application Processing, to understand how the Town will process the application.
- D. Step four is to review the Procedures Manual for application forms, submittal requirements, application fees, and application review schedules.
- E. Applications that are not prepared, filed, and determined to be complete in accordance with this article and the Procedures Manual will not be processed by the Town.

2.1.4. FOR ADDITIONAL INFORMATION

Applicants who need additional information on how to file an application should schedule a pre-application conference with Town staff (see Section 2.3.2, Pre-application Conference) to better understand the review requirements and relevant procedural steps associated with their particular application.

2.2. APPLICATION REVIEW PROCEDURES

Table 2.2, Application Review Procedures, lists the development application procedures (in alphabetical order), identifies the section of this Ordinance where the information may be found, whether or not a pre-application conference is required or is optional, and the review authority(ies) who review and decide the application type.

TABLE 2.2: APPLICATION REVIEW PROCEDURES

Pre-application Conference: "M" = Mandatory "O" = Optional "." = not applicable
 Type of Action: "R"=Recommendation "D"=Decision "A"=Appeal
 Table symbols: | =Public Meeting < >=Legislative Public Hearing / \ =Quasi-Judicial Hearing
 [] =see Notes

REVIEW PROCEDURE	SECTION REFERENCE	PRE-APPLICATION CONFERENCE	REVIEW AUTHORITIES					
			PLANNING DIRECTOR [1]	TECHNICAL REVIEW COMMITTEE		PLANNING BOARD [2]	BOARD OF COMMISSIONERS	BOARD OF ADJUSTMENT
Administrative Adjustment	<u>2.2.1</u>	M	D	.		.	.	/A\
Annexation [3]	<u>2.2.2</u>	O	.	.		.	<D>	.
Appeal	<u>2.2.3</u>	O	.	.		.	.	/D\
Building Permit	<u>2.2.4</u>	O	[4]	.		.	.	.
Certificate of Occupancy	<u>2.2.5</u>	O	[4]	.		.	.	.
Conditional Rezoning [2]	<u>2.2.6</u>	M	.	[6]		|R|	|D|	.
Construction Drawing	<u>2.2.</u>	O	.	D				
Development Agreement	<u>2.2.7</u>	M	.	.		.	<D>	.

TABLE 2.2: APPLICATION REVIEW PROCEDURES

Pre-application Conference: "M" = Mandatory "O" = Optional "." = not applicable
 Type of Action: "R"=Recommendation "D"=Decision "A"=Appeal
 Table symbols: | =Public Meeting < >=Legislative Public Hearing / \ =Quasi-Judicial Hearing
 [] =see Notes

REVIEW PROCEDURE	SECTION REFERENCE	PRE-APPLICATION CONFERENCE	REVIEW AUTHORITIES					
			PLANNING DIRECTOR [1]	TECHNICAL REVIEW COMMITTEE		PLANNING BOARD [2]	BOARD OF COMMISSIONERS	BOARD OF ADJUSTMENT
Exempt Subdivision [5]	<u>2.2.8</u>	O	D	.		.	.	/A\
Expedited Subdivision	<u>2.2.9</u>	M	D	.		.	.	/A\
Final Plat	<u>2.2.10</u>	O	D	.		.	.	/A\
Floodplain Development Permit	<u>2.2.11</u>	O	D	.		.	.	/A\
Interpretation	<u>2.2.12</u>	O	D	.		.	.	/A\
Planned Development [2]	<u>2.2.13</u>	M	.	[6]		|R|	|D|	.
Residential Preliminary Plant	<u>2.2.14</u>	M	.	D		[2]	[2]	/A\
Reasonable Accommodation	<u>2.2.15</u>	M						/D\
Sign Permit	<u>2.2.16</u>	O	D	.		.	.	/A\
Non-Residential Site Plan	<u>2.2.17</u>	M	.	D		[2]	[2]	/A\
Special Use Permit	<u>2.2.18</u>	M	.	[6]		.	/D\	.
Temporary Use Permit	<u>2.2.19</u>	O	D	.		.	.	/A\
UDO Text Amendment [2]	<u>2.2.20</u>	M	.	.		|R|	|D|	.
Variance	<u>2.2.21</u>	M	.	.		.	.	/D\
Vested Rights Determination	<u>2.2.22</u>	M	.	.		.	<D>	.
Zoning Compliance Permit	<u>2.2.23</u>	O	D	.		.	.	/A\
Zoning Map Amendment [2]	<u>2.2.24</u>	M	.	.		|R|	|D|	.

NOTES:

[1] The Planning Director may delegate review authority in accordance with Section 9.1.9, Delegation of Authority.

[2] Applications subject to a recommendation by the Planning Board shall first be heard by the Board of Commissioners and the Planning Board in a joint legislative public hearing noticed in accordance with Section 2.3.6, Public Notice. Following the joint public hearing, the application is considered by the Planning Board during a public meeting and then by the Board of Commissioners in a second public meeting. Public meetings are not subject to public notification requirements in Section 2.3.6, Public Notice.

[3] In the event land being annexed is also subject to another application (such as a zoning map amendment), the annexation shall be reviewed and decided prior to any subsequent application.

[4] Building permits and certificates of occupancy are issued in cooperation with the Wake County Building Inspector.

[5] The exempt subdivision review procedure is provided as a courtesy, and is not mandated.

TABLE 2.2: APPLICATION REVIEW PROCEDURES

Pre-application Conference: "M" = Mandatory "O" = Optional "." = not applicable
 Type of Action: "R"=Recommendation "D"=Decision "A"=Appeal
 Table symbols: | =Public Meeting < >=Legislative Public Hearing / \ =Quasi-Judicial Hearing
 [] =see Notes

REVIEW PROCEDURE	SECTION REFERENCE	PRE-APPLICATION CONFERENCE	REVIEW AUTHORITIES				
			PLANNING DIRECTOR [1]	TECHNICAL REVIEW COMMITTEE		PLANNING BOARD [2]	BOARD OF COMMISSIONERS	BOARD OF ADJUSTMENT

[6] The TRC shall conduct a preliminary review of a site or concept plan attached to an application prior to consideration by the Board of Commissioners.

2.2.14. NON-RESIDENTIAL SITE PLAN

A. PURPOSE AND INTENT

The purpose for the Non-Residential Site Plan procedure is to establish a consistent and predictable process for the review of proposed non-residential development, through a graphical representation of the proposal. Non-Residential Site Plan review is an analysis to ensure that allowable development is configured in accordance with the standards in this Ordinance, not a consideration of whether or not a proposed development is allowed.

B. APPLICABILITY

1. Except for development exempted from Non-Residential Site Plan review in accordance with [Section 2.2.6.C, Exemptions](#), all forms of commercial development that involve construction, moving, or significant alteration of a building or habitable structure, that result in the increase in the amount of impervious surface on a lot, or that involve the provision of landscaping, off-street parking, stormwater management devices, or similar site features shall be subject to Commercial Site Plan review in accordance with this section.
2. Changes in use that trigger requirements for sidewalk provision or changes to roadway configuration shall also require site plan approval.

C. EXEMPTIONS

The following forms of development are exempted from site plan review, but shall require a plot plan and shall be subject to the standards in [Section 2.2.4, Building Permit](#), or [Section 2.2.24, Zoning Compliance Permit](#), as appropriate:

1. Construction of a single-family detached dwelling on an individual lot;
2. Establishment of an accessory use or structure; and
3. Changes of use that do not result in the need for additional off-street parking spaces, additional screening, differing stormwater practices, or additional landscaping.

D. NON-RESIDENTIAL SITE PLAN PROCEDURE

The site plan procedure is described in [Figure 2.2.17, Site Plan Procedure](#), as supplemented by [Section 2.3, Application Processing](#), and the Procedures Manual.

E. APPLICATION

The application shall include a transportation impact analysis for review, when required by [Section 6.13, Transportation Impact Analysis](#).

F. DECISION BY TECHNICAL REVIEW COMMITTEE

The Technical Review Committee shall review and decide the application in accordance with [Section 2.2.17.G, Site Plan Review Standards](#).

G. SITE PLAN REVIEW STANDARDS

A site plan shall be approved on a decision the application complies with:

1. All standards or conditions of any prior applicable permits and development approvals;

FIGURE 2.2.6: NON-RESIDENTIAL SITE PLAN PROCEDURE	
Step	Action
1	Pre-application Conference See Section 2.3.2, Pre-application Conference
2	File Application See Section 2.3.3, Application Filing
3	Completeness Determination See Section 2.3.3.G, Determination of Application Completeness
4	Technical Review Committee Review and Decision See Section 2.3.5, Staff Review and Action
5	Notification of Decision See Section 2.3.9, Notification of Decision
6	File Construction Drawings or Final Plat, as appropriate

2. All applicable requirements of this Ordinance and the Town Code of Ordinances; and
3. All applicable county, state, and federal requirements

H. EFFECT

1. Approval of a non-residential site plan authorizes the submittal of construction drawings. Construction drawings shall be required in cases where public infrastructure (e.g., streets, waterlines, sanitary., streets, waterlines, sanitary sewer, etc.) is extended to serve the development.

I. AMENDMENT

Amendment of a site plan may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

J. EXPIRATION

If a construction drawing is not submitted within one year from the date of issuance, the approval shall become null and void.

K. APPEAL

Appeal of the decision on a site plan shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with Section 2.2.3, Appeal.

2.2.17. RESIDENTIAL PRELIMINARY PLAN

A. PURPOSE AND INTENT

The purpose for this preliminary plan procedure is to establish a fair, consistent, and predictable procedure for the review of requests to divide land into a series of lots for development or sale in ways that promote the health, safety, and welfare of the citizens of the Town of Zebulon. The intent of these standards is to ensure:

1. Orderly growth and development;
2. Coordination of transportation and utility networks;
3. Preservation of open space for purposes of recreation or natural resource protection;
4. Protection from flooding, damaging sedimentation, and decreased surface water quality; and
5. Distribution of population in ways that supports infrastructure investment and diminishes the impact of traffic and overcrowding.

B. APPLICABILITY

Divisions of land that do not qualify as an exempt subdivision (see [Section 2.2.9, Exempt Subdivision](#)), or an expedited subdivision (see [Section 2.2.9, Expedited Subdivision](#)), shall be reviewed and decided as a preliminary plat in accordance with these standards.

C. PRELIMINARY PLAN REVIEW PROCEDURE

The preliminary plan procedure is described in [Figure 2.2.14, Preliminary Plan Review Procedure](#), as supplemented by [Section 2.3, Application Processing](#), and the Procedures Manual.

D. APPLICATION

The application shall include a transportation impact analysis for review, when required by [Section 6.13, Transportation Impact Analysis](#).

E. REVIEW AND DECISION BY THE TECHNICAL REVIEW COMMITTEE

The Technical Review Committee shall review and decide the application in accordance with [Section 2.2.14.F, Preliminary Plan Review Standards](#).

F. PRELIMINARY PLAN REVIEW STANDARDS

1. An application for a preliminary plan shall be approved, provided:
 - a. The preliminary plan is prepared and sealed by a licensed professional land surveyor, registered professional landscape architect, or licensed professional engineer;
 - b. The preliminary plan complies with the applicable standards in Section 47-30 of the North Carolina General Statutes;
 - c. The preliminary plan includes all applicable certifications identified in the Procedures Manual;
 - d. All lots have been certified by Wake County Environmental Resources as capable of accommodating the wastewater generated from the proposed use, in cases when the lot(s) is not served by a centralized wastewater system;
 - e. The preliminary plan is in substantial conformance with all applicable requirements in [Article 3: Districts](#);

FIGURE 2.2.14: PRELIMINARY PLAN PROCEDURE	
Step	Action
1	Pre-application Conference See Section 2.3.2, Pre-application Conference
2	File Application See Section 2.3.3, Application Filing
3	Completeness Determination See Section 2.3.3.G, Determination of Application Completeness
4	Technical Review Committee Review and Decision See Section 2.3.5, Staff Review and Action
5	Notice of Decision See Section 2.3.9, Notification of Decision
6	File Construction Drawings or Final Plat, as appropriate

- f. The preliminary plan complies with all standards and conditions of any applicable permits and development approvals;
 - g. The name of the subdivision shall not duplicate or be similar to the name of an existing subdivision in Wake County or the town; and
 - h. The preliminary plan complies with all other applicable requirements in this Ordinance and the County Code of Ordinances.
2. Preliminary plan containing parcels of land located within a special flood hazard area shall comply with the standards in Section 3.8.2, Flood Hazard Overlay (FHO) District, and any recorded plats shall include the following statement:
- "Use of land within a floodplain or flood hazard overlay is substantially restricted by the Town of Zebulon."

G. EFFECT

- 1. Approval of a preliminary plan authorizes the submittal of construction drawings, and/or a final plat. Construction drawings shall be required in cases where public infrastructure (e.g., streets, water lines, sanitary sewer, etc.) is being extended to serve lots in the development.
- 2. Approval of a preliminary plan shall not constitute the approval for recording a subdivision with the Wake County Register of Deeds, or approval for the conveyance of lots.

H. AMENDMENT

Amendment of a preliminary plan approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

1. EXPIRATION

An approved preliminary plan shall be valid for two years from the date of approval.

2. EXTENSION

- a. An applicant may request an extension of a preliminary plan approval in writing to the Planning Director at least 30 days prior to expiration.
- b. Extension requests shall be reviewed and decided by the Technical Review Committee.
- c. A preliminary plan may be extended once for a maximum duration of one year.

I. APPEAL

Appeal of a decision on a preliminary plan shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with Section 2.2.3, Appeal.

2.2.7. CONSTRUCTION DRAWING

A. PURPOSE AND INTENT

The purpose for the Construction Drawing procedure is to establish a consistent and predictable process for the review of proposed development, through a detailed representation of the proposal. Construction Drawing review is an analysis to ensure that allowable development is configured in accordance with required utilities and constructions standards, not a consideration of whether or not a proposed development is allowed.

B. APPLICABILITY

1. Except for development exempted from Construction Drawing review in accordance with [Section 2.2.7.C, Exemptions](#), all forms of development that involve construction, moving, or significant alteration of a building or habitable structure, that result in the increase in the amount of impervious surface on a lot, or that involve the provision of landscaping, off-street parking, stormwater management devices, or similar site features shall be subject to Construction Drawing review in accordance with this section.
2. Changes in use that trigger requirements for sidewalk provision or changes to roadway configuration shall also require site plan approval.

C. EXEMPTIONS

The following forms of development are exempted from construction drawing review, but shall require a plot plan and shall be subject to the standards in [Section 2.2.4, Building Permit](#), or [Section 2.2.24, Zoning Compliance Permit](#), as appropriate:

1. Construction of a single-family detached dwelling on an individual lot;
2. Establishment of an accessory use or structure; and
3. Changes of use that do not result in the need for additional off-street parking spaces, additional screening, differing stormwater practices, or additional landscaping.

D. CONSTRUCTION DRAWING PROCEDURE

The Construction Drawing procedure is described in [Figure 2.2.7, Construction Drawing Procedure](#), as supplemented by [Section 2.3, Application Processing](#), and the Procedures Manual.

E. APPLICATION

The application shall include details sheets and to scale engineered plans.

F. DECISION BY TECHNICAL REVIEW COMMITTEE

The Technical Review Committee shall review and decide the application in accordance with [Section 2.2.7.G, Construction Drawing Review Standards](#).

G. CONSTRUCTION DRAWING REVIEW STANDARDS

A Construction Drawing shall be approved on a decision the application complies with:

1. All standards or conditions of any prior applicable permits and development approvals;
2. All applicable requirements of this Ordinance and the Town Code of Ordinances; and

FIGURE 2.2.7: CONSTRUCTION DRAWING PROCEDURE	
Step	Action
1	Pre-application Conference See Section 2.3.2, Pre-application Conference
2	File Application See Section 2.3.3, Application Filing
3	Completeness Determination See Section 2.3.3.G, Determination of Application Completeness
4	Technical Review Committee Review and Decision See Section 2.3.5, Staff Review and Action
5	Notification of Decision See Section 2.3.9, Notification of Decision

3. All applicable county, state, and federal requirements.

H. EFFECT

1. CONSTRUCTION PLANS

- a.** Construction Drawing plans for all public improvements included with or filed subsequent to the Non-Residential Site Plan or Residential Preliminary Plan shall be approved prior to street and utility construction in accordance with the applicable Town standards.
- b.** In the case of a multi-phase site plan, any street and utility construction plans shall include all improvements within a phase and all public improvements outside the phase but necessary to serve development within that phase.

2. PERFORMANCE GUARANTEES

All public improvements that have not been installed by the developer, inspected, and accepted by the Town shall comply with the requirements in Section 6.6, Performance Guarantees, prior to the issuance of a certificate of occupancy.

I. AMENDMENT

Amendment of a Construction Drawing may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

J. EXPIRATION

If the work authorized by a Construction Drawing approval is not commenced within one year from the date of issuance, the approval shall become null and void.

K. APPEAL

Appeal of the decision on a site plan shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with Section 2.2.3, Appeal.

Adopted this the 11th day of September 2023


Glenn L. York – Mayor

SEAL

Lisa M. Markland, CMC – Town Clerk

STAFF REPORT
ORDINANCE 2024-11
CONTRACTOR SIGNS AMENDMENT
SEPTEMBER 11, 2023

Topic: Ordinance 2024-11 – Contractor Signs Text Amendment

Speaker: Catherine Farrell, CZO, Planner II
From: Michael J. Clark, AICP, CZO, Planning Director
Prepared by: Catherine Farrell, CZO, Planner II
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider text amendments to Section 5.11 and Section 9.4 of the UDO to allow for consideration of a new sign type “Contractor Signs”.

Background:

The sign standards in 5.11.6 of the UDO provides a list of allowed sign types and standards for the respective signs. Contractor Signs are not currently a listed sign category. In the past Staff received inquiries regarding installation of Contractor Signs, and classified them as alternative sign types to fulfill the request.

The proposed text amendments classifies contractor signs as temporary signs located on a lot for the duration of its construction/development. Contactor Signs have a unique need as they are non-permanent but serve a longer duration spanning months to years as sites are being constructed. Contractor Signs within a non-residential district or in a mixed-use district will be required to be inspected/reissued every year and in a residential district every two years. The Contractor Sign type will be permitted in all zoning districts but must follow the Contactor Sign standards as listed in the UDO as part of the adoption of this text amendment (Shown below).

The text amendment was discussed at the August 14th JPH. During public comment no comments were made for or against this text amendment

Discussion:

The Board shall measure the request against the following standards (UDO § 2.2.20.G):

1. Enhances the public’s health, safety, and welfare;
2. Is consistent with the Town’s adopted policy guidance;
3. Is not in conflict with any provision of UDO or the Town Code of Ordinances;
4. Is required by changed conditions;
5. Addresses a demonstrated community need;
6. Addresses an unforeseen matter not present when the Ordinance was adopted;
7. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;
8. Would result in a logical and orderly development pattern;
9. Addresses other factors determined to be relevant by the Board of Commissioners;
10. Would not result in significantly adverse impacts on the natural environment, including water, air, noise, stormwater management, wildlife, vegetation, and the natural functioning of the environment.

STAFF REPORT
ORDINANCE 2024-11
CONTRACTOR SIGNS AMENDMENT
SEPTEMBER 11, 2023

Policy Analysis:

The proposed text amendment is consistent with “Regulations and Standards” action item #2 under the Land Use and Development section of the Comprehensive Land Use Plan (CLUP). Action item # 2 states, “Add new or amend current UDO provisions, as needed, that are directly linked to actions in other CLUP sections related to housing attainability, neighborhood conservation, business retention and attraction, leisure and lifestyle related land uses, transit support, a more pedestrian- and cycling-friendly community, and park and open space protection.” The addition of the Contractor Sign type helps to promote new businesses that are coming to Zebulon.

The addition of Contractor Signs is also compatible with “Policy C” in the Policies for Land Use and Development section of the Comprehensive Land Use Plan which states “Emphasize compatible intensities and character when evaluating applications involving more intensive and/or non-residential development near existing homes and neighborhoods.” With the addition of this sign type the town is better equipped to regulate the appearance of Contractor signs ensuring that that are in keeping with the community character.

Financial Analysis:

The proposed text amendment will allow for more visibility of new businesses and residential development that are being constructed within the town. The cost of the signs and their associated fees would be the responsibility of the applicant and/or the property owner. Contractor signs will help with promoting transparency to the public about new businesses coming to Zebulon as the public can see information about what will be developed on a particular lot.

The addition of this sign type will allow for better tracking and regulation of Contractor Signs. This will help to cut down on Code Enforcement workload by setting up an application process to review signs prior to their installation.

Planning Board Recommendation:

At their meeting on August 14, 2023, the Planning Board recommended unanimous approval with correction of the setback listed in the table to be consistent with the 10 ft shown in the graphic.

Staff Recommendation:

Staff Recommends approval of Ordinance 2024-11 for the text amendment as proposed.

Attachments:

1. Ordinance 2024-11

ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.9. Sign Standards by Sign Type

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE

C. Construction Sign/Development Advertising Signs



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



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

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ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.9. Sign Standards by Sign Type

4. ADDITIONAL STANDARDS

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

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**ORDINANCE 2024-11
TEXT AMENDMENT – ARTICLE 5 CONTRACTOR SIGNS**

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE

C. Construction Sign/Development Advertising Signs



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



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

**ORDINANCE 2024-11
TEXT AMENDMENT – ARTICLE 5 CONTRACTOR SIGNS**

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

Adopted this the 11th day of September 2023

Glenn L. York – Mayor

SEAL

Lisa M. Markland, CMC – Town Clerk

Topic:  **Governing Board Rules of Procedure for Remote Meetings**

Speaker: Joseph M. Moore II, PE - Town Manager

Executive Summary:

The Board of Commissioners will consider Rules of Procedure for Remote Meetings.

Background:

At Board direction, Staff brought forth a policy to guide the conduct of Remote Meetings at their Work Session on April 20, 2023.

The Board provided feedback to increase the number of remote participants for either “planned remote participation” or “emergency remote participation”, and to increase the amount of time for a remote participant to reconnect with the meeting.

Discussion:

The discussion amongst the Board centers around whether they are interested in allowing and, financially supporting, Remote Meetings.

Policy Analysis:

Adding a Remote Meeting section to the Governing Board’s Rules of Procedure is establishing policy for the Town. There is no precedent to provide an analysis on whether meeting remotely is consistent with Town goals, such as the Zebulon 2030 Strategic Plan.

There is no statutory requirement to provide remote attendance, but there is a statutory requirement to adopt a procedure if remote attendance by elected Board members is allowed.

Financial Analysis:

The financial impact to transform the Council Chambers compatible for virtual meetings is budgeted at \$15,000.

Staff Recommendation:

No Staff Recommendation. The decision to allow and financially support Remote Meetings is a Board preference.

Attachment(s):

1. Rules of Procedure: Remote Meetings revision
2. Ordinance 2024-12

TOWN OF ZEBULON BOARD OF COMMISSIONERS RULES OF PROCEDURE

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Remote Participation

1. Notice to Mayor of Remote Participation

A Town Board member may participate remotely in a Town of Zebulon Board meeting by giving notice 11 days prior to the meeting. The Town Board member shall provide notice, via email, to the Mayor of his or her intent to participate remotely. Verbal communication or texting of the intent will not be allowed. The Mayor will notify the Town Manager, and the Town Clerk, who will keep a record of the request.

2. Limit on Remote Participation

There shall be a limit on Town Board members' remote participation as follows:

- (1) Each Town Board member shall be limited to remote participation in Town Board meetings for three (3) times each calendar year.
- (2) Remote participate shall fall into two categories: (i) Planned Remote Participation, in which remote participation is necessary due to planned physical absence; and (ii) Emergency Remote Participation, in which remote participation is necessary due to last minute illness or other exigent circumstances.
- (3) Only one (1) Town Board member shall participate remotely via a Planned Remote Participation in any given Town Board meeting. The first Board member to make the request for Planned Remote Participation ~~remote participation~~, via email to the Mayor, will be granted that privilege.
- (4) One (1) additional Town Board member may participate remotely as necessary via Emergency Remote Participation. Notice of the need for Emergency Remote Participation shall be provided to the Mayor as soon as practicable, but not later than noon on the day of the meeting, in order to account for meeting planning and logistics.

3. Quorum

A member of the Town Board who is participating by means of simultaneous communication shall not be counted as present for quorum purposes. A quorum must be established exclusively by members physically present and in person at the site of the official meeting.

4. Process of Opening Meeting

If a Town Board member is participating remotely, immediately prior to opening the meeting, the Mayor, Mayor Pro Tem, or other presiding officer shall communicate with the member who is participating electronically to ensure simultaneous communication is working effectively. From that time forward until the adjournment of the meeting, the communication line or application shall be kept open for members of the public to observe or hear, and for members of the Town Board to actively participate in

deliberations. At the start of the meeting, the Mayor, Mayor Pro Tem, or presiding official shall state orally which member is participating remotely, and such designation shall be recorded in the minutes. If a member attending through electronic means becomes disconnected from the meeting, the Mayor, Mayor Pro Tem or presiding officer will pause the meeting for a reasonable amount of time, up to ~~three~~ **two (2)** minutes, to allow the member to reconnect. If efforts to reconnect the member are unsuccessful, the meeting shall proceed through the agenda.

5. Voting and Discussion

Town Board members participating remotely are not eligible to vote on any items considered by the Public Body during the meeting. Remote participation will be limited to discussion only. The Town Board member participating remotely may share his or her views, ask questions, and otherwise participate in the ordinary course of the meeting. The Mayor, Mayor Pro Tem, or presiding officer will include the Town Board member participating remotely in the discussion by periodically recognizing that Board member.

6. Minutes

Minutes of the Town Board meeting shall be kept in the same manner as a regular meeting. The minutes of the Town Board meeting shall designate the name of the Town Board member who participated electronically, the nature of the electronic communication (telephone, video conference, or other), and the duration of the Board member's participation.

7. Public Participation

Members of the public shall have access to the Town Board meeting room and will be able to hear from a Town Board member participating remotely via the speakers inside the Town Board meeting room.

8. Quasi-Judicial Hearings

Remote Participation is not permitted in any form for any quasi-judicial hearings. Quasi-Judicial hearings shall only be conducted with a quorum of the Town Board of Commissioners who are physically present.

9. Closed Session

Remote participation is not permitted in any form for any Closed Sessions. Closed Sessions shall only be conducted with a quorum of the Town Board of Commissioners who are physically present.

ORDINANCE 2024-12

BE IT ORDAINED by the Board of Commissioners of the Town of Zebulon, that pursuant to North Carolina General Statutes 159-15, the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2024.

Section 1. To amend the General Fund budget as follows:

	INCREASE	DECREASE
REVENUES		
Fund Balance Appropriated	\$15,000.00	
EXPENDITURES		
Administration—Council Chambers A/V Equipment	15,000.00	

Section 2. Copies of this amendment shall be furnished to the Town Clerk, and to the Budget Officer, and to the Finance Officer for their direction.

Adopted: September 11, 2023

Effective: September 11, 2023

Glenn L. York - Mayor

ATTEST:

Lisa M. Markland - Town Clerk

Topic: **Mighty Con**
Sponsor: Commissioner Shannon Baxter
Co-Sponsor: Commissioner Quentin Miles

Executive Summary:

The Board of Commissioners will consider the topic “Mighty Con” introduced by Commissioner Baxter and Co-Sponsored by Commissioner Miles.

Background:

Per their Rules of Procedure, Board members may add items to the Regular Meeting agenda if submitted to the Mayor with the support of a second member no later than eleven (11) calendar days before the meeting.

On August 26 2023, Commissioner Baxter submitted “Mighty Con” as an item to add to the Board’s August Regular Meeting. Commissioner Miles offered to co-sponsor the topic.

Discussion:

The Board will discuss the topic.

Policy Analysis:

Staff can conduct a policy analysis pending Board directive.

Financial Analysis:

Staff can conduct a financial analysis pending Board directive.

Staff Recommendation:

Staff can provide a recommendation pending completion of policy and financial analysis.

Attachment(s):

1. August 29, 2023 e-mail
2. Rules of Procedure

Lisa Markland

From: Joe Moore
Sent: Tuesday, August 29, 2023 12:12 PM
To: Shannon Baxter; Glenn York; Quentin Miles; Kaleb Harmon; Sheila Long; Eric A. Vernon
Cc: Lisa Markland
Subject: RE: Mighty Con

Thank you, Shannon.

Per your request I've copied Lisa to initiate the Public Records Request process.

That said, you'll probably gain more insight on this subject by having a conversation with Staff. I'm happy to organize a meeting if you'd like to come in and talk.

Joe

Joe Moore, PE
Town Manager
Town of Zebulon

919.823.1801 office (direct)

1003 North Arendell Avenue
Zebulon, N.C. 27597



www.townofzebulon.org

Email correspondence to and from this sender is subject to N.C. Public Records Law and may be disclosed to third parties.

From: Shannon Baxter <SBaxter@townofzebulon.org>
Sent: Saturday, August 26, 2023 3:18 PM
To: Glenn York <gyork@townofzebulon.org>; Quentin Miles <qmiles@townofzebulon.org>; Joe Moore <jmoore@townofzebulon.org>; Kaleb Harmon <kharmon@townofzebulon.org>; Sheila Long <slong@townofzebulon.org>; Eric A. Vernon <evernon@wyrick.com>
Subject: Mighty Con

I will need a discussion of Mighty Con put on the agenda for the September Board meeting. Eric and Eva Heaberlin, the owners of Comic World, have supported our community especially the YOUTH of our community for many years. I know that they have come before the town trying to get a reduction of fees for their rental of the community center on November 11th. Kaleb has not responded to their emails since July 19th. With their presence in our community as well as the involvement of the Wounded Warrior Project, a non-profit, being present and benefiting from this event, I am unsure why they are having trouble communicating with the Town. This event is going to bring people from all over the State to Zebulon and we need to support this event as much as we can. Commissioner Miles, I will ask for a second to add this to the agenda. Staff, I will expect to have a lengthy and robust discussion about how the Town has been

handling their communications with the Heaberlins. I ask that all communications between the Heaberlins and the town as well as all interdepartmental and departmental communications surrounding their event, Mighty Con, be made available to the Board in their packets. If you need it, please consider this a public records request.

I am available for any questions you may have as you gather your emails, texts, and other documents concerning this event.

Commissioner Shannon Baxter

TOWN OF ZEBULON BOARD OF COMMISSIONERS

RULES OF PROCEDURE

Purpose – The Zebulon Board of Commissioners must conduct the business of the public, in the view of the public, so that the people may have the wherewithal to be better informed. These rules of procedure are intended to help the Zebulon Board of Commissioners reach informed decisions in an effective, efficient, orderly, courteous, and fair manner, regardless of the matter under consideration.

Agenda – The Town Manager (or their designee) shall prepare the agenda for each meeting of the Board. Board members may add items to the Regular Meeting agenda if submitted to the Mayor with the support of a second member no later than eleven (11) calendar days before the meeting. A draft agenda, including any items added by Board members, will be distributed one (1) week in advance of the Regular Meeting. The agenda packet will be made available to the Board four (4) calendar days before the Regular meeting. If there are extenuating circumstances, that prohibit the agenda packet from being available to the Board according to this schedule, the Board will be notified as soon as possible of the delay and an estimate time of delivery of the agenda packet.

A consent agenda, listing items considered to be non-controversial, shall be prepared by the Town Manager as part of the agenda. Consent agenda items shall be considered as a group by one motion and no discussion shall be had on any consent agenda item. Items that are policy setting items cannot be part of the consent agenda. Any Member may request that an item be removed from the consent agenda prior to approval of the agenda.

The agenda shall be approved as the first item of business at each meeting, and no item may be considered for action unless that item is included in the printed agenda or added to the agenda prior to the agenda being approved by the Board.

Items may only be added to the agenda, at the beginning of a meeting, if a motion is made to add the item and the motion is adopted by majority vote of the Board members in attendance at that meeting.

The Board may not add items to the agenda of a special meeting or retreat unless (a) all Board Members are present and (b) the Board determines in good faith at the meeting that it is essential to discuss or act on the item immediately and passes by motion with a unanimous vote.


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Role of the Presiding Officer - The Mayor shall preside at all Board meetings. To address the Board, a Member must first be recognized by the Mayor. Motions made without the maker first being recognized by the Mayor shall not be considered by the Board. The Mayor shall have the right to vote only when there is a tie. The Mayor shall have the following powers:

1. To rule a motion in or out of order, including any motion offered for purposefully obstructive or delaying purposes.
2. To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground.
3. To call a brief recess at any time.
4. To adjourn in an emergency.

STAFF REPORT
ORDINANCE 2024-13
BUDGET AMENDMENT
ZEBULON CHAMBER OF COMMERCE MEMBERSHIP
SEPTEMBER 11, 2023

Topic: Ordinance 2024-13 – Zebulon Chamber of Commerce Membership

Speaker: Bobby Fitts, Finance Director (if pulled from Consent)
From: Bobby Fitts, Finance Director
Prepared by: Bobby Fitts, Finance Director
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

Fund membership in the Zebulon Chamber of Commerce.

Background:

During Fiscal Year 2024 budget deliberations, the Board of Commissioners expressed an interest in joining the Zebulon Chamber of Commerce. Staff noted ad-valorem property tax and sales tax revenue were expected higher than budgeted amounts for Fiscal Year 2023. If realized, this excess could be used to fund some items such as membership in the Zebulon Chamber of Commerce.

Discussion:

The Board's discussion focuses upon whether to budget and join the Zebulon Chamber of Commerce as a member.

Policy Analysis:

The membership in the Chamber of Commerce advances upon the Growing Smart goal within the Zebulon 2030 Strategic Plan.

Fiscal Analysis:

The audit of FY '23 revenue and expenditures is incomplete, but the attached budget adjustment is considered an immaterial difference.

Staff Recommendation:

Staff recommends approval of the attached Ordinance.

Attachments:

1. Ordinance 2024-13
2. Governing Board FY 2024 Budget

Governing Body Department Budget (410)

Fiscal Year 2023-2024

	FY 2021 Actual	FY 2022 Actual	FY 2023 Amended Budget	FY 2024 Requested	FY 2024 Adopted	Notes
<i>Operating Budget</i>						
Salaries (Clerk added)	\$ 38,371	\$ 38,179	\$ 40,800	\$ 111,500	\$ 87,000	Clerk (12/1/23 start)
Professional Services	270,603	414,560	325,000	350,000	350,000	
Professional Services - Bond Counsel	-	-	70,000	-	-	
Professional Services - Financial Advisor	-	-	70,000	-	-	
Professional Services - Bond Educ. Campaign	-	-	60,000	-	-	
FICA	4,230	3,993	3,200	9,300	7,000	
Group Insurance (Health)	27,195	27,661	40,700	52,000	48,900	
Retirement	-	-	-	10,300	5,900	
Postage	-	151	515	550	516	
Cell Phones	600	362	600	600	600	
Travel/Training	3,544	12,347	14,000	20,000	32,500	
Equipment Maintenance	-	-	500	500	500	
Materials/Supplies	1,391	3,827	18,400	18,500	18,400	
Elections (Paid every other year)	-	11,180	-	25,000	25,000	
Insurance & Bonds (Property/Workers Comp)	3,852	4,686	4,700	4,800	4,700	
Appointed Board Appreciation & Recognition	-	-	3,000	3,000	3,000	
Uniforms (New line item)	-	419	600	600	1,100	
Citizen's Academy	-	-	-	1,000	1,000	
Triangle J COG	1,945	2,014	2,000	2,200	2,000	
NCLM Membership	6,000	6,151	6,000	7,000	7,000	
National League of Cities	-	-	-	-	1,000	
School of Government Membership	664	701	700	1,000	1,000	
Strategic Plan Grants	5,000	5,000	5,000	5,000	5,000	
CAMPO Membership	1,951	2,362	3,000	3,200	4,000	
Zebulon Chamber of Commerce	-	-	-	-	1,000	
Total Operating Budget	365,522	533,593	668,715	626,050	607,116	

ORDINANCE 2024-13

BE IT ORDAINED by the Board of Commissioners of the Town of Zebulon, that pursuant to North Carolina General Statutes 159-15, the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2024.

Section 1. To amend the General Fund budget as follows:

	INCREASE	DECREASE
REVENUES		
Fund Balance Appropriated	\$1,000.00	
EXPENDITURES		
Governing Board – Zebulon Chamber of Commerce	1,000.00	

Section 2. Copies of this amendment shall be furnished to the Town Clerk, and to the Budget Officer, and to the Finance Officer for their direction.

Adopted: September 11, 2023

Effective: September 11, 2023

Section 3. Amending the Budget will constitute Board decision to become a member of Zebulon Chamber of Commerce.

Glenn L. York - Mayor

ATTEST:

Lisa M. Markland - Town Clerk

Topic: FY 2024 Monthly Financial Report Addendum

Executive Summary:

A monthly report summarizing the status of the Town's revenues and expenditures.

Background:

The attached financials are a summary of revenues and expenditures to date. These monthly reports are provided to inform the Board of revenue and expenditure trends throughout the year. The enclosed statements are through August 18, 2023.

Information:

Expenditures

With Fiscal Year 2023 almost closed with only one more month of sales tax and the final quarter of utilities sales tax remaining, the revenues and expenditures appear to be the following approximately:

- o Revenues: \$21,597,000 (up 27.2% from FY 2021)
- o Expenditures: \$16,668,000 (up 27.8% from FY 2021)

With approximately 2 months into Fiscal Year 2024 expenditures complete, the Town has spent approximately 10% (~ \$2,805,000) of its General Fund budget of \$27,265,671. It is important to note some larger early year expenditures – some vehicle and equipment purchases, all of the annual property & liability as well as the workers compensation premiums have been paid. This is why some departments have higher amounts of percent of budget spent at this early point in the year. Some discussion on some early revenue activity such as zoning fees and property taxes are below. The revenue and expenditure statements are included for your review.

Revenues

- Property Tax (the Town's largest revenue stream)
 - + FY 2024 collections: \$684,373 collected to date (~ 6.4% of budget).
 - + Observations:
 - # 123% more than collected last fiscal year (\$306,144).
 - # One month of vehicle taxes have been collected for FY 2024.
- Sales Tax (second largest revenue stream)
 - + May's sales (reports lag 3-months):
 - # \$27,569 (15.3%) more collected than last May for all sales tax.
 - # \$13,182 (16.8%) more collected than last May for "local" sales tax.
 - # "Local" sales tax (Article 39) is generated within, and returns to, Wake County.
 - # For every \$100,000 in local sales, \$3.55 comes back to the Town of Zebulon.
 - + Year-to-Date comparisons (sales through the first eleven months of the fiscal year)
 - # \$304,159 (+16.6%) more collected than at this time last year for all sales tax
 - # Collections represent 111% of budgeted revenues at 92% of the fiscal year.

- # Robust sales and an increased share (resulting from recent census data showing population increase) were factors in the collections exceeding budget.
- Utilities Sales Tax (5% of revenue stream): fourth quarterly disbursement to be received September 15.
 - + The first distribution of FY 2024 will not be received until December 15
 - + Reflects natural gas and electricity sales and heavily weather dependent
- Permits & Zoning
 - + \$23,658 collected total (9% of budgeted revenues (\$250,000))
 - + 83.1% more than what was collected this time last fiscal year (\$12,921).
- Parks & Recreation
 - + 37,522 collected total (37% of budgeted revenues (\$102,000))
 - + 26.3% more than what was collected this month last fiscal year (\$29,715).
- Transportation Impact Fees
 - + \$0 collected to date in FY 2024
 - + 100% less than what was collected last fiscal year (\$96,137).
 - + Revenue placed in reserve for transportation projects to be spent within 10 years
- Recreation Impact Fees
 - + \$0 collected to date in FY 2024
 - + 100% less than what was collected last fiscal year (\$252,000).
 - + Collections since inception of fee (January 2022) ~ \$3,731,000

Policy Analysis: N/A

Financial Analysis: Budgeted revenue in FY 2024 is \$27,265,671 while year to date revenue collected is \$1,095,631 (4% of budgeted). Budgeted revenue includes \$8.2M Fund Balance.

Staff Recommendation:

No staff recommendation or Board action is necessary. These are informational only.

Attachments:

1. General Fund Fiscal Year 2024 Expenditure Statement and Revenue Statement (as of August 22, 2023)

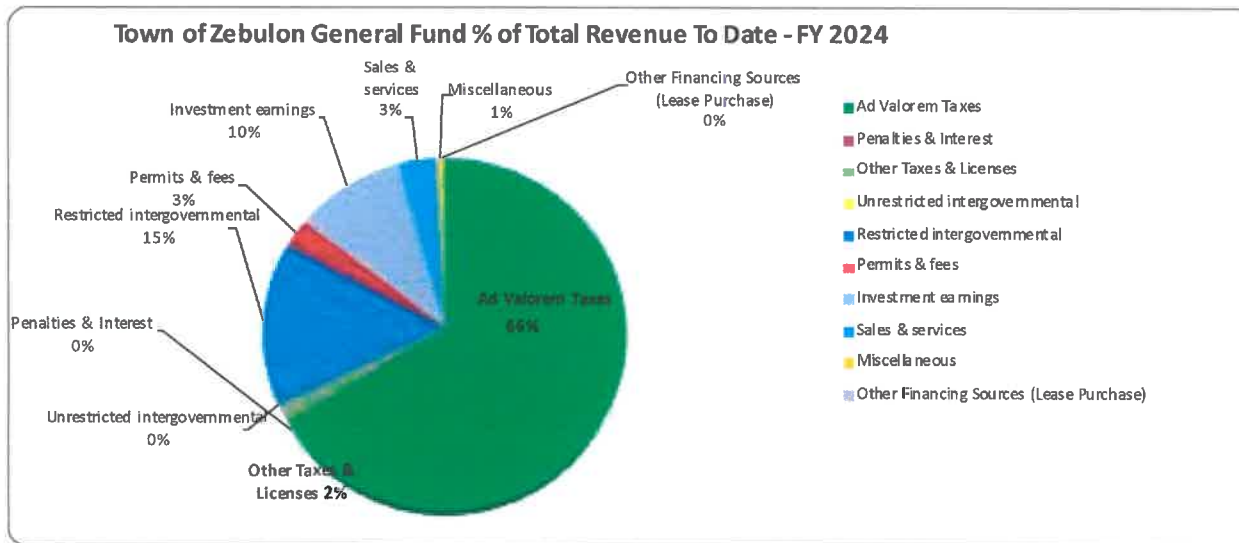
ZEBULON

NORTH CAROLINA

TOWN OF ZEBULON
 Revenue Statement: 2023 - 2024
 for Accounting Period 6/30/2024
 GENERAL FUND

As of 8/18/2023

<u>Revenue Categories</u>	<u>Estimated Revenue</u>	<u>Revenue YTD</u>	<u>% Collected</u>	<u>% of Total Revenue YTD</u>
Ad Valorem Taxes	\$10,722,500	\$724,114	6.8%	66.1%
Penalties & Interest	\$15,000	\$1,577	10.5%	0.1%
Other Taxes & Licenses	\$185,500	\$16,710	9.0%	1.5%
Unrestricted intergovernmental	\$3,233,000	\$0	0.0%	0.0%
Restricted intergovernmental	\$2,504,500	\$167,547	6.7%	15.3%
Permits & fees	\$772,750	\$27,917	3.6%	2.5%
Investment earnings	\$300,000	\$111,886	37.3%	10.2%
Sales & services	\$972,000	\$37,522	3.9%	3.4%
Miscellaneous	\$82,000	\$8,332	10.2%	0.8%
Other Financing Sources (Lease Purchase)	\$232,000	\$0	0.0%	0.0%
Transfers in from other funds	\$0	\$0	0.0%	0.0%
Fund Balance Appropriated	\$8,246,421	\$0	0.0%	0.0%
Total Revenues	\$27,265,671	\$1,095,604	4.0%	100%





TOWN OF ZEBULON
Expenditure Statement:2023 - 2024
for Accounting Period 6/30/2024
GENERAL FUND

As of 8/18/2023

<u>Dept #</u>	<u>Department</u>	<u>Approp Amount</u>	<u>Expenditure YTD</u>	<u>% Exp.</u>
410	GOVERNING BODY	\$606,116	\$28,407	4.7%
420	FINANCE	\$517,155	\$84,497	16.3%
430	ADMINISTRATION	\$1,580,725	\$144,131	9.1%
490	PLANNING AND ZONING	\$825,330	\$80,769	9.8%
500	PUBLIC WORKS-PROPERTY & PROJECT MGMT	\$2,756,855	\$171,197	6.2%
510	POLICE	\$3,911,975	\$644,865	16.5%
520	PUBLIC WORKS-OPERATIONS	\$9,339,237	\$810,783	8.7%
530	FIRE	\$3,695,574	\$618,530	16.7%
570	POWELL BILL	\$232,686	\$2,349	1.0%
590	ENGINEERING	\$139,000	\$1,226	0.9%
620	PARKS & RECREATION	\$2,043,418	\$196,564	9.6%
690	COMMUNITY & ECONOMIC DEVELOPMENT	\$1,617,600	\$21,816	1.3%
	Total Expenditures	\$27,265,671	\$2,805,133	10.3%