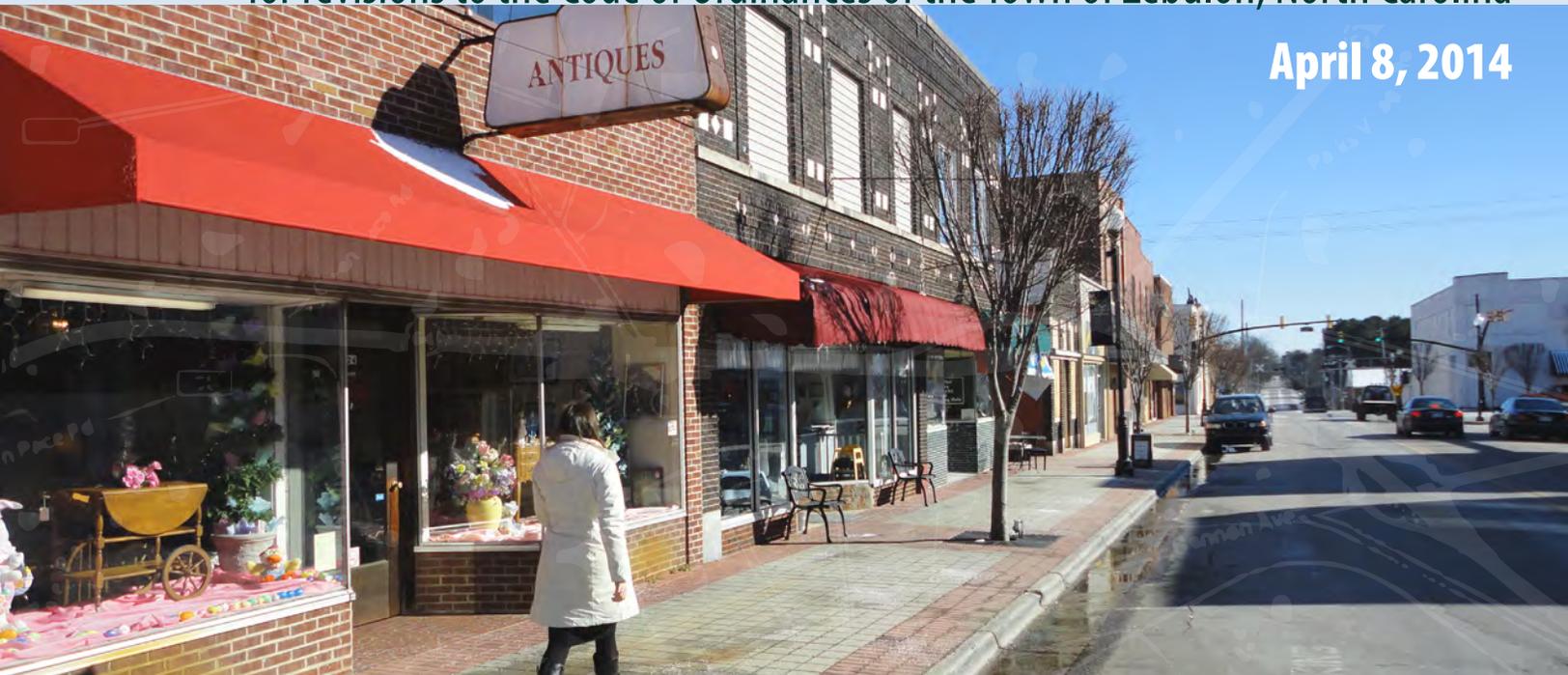




Diagnostic Report

for revisions to the Code of Ordinances of the Town of Zebulon, North Carolina

April 8, 2014



LAWRENCE
GROUP





This report and plan was prepared for the TOWN OF ZEBULON, NC - 2014

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TABLE OF CONTENTS

i	EXECUTIVE SUMMARY	1
	I.1 Purpose of this Report	1
	I.2 Action Item Summary	3
	I.3 Basic Principles for Code Writing	9
1	DOCUMENT REVIEW & STAKEHOLDER OUTREACH	11
	1.1 Implementation of Adopted Plans & Policies	11
	1.2 Review of Regulatory Documents	11
	1.3 Review of Plans & Studies	13
	1.4 Stakeholder Interviews	17
2	ORDINANCE UNIFICATION	23
	2.1 What Is a UDO and How Can it Help?	23
	2.2 Document Organization	24
	2.3 Page Layout & Overall Format	27
	2.4 Use of Tables & Graphics	27
	2.5 Ongoing Code Maintenance & Accessibility	28
3	PROCESS & ADMINISTRATION	29
	3.1 Roles & Responsibilities	29
	3.2 Clarify and Streamline the Process	35
	3.3 Plan Submittal Requirements	36
	3.4 Conditional Districts	38
4	DISTRICTS & USES	39
	4.1 Zoning Districts	39
	4.2 Permitted Uses	43
	4.3 Arrangement of Uses	45
	4.4 A New Approach to Zoning	47

TABLE OF CONTENTS

5	BUILDING & SITE DESIGN	51
	5.1 Preserving Small-Town Character	51
	5.2 Building Design & Frontage Types	52
	5.3 Building Height	53
	5.4 Signs	53
	5.5 Lighting	53
	5.6 Parking	54
	5.7 Landscaping	56
	5.8 Open Space & Parks	58
	5.9 Non-Conformities	59
6	STREETS & INFRASTRUCTURE	61
	6.1 Context-Sensitive Street Design	61
	6.2 Connectivity	64
	6.3 Environmental Protection Regulations	66
	6.4 Fiscal Sustainability	68
A	APPENDIX A: ANNOTATED OUTLINE	71
B	APPENDIX B: STYLE GUIDE	83



EXECUTIVE SUMMARY



i.1 PURPOSE OF THIS REPORT

The current Code of Ordinances for the Town of Zebulon was adopted in 1985. It is based on decades-old model language that was written to be broadly applied to municipalities across the state and the nation. In the 28 years since the adoption of the Code of Ordinances, numerous amendments have been incorporated with varying degrees of success, in an attempt to update the code and tailor it to the specific context of Zebulon. The dated language in Zebulon's Code of Ordinances, as well as the piecemeal amendments that have been applied to it, have created a document that is cumbersome to understand and administer. In addition, the land development regulations within Zebulon's code are split across several chapters, leading to further confusion and inconsistency.

In 2008 the Town of Zebulon adopted the Zebulon Comprehensive Plan. The Comprehensive Plan is a publicly-vetted and approved document that establishes a shared vision to guide growth and development within town. The plan recognizes that the town's development regulations are not consistent with the vision for growth shared by Zebulon's residents. Among the 60 Action Items in the Comprehensive Plan, 25 are related to updating the development regulations within the Code of Ordinances. An even higher percentage of the Action Items listed as "Highest" or "Mid-High" Priority are related to an update of the town's development regulations.

In the midst of Zebulon's regulatory difficulties, the town is facing an increasing amount of development pressure. Zebulon is a mere 24 miles from downtown Raleigh and is one of the last remaining areas in Wake County with the capacity to accommodate major growth and development. Zebulon's population is projected to more than triple over the next 15 years, from about 4,500 people today¹ to about 15,000 people in 2030.² The town has already begun to see evidence of this growth pressure. As Zebulon has emerged from the recession of 2008, it has experienced an increase in its development activity, from about 13 housing permits per year in 2011 and 2012 to more than 50 in 2013. In addition, Highway 64 is planned to be redesignated as Interstate 495 in the near future.³ That redesignation is likely to bring even more growth pressure to Zebulon and eastern Wake County.

1 U.S. Census Bureau. American FactFinder.

http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=PEP_2012_PEPANNRES.

2 Capital Area Metropolitan Planning Organization. (2008) Zebulon Comprehensive Plan.

3 Kurry, Dawn. (December 12, 2013). "U.S. 64 to I-495 east of the Triangle." Triangle Area Business Journal. <http://www.bizjournals.com/triangle/blog/2013/12/us-64-to-become-i-495-east-of-the.html>.

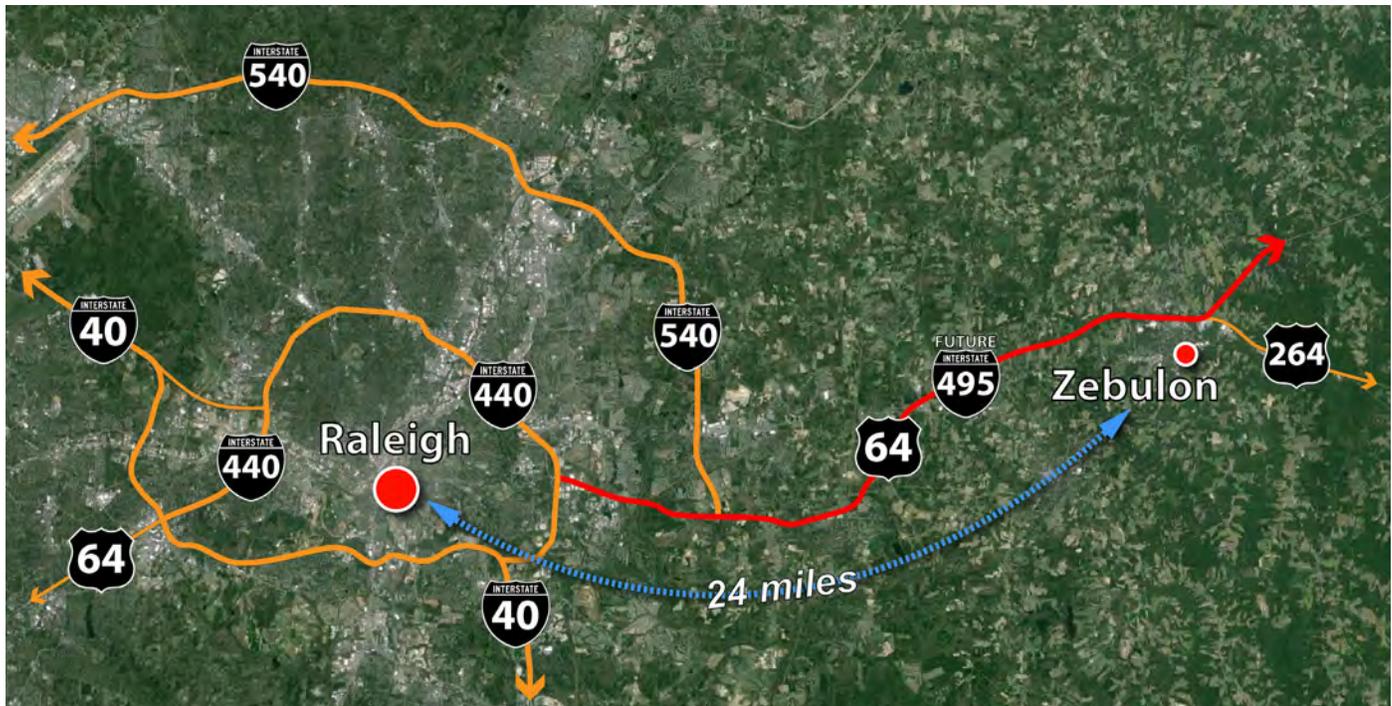
EXECUTIVE SUMMARY

Recognizing the pressing need to address its regulatory deficiencies before the pending development boom, the Town of Zebulon has retained Lawrence Group to prepare a Unified Development Ordinance that updates and consolidates the land development regulations within the town's Code of Ordinances. An important precursor to that exercise is the preparation of a detailed analysis and evaluation of the town's existing plans and land development regulations. The purpose of this Diagnostic Report is to provide a professional critique of those documents and to recommend changes to the town's development standards and process. The report diagnoses problems and inconsistencies in the town's current Code of Ordinances and provides a roadmap for changes that will clarify the development regulations, provide a more straightforward development review process and ensure consistency with the vision embodied in the town's adopted plans

For most issues, this report offers specific guidance, while for others, the decision between potential regulatory approaches are more nuanced and complex and will require further input and feedback. Specific

recommendations and decision points are called out as "Action Items" throughout the report, and are summarized in the following section of this report. After discussion with town leadership on the Action Items contained in this report, these recommendations will be used to guide the preparation of a Unified Development Ordinance for Zebulon.

This report has been primarily informed through a detailed analysis of the existing plans and regulations for the town as well as specific input from Town Staff, appointed boards, elected officials, and other community stakeholders. The report focuses only on those regulations and requirements that are within the purview of the Town of Zebulon, with specific emphasis on those development requirements that we believe require change. Though it is understood and acknowledged that other outside agencies (e.g., county, state and federal) have a role to play in the development process as well, it is not possible to affect change in those organizations in the same manner as within the town. Therefore, our recommendations are primarily confined to town policies, regulations, and processes.



Zebulon's close proximity to Raleigh, the presence of large tracts of developable land within its extra-territorial jurisdiction, and the redesignation of Highway 64 as Interstate 495 (corridor shown in red, above), contribute to the expectation for significant growth in and around Zebulon over the next 20 years. The Capital Area Metropolitan Planning Organization predicts Zebulon will more than triple in size by 2030, from 4,500 people today to over 15,000 people. The Unified Development Ordinance project will ensure that Zebulon's development regulations can manage and guide that growth in a manner consistent with the 2008 Zebulon Comprehensive Plan.

i.2 ACTION ITEM SUMMARY

The Action Items outlined in this report have been listed here for quick reference. These Action Items represent the specific recommendations developed as a result of the analysis and evaluation performed through the preparation of this Diagnostic Report. Some Action Items represent significant changes to

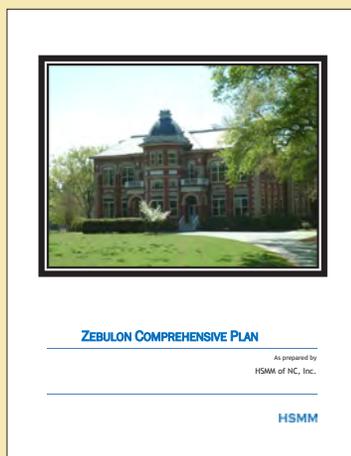
the structure, administration, and/or content of the town's current Code of Ordinances, while others are simply minor adjustments intended to clarify existing standards. The Annotated Outline in Appendix A of this report provides a detailed framework for the UDO rewrite based upon the recommendation of these Action Items.

CHAPTER 1 - DOCUMENT REVIEW & STAKEHOLDER OUTREACH

GOAL: Ensure that Zebulon's development regulations implement the vision for the future of Zebulon as described by its residents and adopted plans.

ACTION ITEMS:

1. Update the Zoning Code as a standalone Unified Development Ordinance that reflects the vision established in Zebulon's adopted plans and the recommendations of this Diagnostic Report.
2. Ensure that the regulatory detail in the UDO is appropriately placed to implement desired development outcomes.
3. Consolidate the provisions from Chapter 31 that establish the powers and duties related to development review into the Unified Development Ordinance.
4. Incorporate the standards of the Downtown Overlay District within a base district that focuses on preserving and enhancing downtown.
5. Develop form-based standards that support the pedestrian environment along Arendell Avenue and other downtown neighborhoods.
6. Coordinate the standards and guidelines in the updated ordinance with the Goals, Policies, and Action Items established in the Zebulon Comprehensive Plan.
7. Incorporate connectivity, dedication, and street design standards that implement the recommendations of the Zebulon Multimodal Transportation Plan.
8. Implement the design recommendations of the Open Space & Greenway Plan within the UDO as applicable.
9. Require that land dedication conform to the parks and greenway sites identified in the Open Space & Greenway Plan.



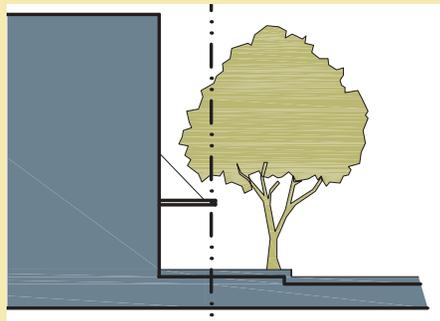
CHAPTER 2 - ORDINANCE UNIFICATION

GOAL: Unify Zebulon’s various development regulations into a single consolidated document that is easy to understand, administer, and maintain.

ACTION ITEMS:

1. Use a Unified Development Ordinance approach in the comprehensive update of the town’s various land development regulations.
2. Reorganize the ordinance to consolidate the most important and frequently used information at the front.
3. Change the numbering system to a “Chapter-Section-Subsection-Paragraph-Number” format (e.g., 4.5.3.B.1).
4. Centralize and consolidate definitions into one location.
5. Create a standard layout for the UDO that utilizes contemporary best practices for publishing, is easy to navigate, and is accessible to a variety of user groups.
6. Condense long portions of ordinance narrative into tables and charts that are easier to read and understand.
7. Use graphics to clarify specific regulatory language and intent.
8. Develop a template with “flowing” text and graphics, master pages, and text styles that allows Town Staff to seamlessly integrate ongoing amendments.
9. Improve access to information online by creating searchable, interactive PDFs with linked resources.

What a UDO <i>will</i> do...	What a UDO <i>won't</i> do...
Regulate new/proposed development and the redevelopment of existing properties	Change existing properties
Update, combine and, condense the town’s various development regulations into one manageable and comprehensive document	Integrate all of the town’s ordinances and administrative procedures
Clarify the development review process	Expand enforcement in dealing with nuisance and property maintenance issues
Provide the town with the necessary tools to guide and manage growth over the long term	Commit the town to capital improvement projects that will make dramatic improvements to the town’s infrastructure and neighborhoods in the short-term
Encourage a built environment that is more walkable, human-scaled, and compatible with the vision established in the Zebulon Comprehensive Plan	Continue the pattern of sprawling suburban development that is moving outward from the Raleigh metropolitan region



A Unified Development Ordinance supported by generous tables and graphics will clarify the town’s expectations for new development and enable a more consistent development review process.

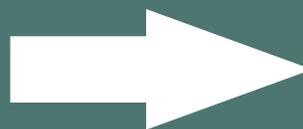
CHAPTER 3 - PROCESS & ADMINISTRATION

GOAL: Ensure Zebulon's development review process is clear and consistent, processes applications efficiently, and functions in accordance with current State statutes.

ACTION ITEMS:

1. Simplify and reformulate the development review process as noted in the Recommended Development Roles and Responsibilities table.
2. Standardize Administrator nomenclature and responsibilities throughout the ordinance.
3. Establish appropriate procedures to guide the Board of Commissioners when it acts in a quasi-judicial capacity within the development review process.
4. Consider granting the Planning Board approval authority over Special Use Permit applications independent of subdivision/site plan approvals.
5. Reduce the number of Planning Board members to 7 so it's easier appoint qualified members and establish a quorum.
6. Combine the Planning Board and Board of Adjustment.
7. Establish processes to govern future historic districts and properties.
8. Combine Chapter 31 and Chapter 152, Article II into one comprehensive Process & Administration chapter.
9. Utilize a consistent hierarchy to establish the town's various development review procedures.
10. Use a consistent term to describe final administrative approvals.
11. Use specific language to delineate different quasi-judicial processes instead of broadly applying the term Special Use Permit.
12. Establish Minor and Major Site Plan processes for applications that do not involve the subdivision of property, and provide an appropriate level of review for each.
13. Conduct vested rights approvals as a legislative process.
14. Utilize a flowchart(s) to illustrate the town's typical development review process as it relates to different types of applications and approvals from outside entities.
15. Set apart plan submittal requirements as a standalone appendix to the Code of Ordinances that may be edited without legislative approval.
16. Implement a process for the adoption of Conditional Districts that provides greater regulatory flexibility.

- ✓ Greater administrative authority
- ✓ Simplified assignment of procedural responsibilities
- ✓ Clearer expectations for development (including form-based regulations)
- ✓ Elimination of confusing/redundant requirements



**STREAMLINED
& PREDICTABLE
DEVELOPMENT
REVIEW PROCESS**



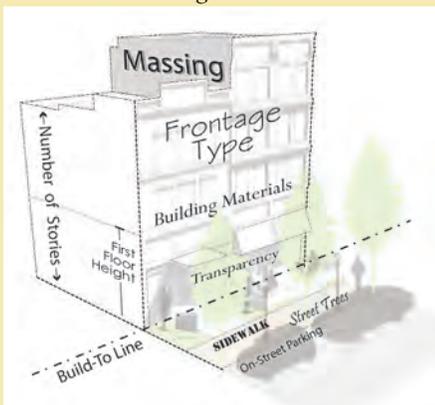
CHAPTER 4 - DISTRICTS & USES

GOAL: Eliminate unnecessary complexity within the current Code of Ordinances, calibrate Zebulon's zoning districts to a range of desired development conditions, and encourage a diversity of uses.

ACTION ITEMS:

1. Locate the dimensional regulations and other important district standards within the same code chapter that establishes and describes the districts.
2. Consolidate the residential districts to eliminate redundancy.
3. Regulate density by dwelling units per acre as opposed to minimum lot size to permit greater flexibility.
4. Permit a variety of single-family and multifamily housing types in more zoning districts.
5. Convert the existing commercial districts to mixed-use districts and permit more uses, by-right, pursuant to clear mixed-use design standards.
6. Establish standards to mitigate the impacts of large-format retailers.
7. Combine similar uses to eliminate redundancy and simplify the use table.
8. Grant the Administrator authority to make determinations regarding unforeseen uses.
9. Remove unnecessary use restrictions to allow a vibrant mix of uses in more areas of town.
10. Adopt supplemental use standards and building/site design regulations that mitigate potential impacts and ensure compatibility among different uses in mixed-use neighborhoods.
11. Reduce front and side setbacks in all districts, particularly in those intended to support a pedestrian-oriented character.
12. Allow flexibility in determining setbacks for infill lots.
13. Utilize a hybrid zoning approach in the new UDO that establishes form-based districts as noted in the Zoning District Conversion table.
14. Include provisions that allow for a by-right differentiation of districts in order to create town centers in large subdivisions.

Form-Based Zoning Elements



Rural-Urban Transect



Image Source: Naomi Leeman

Chapter 4 of this report recommends the use of a hybrid zoning approach. This approach combines conventional districts (based primarily on the regulation of use) and form-based districts (based primarily on site and building design standards). The new form-based districts will be organized by a tool called the Rural-Urban Transect, which ensures a proper balance between urban and rural development.

CHAPTER 5 - BUILDING & SITE DESIGN

GOAL: Preserve the small-town character of Zebulon by implementing design standards that promote a high-quality pedestrian environment and the creation of places with lasting value.

ACTION ITEMS:

1. Include subdivision, building, and site design requirements (e.g., parking location, frontage type, materials restrictions, street design, etc.) that reinforce the small-town character of Zebulon.
2. Use frontage types and design guidelines to ensure buildings support a high-quality pedestrian environment.
3. To the extent possible, ensure that building and site design standards are clear and objective so that they can be enforced consistently.
4. Modulate height to create cohesive districts and neighborhoods, with the greatest heights focused around the Highway 64 - Arendell Avenue interchange.
5. Regulate height by stories instead of feet.
6. Consolidate the existing sign types, and clarify them with illustrations.
7. Amend the relevant specifications manual to require the placement of street lights in a planting strip.
8. Reduce off-street parking requirements, clarify shared parking allowances, and establish maximums where appropriate.
9. Simplify and condense the parking requirements table by using broader land use categories.
10. Require that parking is located behind or next to multifamily, commercial, and mixed-use buildings.
11. Establish design standards for garages that do not dominate single-family homes.
12. Require the preservation and/or replacement of mature trees, and explicitly prohibit clear-cutting land.
13. Set apart the plant material list as a standalone appendix to the UDO.
14. Do not allow a berm in lieu of street trees.
15. Calibrate street tree planting requirements to street sections.
16. Use building and site design regulations, as opposed to landscape buffer requirements, to ensure development compatibility.
17. Ensure that utilities are accommodated without compromising the function and appeal of public spaces.
18. Simplify the open space dedication formula, and apply form-based open space types.
19. Allow payments in lieu of open space dedication.
20. Create a redevelopment compliance table for nonconformities that prioritizes compliance of features outside the private realm.



The best way to preserve Zebulon's small-town character is to adopt building and site design regulations that reflect the best parts of Zebulon's historic downtown and neighborhoods.

CHAPTER 6 - STREETS & INFRASTRUCTURE

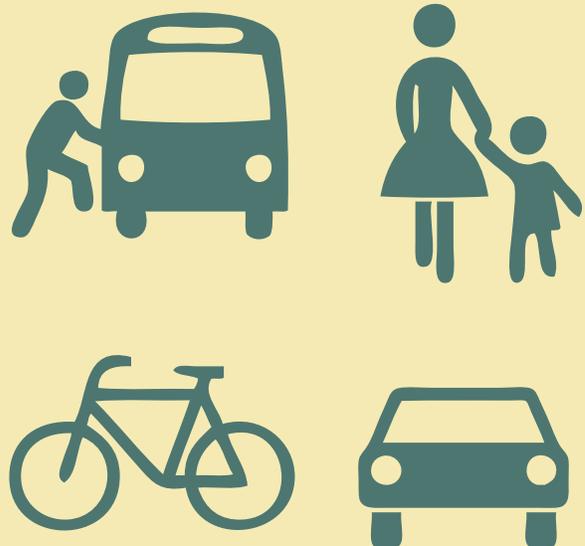
GOAL: Ensure that Zebulon's streets and infrastructure are environmentally sensitive, fiscally sustainable, and provide a safe and pleasant experience for all users.

ACTION ITEMS:

1. Establish street design requirements that prioritize the desired character of the streetscape environment over the functional classification of the street.
2. Using the NCDOT Complete Streets guide as a reference, create street type illustrations that identify the critical street elements needed to accommodate all users.
3. Determine where each street type will be permitted according to different zoning districts and/or a Street Regulating Plan.
4. Establish connectivity standards, for both new subdivisions and redevelopment, that extend Zebulon's historic grid pattern and support improved mobility.
5. Adopt stormwater regulations that indicate local expectations for the use of context-sensitive best management practices (BMPs) by zoning district.
6. Prohibit large-lot developments that create an undue fiscal burden on the town.



Image Credit: Google Earth



The UDO should include standards that provide for a connected network of Complete Streets, streets that provide a safe pleasant experience for all users - pedestrians, bicyclists, transit users, and private automobiles - regardless of their age or ability. The UDO should ensure that new development builds on the success of Zebulon's historic grid (left) by requiring a greater degree of connectivity to existing neighborhoods and within new development.

i.3 BASIC PRINCIPLES FOR CODE WRITING

Although this report offers specific recommendations uniquely tailored to Zebulon’s regulatory context, we recognize that there are some basic principles for good technical writing as it relates to the drafting of any development ordinance. As the town proceeds with the preparation of its Unified Development Ordinance we believe that the following should be addressed:

1. User-friendliness is in the eye of the beholder. Nearly everyone will have different ideas about how the ordinance should be arranged. However, agreement is needed on the conventions for arranging the ordinance up-front, in order to avoid problems with cross-referencing later.
2. Arrange the ordinance logically by topic. The following principles should be followed:
 - » Similar subjects should be arranged together by article or chapter — e.g., procedures, improvement standards, nonconformities — rather than scattered throughout the ordinance.
 - » The more interesting and/or commonly used parts of the ordinance should be placed at the front (e.g., uses and development standards), with administrative provisions and definitions at the rear of the ordinance. This allows laypersons as well as administrative officials to quickly find the most important and frequently used information.
 - » While it is not interesting reading, technical information (e.g., application submittal requirements) is needed in order to provide effective standards and guidance for applicants and permitting officials. Technical matters should be relegated to standalone documents or appendices at the rear of the ordinance. They should be incorporated as independent documents that do not require a legislative process to change so that staff can adjust the requirements as necessary to suit their development review procedures.
3. Provide references (and links for online versions) in a consistent manner (e.g., italics) to:
 - » Other related provisions in the ordinance or elsewhere in the Municipal Code;
 - » Relevant adopted policies or interpretations outside the ordinance; and
 - » Appropriate sections of other adopted plans.
4. Eliminate provisions that have outlived their usefulness. Standards are frequently carried forward from previous ordinances and amendments. The desire to condense or to eliminate code provisions in an attempt to make a code more readable can offend neighborhood or business constituencies that championed those provisions. However, the ordinance cannot be all things to all people or interest groups. And, the ordinance cannot be held to a reasonable length if it attempts to address every conceivable undesirable situation. Instead, reasonable choices must be made to implement the town’s planning policies while respecting the rights of landowners, businesses and neighborhood groups. These choices should establish clear parameters that reflect the town’s planning policies, rather than providing a comprehensive list of forbidden situations.
5. As much as is possible, regulations should be prescriptive (specifying what is expected), rather than proscriptive (specifying what is prohibited).
6. Remove standards that are unnecessary, outdated, or not worth the cost of administration. This not only reduces volume, but it also reduces budget and staffing needs. However, it must be recognized that the town might face complaints about areas or issues that it chooses not to regulate.
7. Regulate from the “general” to the “specific.”
8. Consolidate long sections of narrative and repetitive lists of standards into tables. For example, older ordinances typically create long “laundry lists” of uses and dimensional regulations within each set of district regulations. The alternative to that approach is consolidated tables of permitted uses by district and/or dimensional standards by district. This communicates use allowances and information like setbacks and

EXECUTIVE SUMMARY

height regulations much more clearly. It also allows readers to compare standards across districts.

9. Assure that the ordinance is consistent with the overall format of the Code of Ordinances, so that there are not two “versions” of the ordinance.
10. Match fonts and styles to be consistent with the hierarchy of the ordinance, reflecting the relative importance of each heading or provision.
11. Make chapter and section titles descriptive.
12. Provide purpose and applicability statements for each ordinance chapter/section as needed.
13. Use graphics to illustrate the text language. Photo-editing technology can use local examples to illustrate how a design standard works or what a particular use looks like. Participants in this process can help by taking pictures and emailing them to staff. While graphics add to the length of the ordinance, they can replace text in some circumstances. Graphics should only be used however to provide clarity and/or illustrate specific regulatory intent. Images used just for the sake of making the ordinance more attractive often do more harm than good by creating confusion.
14. When utilizing mathematical expressions in the document, display the actual equation as opposed to the long, descriptive version of the mathematical expression containing only words.
15. Provide headers and footers to indicate the document title, page numbers, chapter name and number, section name and number, and the most current adoption date.
16. Provide references to dates of revisions within each chapter or section, as appropriate.
17. Use portrait format, rather than landscape. Do not mix the two, unless there is a clear benefit to keeping a table to a single page.
18. Publish the document for easy dissemination to the public using the following media in order of priority:
 - » Internet/World Wide Web (.pdf or html with hyperlinks)
 - » Digital Format on CD (.pdf or html with hyperlinks)
 - » Print
19. Avoid jargon! Use clear language and avoid ambiguity.
20. Use consistent terms (“multifamily” not “apartments”; “unit” not “dwelling” etc.);
21. Use consistent punctuation throughout.
22. Remove and avoid “legalese” and use common language when possible.
 - » Use the present verb tense; “shall” and “must” are mandatory, “should” and “may” are permissive;
 - » “And” means all words apply, “or” may apply singularly or in combination, and “either” applies singularly but not in combination; and
 - » Singular is preferable to plural.
23. Be gender-neutral, using “person” or “applicant.”
24. When in doubt, SIMPLIFY!



DOCUMENT REVIEW & STAKEHOLDER OUTREACH

1

GOAL: Ensure that Zebulon's development regulations implement the vision for the future of Zebulon as described by its residents and adopted plans.

1.1 IMPLEMENTATION OF ADOPTED PLANS & POLICIES

The Town of Zebulon has a number of adopted/pending plans and policies related to the future of land development in the town., most notably the Zebulon Comprehensive Plan. These plans and policies set the vision for the future of Zebulon, but until they are translated into requirements within the town's Code of Ordinances, they will lack the full regulatory authority necessary to implement that vision. This need to reconcile any inconsistencies between the town's development requirements and its plans and policies is at the heart of the Zebulon UDO project.

In order to fully understand the town's vision for the future, and identify any inconsistencies between that vision and the existing Code of Ordinances, it's necessary to complete a review of the town's regulatory documents and its adopted/pending plans and policies. It is also critical to balance any conclusions from that effort with the stakeholder outreach conducted as a part of our initial reconnaissance.

1.2 REVIEW OF REGULATORY DOCUMENTS

Zoning Code (Code of Ordinances - Chapter 152)

Zebulon's Zoning Code (Chapter 152 in the Code of Ordinances) is the foundational regulatory document that guides land development in town. As such, the majority of the analysis in this Diagnostic Report relates to the function, organization, and administration of the Zoning Code. Specific recommendations for change are discussed at length in the following chapters, but there are a few important points worth mentioning here that provide a summary of the issues with the current Zoning Code.

First, because the Zoning Code is established separately from other land development ordinance chapters, differences in terminology, procedures, and standards make it difficult to navigate and administer these codes. (This issue is

discussed at length in Section 2.1 of this report.) The solution is to standardize procedures and requirements within one unified development ordinance, or UDO, that eliminates redundancies and inconsistencies.

There are also number of direct conflicts between the Zoning Code and the town's adopted plans and policies. Among the clearest examples of these, is the Zoning Code language related to connectivity and the design of street networks. Section 152.188 (General Layout of Streets) of the Zoning Code offers the following language; "Subcollector, local and minor residential streets shall be curved whenever practicable...Cul-de-sac and loop streets are encouraged so that through traffic on residential streets is minimized." This reflects flawed and dated thinking with regard to the function of transportation networks, and it is in direct conflict with Chapter 6 of Zebulon's Comprehensive Plan. That chapter indicates that development of low-density residential subdivisions with curvilinear streets and cul-de-sacs provides a less connected street pattern and a sprawl-like environment. The Comprehensive Plan goes on to recommend that developments of this form should be heavily discouraged. This conflict is a clear and obvious instance of language in the Zoning Code in need of change. There are many more places where such inconsistencies are more subtle and nuanced.

Finally, the regulatory details of the Zoning Code are not appropriately balanced to implement the development outcomes described in the Comprehensive Plan. There are approximately 185 pages in Zebulon's Zoning Code, but only about 4 of these pages contain provisions that deal with how development is expected to look. Instead, the vast majority of the regulatory detail in the current Zoning Code is focused on administration and use types.

For example, the Zoning Code establishes 260 use types and 49 zoning districts (21 base districts, 6 overlay districts, and 22 special use districts), but it doesn't include any building types or frontage types, and only mentions 1 public space type ("miniparks"). Elements such as building types and frontage types are among the site and building design regulations that are needed to clarify expectations for development in all three dimensions.

This amounts to an unnecessary amount of complexity in the regulations for use, administration, and district types, and a lack of regulatory detail in the architectural and development design standards. The regulatory detail of the UDO should be focused on how development will look and feel when it comes out of the ground. This is the most direct way to ensure that future development will meet the vision of the community.

► **Action Item:** Update the Zoning Code as a standalone Unified Development Ordinance that reflects the vision established in Zebulon's adopted plans and the recommendations of this Diagnostic Report.

► **Action Item:** Ensure that the regulatory detail in the UDO is appropriately placed to implement desired development outcomes.

Departments, Boards, and Commissions (Code of Ordinances - Chapter 31)

Chapter 31 of the Zebulon Code of Ordinances established the various town boards and commissions. The language of this section doesn't appear to be in need of significant revision. However, the language related to boards involved in the development review process should be moved to the UDO. This will ensure that all the procedures and duties related to the development review process are located in one section.

► **Action Item:** Consolidate the provisions from Chapter 31 that establish the powers and duties related to development review into the Unified Development Ordinance.

Downtown Overlay District (Code of Ordinances - Section 152.1468)

The provisions of the Downtown Overlay District offer the best example of form-based design regulations with Zebulon's current code. It is not clear if the Downtown Overlay District is independent from the rest of the Zoning Code, as it appears to be maintained separately, but is is are awkwardly numbered in a location buried within the Supplementary Use requirements.

Current location aside, the standards of the Downtown Overlay District should be incorporated within the UDO. If possible, these standards should be adapted for use within the Central Business District in order to simplify the administration of the Zoning Map.

Further, the intent of the Downtown Overlay District to clarify expectations for the form of development within downtown should be expanded and duplicated elsewhere. Form-based standards that support pedestrian environments should be created and applied to other zoning districts as appropriate. (See Section 4.4 of this report.)

► **Action Item:** Incorporate the standards of the Downtown Overlay District within a base district that focuses on preserving and enhancing downtown.

► **Action Item:** Develop form-based standards that support the pedestrian environment along Arendell Avenue and other downtown neighborhoods.

1.3 REVIEW OF PLANS & STUDIES

Zebulon Comprehensive Plan (2008)

Updated in 2008, the Zebulon Comprehensive Plan is a publicly vetted and adopted document that sets the vision for the future of the community. The Comprehensive Plan is organized into 9 chapters. Chapters 3 through 9 outline various Goals, Policies, and Action Items that are intended to focus and guide the cooperative efforts of local decision makers.

Each of these chapters includes recommendations that are directly related to necessary changes in the town's land development regulations. In fact, 25 of the 60 (42%) Action Items in the Comprehensive Plan are related to updating the Code of Ordinances. An even greater percentage, 19 of 39 (49%), of the high-priority Action Items (those listed as "Highest" or "Mid-High" priority) are related to updating the Code of Ordinances.

It's clear from the plan that the town recognizes the need to update its land development regulations. In fact, the introduction to the plan states that it "shall serve as an interim measure intended to set Land Use standards and guidelines for decisions facing the Town Board as a result of increasing pressures of development." The UDO should ensure that the various Goals, Policies, and Action Items from the Comprehensive Plan are adequately addressed through updated development standards. Further, the UDO should amend the town's zoning districts so that they are aligned with the development types described in the Comprehensive Plan's Future Land Use Map. The table on the following page summarizes the goals from the Comprehensive Plan that offer guidance for the UDO project.

► **Action Item:** Coordinate the standards and guidelines in the updated ordinance with the Goals, Policies, and Action Items established in the Zebulon Comprehensive Plan.

COMPREHENSIVE PLAN

"The Town Planning Department set two specific desires for this plan:

- A systematically sound, broad, and inclusive process of stakeholder involvement must guide the plan and its recommendations.
- The unique qualities of Zebulon must be maintained so that so that the Town of the future can be fully differentiated in the suburban landscape from the sprawling Raleigh metropolitan area."

(Zebulon Comprehensive Plan, p. 7)

The Zebulon Comprehensive Plan provides the broad vision that a new Unified Development Ordinance is intended to implement.



ZEBULON COMPREHENSIVE PLAN

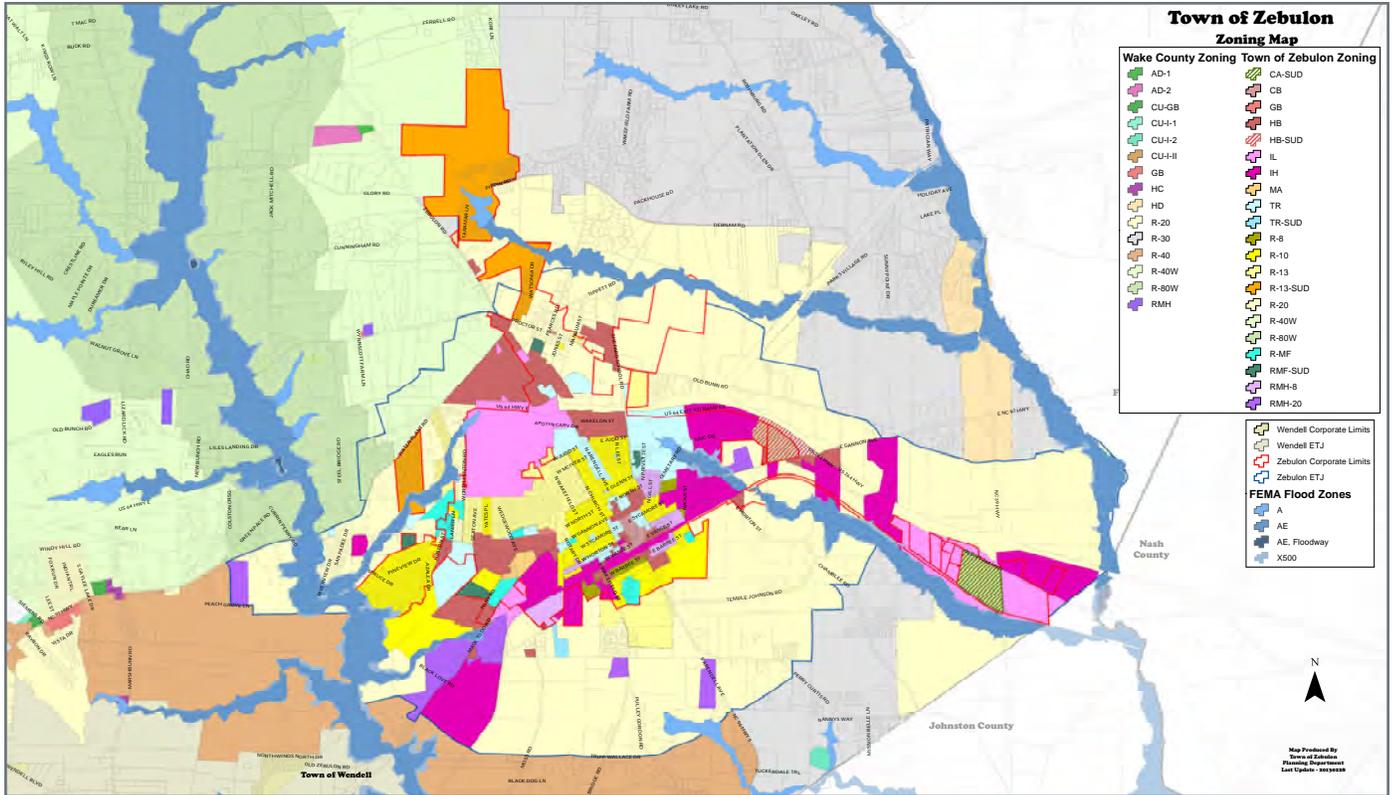
As prepared by
HSMW of NC, Inc.

HSMW

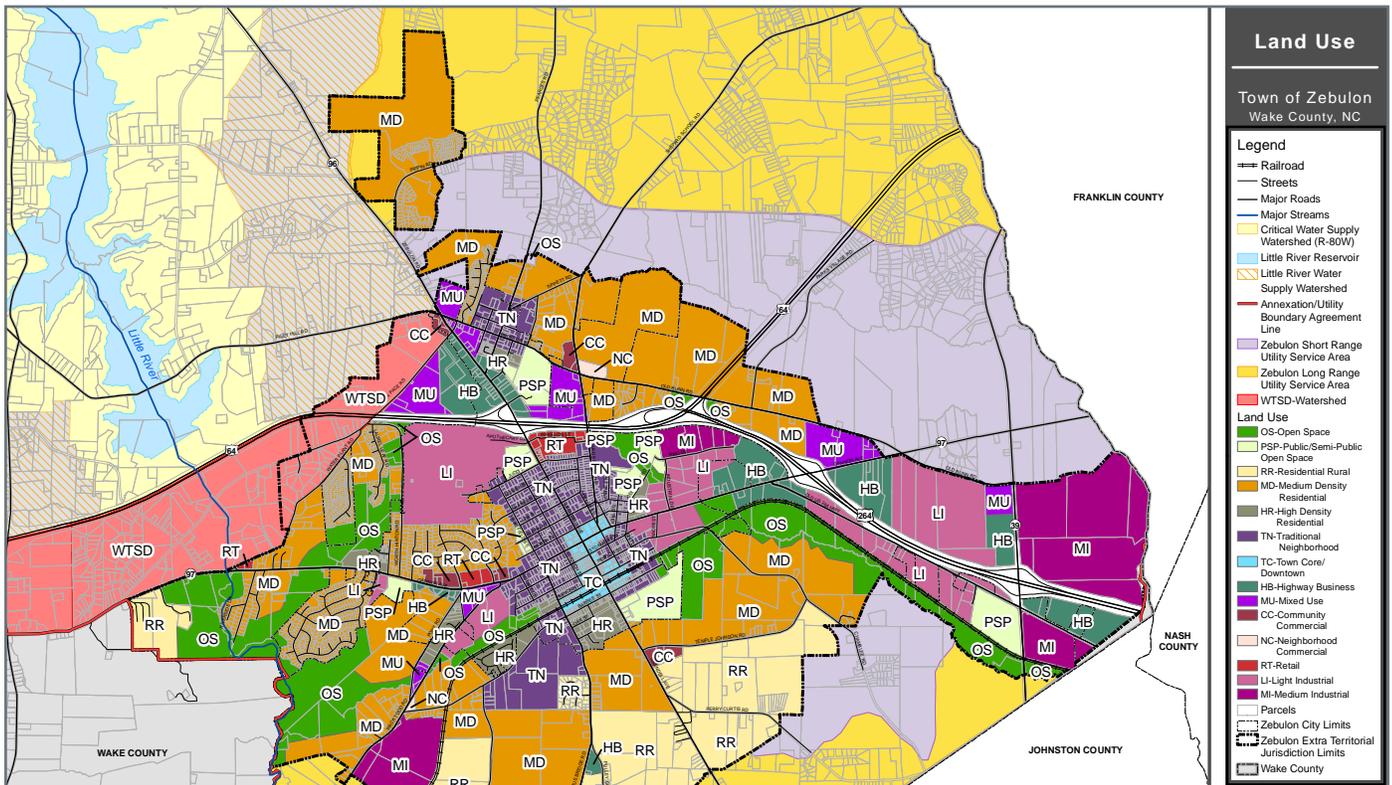
ZEBULON COMPREHENSIVE PLAN - GOALS RELATED TO UDO

The table below lists goals from the Zebulon Comprehensive Plan that have implications for the UDO project. In addition to these goals, each chapter of the Comprehensive Plan also establishes key Policies and Actions Items that provide guidance for the rewrite of the town’s land development regulations. In fact, about half of the Action Items listed as “Highest” or “Mid-High” priority are related to updating the current Code of Ordinances.

<p>Chapter 3 - Economic Development</p>	<p>Chapter 7 - Community Facilities</p>
<p>Increase quality employment opportunities, the town’s taxable base, the diversity of business offerings and the quality of business districts while ensuring the sustainability of the economy and improving general quality of life.</p>	<p>Provide safe, clean, and useable, and attractive public facilities, which enhance the quality of life for Zebulon citizens of all ages, characteristics, needs and interests.</p>
<p>Protect, promote, enhance, and organize the existing commercial community within the Zebulon Main Street core to bring new vibrancy to existing downtown business environment.</p>	<p>Connect public facilities and amenities to the community through the development of a pedestrian and bicycle network throughout the Town of Zebulon and within the greater region where possible.</p>
<p>Chapter 4 - Form & Environment</p>	<p>Chapter 8 - Utilities</p>
<p>Implement recommendations set forth in the currently adopted Zebulon Open Space and Greenway Master Plan which relate to the protection of existing natural resources and open space for ecological, aesthetic, and recreational purposes.</p>	<p>Plan for the provision of adequate, reliable and cost efficient utility services in collaboration with the City of Raleigh with consideration for the future demand within the Short and Long Range Urban Services Areas.</p>
<p>Require that all future development be carried out in a sustainable manner and that environmentally sensitive areas continue to be protected.</p>	<p>Establish and implement minimum standards for storm water management in collaboration with Wake County to be used in development permitting, facility planning and operations and maintenance. These standards should at minimum meet all local, state and federal health and safety requirements.</p>
<p>Chapter 5 - Transportation</p>	<p>Chapter 9 - Land Use</p>
<p>Develop a connected and balanced multi-modal transportation network that is safe, economical, ecologically sound, accessibility, and aesthetically pleasing.</p>	<p>Achieve the optimal balance of land uses that efficiently utilizes resources, enriches economic viability, preserves the existing small town character, and enhances the overall health and well-being of the residents of Zebulon.</p>
<p>Chapter 6 - Housing & Neighborhoods</p>	<p>Continue to pro-actively manage growth and direct development in a manner that can most efficiently access existing, and future infrastructure and community services, and preserves natural resources.</p>
<p>Achieve a variety of housing types, designs, and densities in both older neighborhoods and newly developing areas to meet the needs of all income levels and age group.</p>	<p>Encourage land use patterns and intensities that promote accessibility and connectivity to community destinations via alternative modes of transportation such as walking, bicycle, carpool, mass transit, etc.</p>
<p>Encourage the organization and enhancement of new and existing neighborhoods to support pedestrian and bicycle connectivity to community destinations in efforts to enhance quality of life and overall well-being of the residents of Zebulon.</p>	<p>Promote continual residential and commercial infill development in the Zebulon Downtown.</p>
<p>Adopt regulatory provisions which emphasize low impact development techniques for infill and new housing development.</p>	



A primary goal of the Unified Development Ordinance update will be to establish zoning districts that allow the town to simplify and amend its existing zoning map (above) in accordance with the development types described in the Future Land Use Map (below) from the Zebulon Comprehensive Plan.



Multimodal Transportation Plan (pending approval)

Zebulon is currently in the process of preparing an update to its 2001 Multimodal Transportation Plan. Section 4 (Plan Implementation) of the draft plan discusses methods by which the town currently implements transportation projects and offers some recommendations for additional implementation strategies the town should consider. For the purposes of the UDO, we recommend the town codify strategies 1, 3, and 5 within a new Subdivision and Infrastructure chapter (see Appendix A of this report). These strategies provide guidance for retrofitting substandard streets through the redevelopment of existing properties and are summarized as follows:

- Require the dedication of right-of-way for development along substandards streets (streets where the existing right-of-way is insufficient to meet the cross section proposed by the Plan).
- Require development to construct only the pedestrian facilities (elements behind the curb) of the identified roadway cross section along the frontage of the property.
- Allow a fee-in-lieu of constructing required improvements.

As mentioned in the Multimodal Transportation Plan, requiring developers to construct all roadway elements along their frontage in infill situations would “result in a piecemeal approach...that would create inconsistencies in the roadway network.” It is much more common and unobtrusive for the municipality to complete improvements to the roadway network in a comprehensive manner as funds are available. Private redevelopment projects would be responsible for the incremental construction of pedestrian elements behind the curb. Fees-in-lieu of construction should also be allowed to offer greater flexibility to developers.

Any required dedications, the construction of pedestrian facilities along existing streets, and the construction of any new streets should be tied to the specific cross sections outlined in Appendix B of the Transportation Plan, and to the street type requirements established in the UDO (see Section 6.1 of this report).

One significant flaw of the Multimodal Transportation Plan is the lack of any street sections that include on-

street parking. On-street parking is a critical element for any successful town center district, and will be a necessary part of the extension of Zebulon’s existing downtown along Arendell Avenue. Prior to adopting the Plan, the town should discuss options with its transportation consultant and NCDOT for including on-street parking within the street segments that are envisioned as walkable urban environments.

-
- **Action Item:** Incorporate connectivity, dedication, and street design standards that implement the recommendations of the Multimodal Transportation Plan.
-

Zebulon & Wendell Open Space & Greenway Plan (2002)

Although it is over 11 years old, the Zebulon & Wendell Open Space & Greenway Plan offers some instructive guidance for the UDO. Appendix B of the plan includes design guidelines for trail construction, signage, bicycle parking, landscaping, etc. The guidelines should be incorporated into specific requirements for the design and provision of greenways within the UDO.

Appendix E of the plan discusses land acquisition procedures for the implementation of the proposed open space and greenway network. Specific techniques recommended by the plan include the purchase of public access easements, negotiated dedications, fees-in-lieu of dedications, transfer of development rights, and subdivision exactions, among others.

For the purposes of the UDO, the most applicable implementation mechanism for this plan is through subdivision exactions established in a new Parks and Open Space chapter (see Appendix A of this report). The UDO should require that dedicated open space be located in accordance with any park and greenway sites identified on properties in the Open Space & Greenway Plan. Section 5.8 of this report also recommends the adoption of clear, context-sensitive open space dedication requirements.

-
- **Action Item:** Implement the design recommendations of the Open Space & Greenway Plan within the UDO as applicable.
-

- **Action Item:** Require that land dedication conform to the parks and greenway sites identified in the Open Space & Greenway Plan.
-



Zebulon, NC Unified Development Ordinance Reconnaissance Trip Agenda

DAY 1 – Tuesday, January 21

11am – Noon: Kickoff Meeting with Planning Staff
Noon – 1:30pm: Stakeholder Working Group Lunch Meeting (lunch provided by Town)
1:30pm – 3pm: Focus Group: Developers and Homebuilders (snacks provided by Town)
3pm – 5:30pm: Community Tour
5:30pm – 6:30pm: Break for Dinner
6:30 – 8:30pm: Meeting with Planning Board and Board of Adjustment

DAY 2 – Wednesday, January 22

9am – 10:30am: Focus Group: Zebulon Chamber of Commerce/Local Merchants/Business Owners
10:30am – Noon: Focus Group: Neighborhood Associations/Homeowners' Associations
Noon – 4:00pm: Lunch and Reconnaissance Team Prep Time
4pm – 6pm: Board of Commissioners UDO Work Session*
(*The Board of Commissioners will have their regular public meeting following the UDO Work Session. The Reconnaissance Team can be available to answer remaining questions during the public meeting if necessary.)

DAY 3 – Thursday, January 23

9am – 10:30am: Meeting with Technical Review Committee and Related Town Staff
10:30am – Noon: Focus Group: Civic Organizations/Churches
Noon – 1:30pm: Wrap-Up Meeting with Planning Staff
1:30pm – 6:30pm: Lunch and Reconnaissance Team Prep Time
6:30pm – 8:30pm: Public Workshop (snacks provided by Town)



The images on this page were taken during the initial reconnaissance and outreach meetings with the project team from January 21-23, 2014. The full agenda for the 3-day Reconnaissance Trip is shown as well. The meetings included a public workshop and interviews of various town staff, elected officials, and town boards.

Visual Preference Survey

A Visual Preference Survey is an exercise in which participants are presented with a selection of images related to different categories, and they are asked to vote for the best and the worst images in each category.

At the Zebulon Public Workshop, participants were asked to vote for images in 3 categories - Buildings, Streets, and Public Spaces. This Visual Preference Survey was not intended to be a scientific survey used to identify specific ordinance language for the UDO. Instead, this Visual Preference Survey simply offers a glimpse into the general preferences, expectations, and concerns of Zebulon's citizens. The results of the survey are summarized below and depicted on the following pages. The images are accompanied by any comments from survey participants that indicate why each image is desirable or undesirable.

- **Buildings:** Participants in the survey generally preferred building types in one of two categories - a small-town main street building type and a rural farmhouse. These two types are very different, yet each has a historical basis in Zebulon.
 - » The small-town main street building with its generous windows, awnings, storefront entrances, and consistent building frontage set close to the sidewalk, is consistent with the buildings along Arendell Avenue in Downtown Zebulon.
 - » The rural farmhouse building type, with its large amounts of preserved open space and traditional agricultural use has been a predominant development type in the Zebulon area since the town was founded.
 - » Commercial strip malls and shopping centers with large parking areas were the least preferred building type. These types of conventional suburban buildings occur at density between the downtown building type, and the rural farmhouse building type. As such, conventional suburban development accomplishes neither a walkable development goal nor an agriculture/preservation goal. (See Section 6.4 of this report.) In general, participants indicated a distaste for these

development types that they referred to as “car-centric development.”

- **Streets:** The results of the streets survey indicated a preference for street types that provide a variety of ways to get around. These Complete Streets accommodate pedestrians, cyclists, and outdoor dining, in addition to vehicular traffic. (See Section 6.1 of this report.) “Bike lanes” and “generous sidewalks” were specifically cited as desirable elements of the streetscape. Streets that are only designed to accommodate vehicular traffic were indicated as the most undesirable. In fact, an image of West Gannon Avenue - a street section without sidewalks, bike lanes, street trees, or fronting buildings - was among the most undesirable images.
- **Public Spaces:** The results of the public spaces survey were not as clear than the other two. The spaces indicated as most desirable vary in character from a natural wooded greenway, to cafe seating along a main street, to large gathering spaces for festivals or other events. This would seem to indicate a desire for a variety of different public space types in different contexts, something that the current Zoning Code fails to acknowledge. The public spaces that were indicated as undesirable were criticized for being too small to accomplish their intended purpose.

In general, the Visual Preference Survey results largely validated the themes identified during the rest of the stakeholder interviews. Participants were most concerned with maintaining the small-town character of Zebulon by building on the historical traditions of the community (e.g., building and street types that are oriented toward the pedestrian) and avoiding the mistakes of the recent past (e.g., sprawling, auto-oriented corridors of commercial strip malls and parking lots).

The remainder of this Diagnostic Report offers specific recommendations for accomplishing these goals in the new UDO and ensuring that the town's regulations are specifically aligned with its the vision described in its adopted plans.

BUILDINGS (VISUAL PREFERENCE SURVEY)

Desirable



"Good scale of design." "Build-to lines preferable to setbacks."

Undesirable



"No aesthetic appeal." "Clearly designed for car-centric development."



"Good look for mixed-use."



STREETS (VISUAL PREFERENCE SURVEY)

Desirable



"Bike lanes."



"Generous sidewalks." "Looks safe."



Note - image depicts Arendell Ave. in Downtown Zebulon

Undesirable



"No attention to aesthetics." "Major barrier to pedestrians." "Almost entirely designed for personal vehicles."



"Looks like a park across from industrial."



Note - image depicts West Gannon Ave. in Zebulon

PUBLIC SPACES (VISUAL PREFERENCE SURVEY)

Desirable



Undesirable



"Too crowded with equipment."



"Missing something." "Too small." "Looks like an afterthought."



"Not enough enclosure."



GOAL: Unify Zebulon’s various development regulations into a single consolidated document that is easy to understand, administer, and maintain.

2.1 WHAT IS A UDO & HOW CAN IT HELP?

Municipalities in North Carolina are granted authority from the State through enabling legislation in the North Carolina General Statutes (NCGS). Chapter 160A of the NCGS authorizes municipalities to create zoning and subdivision regulations along with a host of other regulatory privileges. Municipalities across North Carolina have chosen to express that authority in a wide variety of ways. As a result, there is no one standard format for the various development ordinances employed across the state, or for that matter, the country.

Zebulon, like many other municipalities, has established multiple chapters and sections within its Code of Ordinances that deal with various planning and development issues independently. Because different types of planning and development controls have been authorized by the State through separate legislative actions, places like Zebulon have historically adopted independent ordinances (or chapters within a larger Code of Ordinances) to address them. The result is a Code of Ordinances with little to no integration of related land development regulations. Instead various development regulations are codified among independent silos of specialization. Differences in terminology, procedures, and standards make it difficult to navigate and administer these codes, and substantial inconsistencies can confuse and frustrate the development process.

In addition, much of the ordinance language that Zebulon has adopted through the years is based upon “model ordinances” developed by State and Federal agencies. These ordinances were written for generic communities in response to broad changes in national or statewide policies, some occurring many decades ago. In fact, Zebulon’s land development regulations are primarily based on a zoning model that was developed in the early 20th century. This 90-year-old model is not calibrated to the unique context of Zebulon, nor does it account for the substantial progress made by cities and towns over the past century in implementing more effective zoning tools.

What a UDO <i>will</i> do...	What a UDO <i>won't</i> do...
Regulate new/proposed development and the redevelopment of existing properties	Change existing properties
Update, combine and, condense the town's various development regulations into one manageable and comprehensive document	Integrate all of the town's ordinances and administrative procedures
Clarify the development review process	Expand enforcement in dealing with nuisance and property maintenance issues
Provide the town with the necessary tools to guide and manage growth over the long term	Commit the town to capital improvement projects that will make dramatic improvements to the town's infrastructure and neighborhoods in the short-term
Encourage a built environment that is more walkable, human-scaled, and compatible with the vision established in the Zebulon Comprehensive Plan	Continue the pattern of sprawling suburban development that is moving outward from the Raleigh metropolitan region

An ideal approach for addressing these issues is to update and integrate all the various development regulations under a single cover through a Unified Development Ordinance (UDO). When used to its fullest extent, a UDO includes all of the development regulations under local control within a single integrated document, eliminating inconsistent and redundant language. Individual topic areas may be segregated by chapter, but their processes, terminology, and definitions are otherwise standardized.

Building codes, fire codes, minimum housing codes, nuisance abatement, construction specifications, application forms, and fee schedules are typically left out of a standard UDO. Instead, a UDO addresses all the development processes and regulations that are administered by the Planning Department, the primary elected body, and its appointed boards (e.g., Planning Board and Historic Review Board).

► **Action Item:** Use a Unified Development Ordinance approach in the comprehensive update of the town's various land development regulations.

2.2 DOCUMENT ORGANIZATION

The user-friendliness or readability of a zoning code is often perceived to be a function of the document's length. The town's current development regulations span about 200 pages in the Code of Ordinances. While that may seem like a cumbersome amount of

regulatory language, it is actually much more concise than many of the development codes for similar municipalities around the state.

Eliminating redundant and unnecessary language will still be a key objective of the UDO project, but reducing the length of the ordinance should not be the primary goal in and of itself. The UDO must be equipped with the details needed to answer the day-to-day questions that arise in administration and enforcement of the ordinance. The ordinance must be a robust legal document because it establishes the city's expectations for development and its legal authority to approve, deny, or attach conditions to development. Simply put, development expectations that are not included in the ordinance are not enforceable.

So instead of trimming administrative detail that is needed to properly apply the ordinance, the UDO should be more user-friendly and accessible by applying logical organization and good technical writing principles. In fact, the page layout, format, and organization of a code document has just as much, if not more, to do with the user-friendliness of a document as its overall length.

Regulatory Hierarchy

Perhaps the biggest impediment to the readability of Zebulon's current development regulations is the lack of a clear regulatory hierarchy. Intuitively, the most important information in a Zoning Code should be

the easiest to find. That is not the case in Zebulon's Zoning Code, as the zoning districts and dimensional regulations are buried in the middle of the code, behind 50+ pages of administrative minutiae. Again, not that the administrative details are unimportant, they are simply misplaced at the front of the code.

The structure of the UDO should follow a logical hierarchy and prioritization. Important and often used sections such as districts, uses and dimensions, and design standards, should be prominently located at the beginning of the document and easy to find. More mundane sections such as definitions, enforcement, and administration can be placed toward the end of the document. The annotated outline in Appendix A of this report provides a more substantial summary of the proposed table of contents for the UDO.

-
- ▶ **Action Item:** Reorganize the ordinance to consolidate the most important and frequently used information at the front.
-

Numbering System

Even a thoughtfully organized code document can seem inaccessible and difficult to follow if the numbering system it uses to reference each code section is awkward and inconsistent. This is sometimes the case with Zebulon's current Code of Ordinances.

For example, the Zoning Code sometimes uses three-number suffixes (e.g., §152.146) and sometimes it uses four-number suffixes (e.g., §152.1463), but there doesn't appear to be a clear differentiation or hierarchy between the two conventions. Further, the ordering of every section of the Zoning Code in relation to Chapter 152 of the Municipal Code is cumbersome and unnecessary. The first reference in a UDO numbering system should be to the chapter in which that code section or paragraph appears, not the UDO itself. It can be assumed that the reader knows he/she is looking at the UDO, or if that is somehow not the case, the document footer will provide that information.

-
- ▶ **Action Item:** Change the numbering system to a "Chapter-Section-Subsection-Paragraph-Number" format (e.g., 4.5.3.B.1).
-

Definitions

One of the clearest examples of awkward document organization is the presence of multiple sets of definitions within the current Zoning Code. The Zoning Code includes 8 different sets of definitions. They are established in the following sections.

- §152.016 – Definitions (General Provisions)
- §152.139 – Conservation Subdivisions
- §152.1463 – Open Air Sales
- §152.147 – Floodways and Floodplains
- §152.162 – Density and Dimensional Regulations
- §152.194 – Transportation Impact Analysis
- §152.255 – Definitions (Signs)
- §152.301 – Definitions (Landscape Regulations)

Many of the definitions within these sections are mutually exclusive, but many are not and contain inconsistencies that could lead to confusion in the interpretation of the ordinance.

Definitions are a foundational element of any regulatory document. Any inconsistency or lack of clarity within definitions obscures the regulatory intent of the ordinance. Staff and boards rely upon an understanding of the code's regulatory intent to administer the ordinance, and developers rely upon it to apply the ordinance to their work. Clear definitions are critical to ensure different people interpret an ordinance in the same manner. Consolidating all of the definitions related to land development within one chapter of the UDO will create a standardized language for the ordinance that will make it much easier to read and apply.

-
- ▶ **Action Item:** Centralize and consolidate definitions into one location.
-

TYPICAL FORMAT FOR A "READABLE" CODE

a PROMINENT CHAPTER & SECTION REFERENCE

b PROMINENT SECTION HEADER

c MARGINS & INDENTS FOR READABILITY

d BOLD REGULATION DESCRIPTION FOR EASE IN LOCATING

e USE OF TABLES TO CONDENSE NARRATIVE

f CONSISTENT NUMBERING & IDENTIFICATION

g GRAPHICS & ILLUSTRATIONS

h DOCUMENT TITLE

i REVISION OR ADOPTION DATE

j PAGE NUMBER

a GENERAL PROVISIONS FOR ALL DISTRICTS
4.5 ACCESSORY USES AND STRUCTURES 4

b 4.5 ACCESSORY USES AND STRUCTURES

The purpose of this section is to establish standards for accessory uses and structures in the City of Wilson's land use jurisdiction. Except as provided elsewhere in this chapter, it shall be unlawful for any person to erect, construct, enlarge, move or replace any accessory use or structure without first obtaining a Certificate of Zoning Compliance from the Administrator.

c 4.5.1 GENERAL

A. Accessory uses and structures may only be used for purposes permitted in the district in which they are located.

B. Not for Dwelling Purposes: Accessory structures shall not be used for dwelling purposes except as approved Accessory **d** Dwelling Units (see Section 3.2.1).

C. Building Permits May Be Required: Depending on the size of the structure and the incorporation of various improvements (e.g., electrical, plumbing), a building permit may also be required.

4.5.2 LOCATION, MAXIMUM NUMBER AND MAXIMUM AREA

Standards	Single-Family/Two-Family Lots – 2 Acres or Less	All Other Uses and Lots Larger than 2 Acres
1. Permitted Location	Side/rear yard only	Permitted in all yards – may not be closer than 30 ft to right-of-way
2. Maximum Number Permitted	2	No maximum

e

4.5.3 INTERPRETATION OF DIMENSIONAL STANDARDS

A. Yard Requirements

f 1. **General:** A building, structure or lot shall not be developed, used or occupied unless it meets the minimum yard requirements for the district, and any applicable overlay district, in which it is located.

2. **Calculating Yards:** The minimum yard is the area defined by measuring perpendicularly from, and along the entire boundary of, the lot line (property line) to the building line as shown in the diagram below:

g

B. Irregular Lot Setbacks

1. **General:** The location of required front, side and rear yards (or setbacks) on irregularly shaped lots shall be determined by the Administrator. The determination will be based on the intent and purpose of this ordinance to achieve an appropriate spacing and location of buildings and buildings on

h UNIFIED DEVELOPMENT ORDINANCE

i Adoption Draft – 11.06.12

j 4-3

The graphic on this page represents the use of contemporary page layout and design elements to improve readability and usability. Sophisticated page layout programs, such as Adobe InDesign, can radically improve document layout, text flow, graphic placement, and navigation for easy publishing to the web.

2.3 PAGE LAYOUT & OVERALL FORMAT

Once an intuitive regulatory hierarchy and numbering system is in place, the page layout and format of the ordinance should be revised so that the specific standards are communicated more effectively. A monotonous text layout immediately discourages the user, and ultimately, impedes the effectiveness on the document. Zebulon’s Code of Ordinances suffers from a lack of visual clarity. The intended hierarchy of the code language is obscured by the absence of effective of indents, margins, and paragraph spacing.

The graphic on the opposite page illustrates the use of contemporary page layout and design elements to improve readability and usability of code documents. Improving the “visual readability” of the document will help the UDO to be more accessible and user-friendly to a wide variety of audiences.

- ▶ **Action Item:** Create a standard layout for the UDO that utilizes contemporary best practices for publishing, is easy to navigate, and is accessible to a variety of user groups.

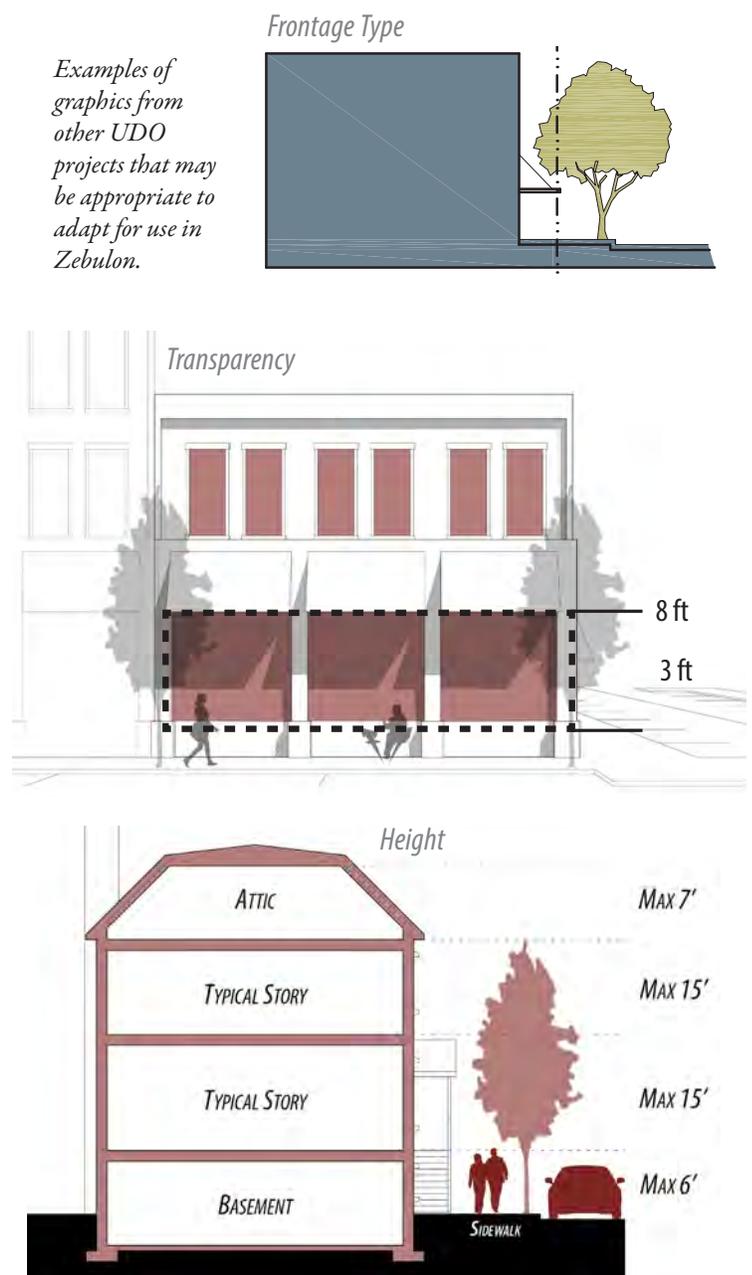
2.4 USE OF TABLES & GRAPHICS

Verbose “legalese” and lengthy sections of uninterrupted text are hallmarks of typical zoning codes. Unfortunately Zebulon’s Code of Ordinances closely fits this description. The Zoning Code in particular is full of lengthy sections of code that could be much more effectively communicated in consolidated tables and/or concise illustrations. In many cases the narrative of the Code of Ordinances can be reduced to bulleted lists that are ordinarily codified and/or incorporated into condensed tables that communicate regulations at a glance.

Similarly, the use of graphics can be a quick and effective way to clarify specific regulations. When used properly, tables and graphics are able to communicate information without eliminating the regulatory details needed to support desirable development outcomes and answer day-to-day questions that arise in the enforcement of the ordinance. Using graphics to illustrate code standards also provides the simultaneous benefits of a clearer explanation of regulatory intent and an example of the application of regulations to a

typical context. This will be critical in the new UDO, as a greater emphasis on form-based regulations requires effective illustrations to explain design expectations.

- ▶ **Action Item:** Condense long portions of ordinance narrative into tables and charts that are easier to read and understand.
- ▶ **Action Item:** Use graphics to clarify specific regulatory language and intent.



2.5 ONGOING CODE MAINTENANCE & ACCESSIBILITY

Code Maintenance

Codes are never static documents. They are amended as necessary to reflect the expectations of the community and changes in the way we live and travel through our neighborhoods. As such, it is important that the new UDO is prepared in a manner that accommodates ongoing changes without a significant overhaul of the code format. There are several things that can be done in the preparation of the UDO that will allow the town to keep pace with any ongoing amendments and seamlessly integrate new language and graphics into the body of the code.

First and foremost, the town should consider utilizing advanced document editing software, like Adobe InDesign, to manage the UDO. Adobe InDesign is generally considered to be the industry standard for document layout and editing because it offers far more advanced and attractive document layout options.

Also, the use of “flowing” text and graphics in the UDO will allow new material to be added without the reorganization of entire sections of the code. When new material is added, flowing text boxes automatically move content across columns and/or across pages as necessary. Tables, charts and graphics can be anchored within flowing text boxes so that they are automatically realigned as well.

Finally, the incorporation of master pages and text styles will ensure that any new pages or code sections appear on a layout that is pre-formatted to be consistent with the rest of the document. This allows the addition of significant amounts of material without requiring manual formatting of new pages.

Simple training on basic document editing techniques will ensure that any staff member unfamiliar with flowing text, master pages, text styles, etc., develops the capacity to incorporate ongoing amendments in a relatively short amount of time.

-
- ▶ **Action Item:** Develop a template with “flowing” text and graphics, master pages, and text styles that allows Town Staff to seamlessly integrate ongoing amendments.
-

Accessibility

The use of Adobe InDesign will also allow the town to publish the updated Code of Ordinances in an interactive PDF format. PDF documents are a universal standard that can be viewed electronically on almost any computer, mobile device, and operating platform. They are self-indexing, in that they allow readers to search for specific terms throughout the document; they are easily navigable, by supporting quick bookmark functions to different sections within the code; and they are interactive, by providing the ability to link to web resources or companion ordinances that exist outside the document. This will dramatically improve the accessibility and usability of the ordinance by allowing readers to search for any topic or term within the document and instantly link to other regulatory documents, policies, guidelines, specifications or other resources that may inform a development application. Finally, the town uses the American Legal Publishing Corporation online platform to host its Code of Ordinances. An interactive PDF is easily converted for use on that platform.

-
- ▶ **Action Item:** Improve access to information online by creating searchable, interactive PDFs with linked resources.
-



GOAL: Ensure Zebulon’s development review process is clear and consistent, processes applications efficiently, and functions in accordance with current State statutes.

3.1 ROLES & RESPONSIBILITIES

Predictability

A primary goal of any development ordinance should be to establish standards and processes that lead to predictable development outcomes. When the administration of local development ordinances offers predictability,

- Neighbors are reassured because they have a clear expectation of what changes to expect in their growing community; and
- Developers are encouraged to invest because they have clear pathways to approval and an easier time estimating costs; and
- The municipality is bolstered by consistent, high-quality investments in its built environment.

Based on our stakeholder interviews, there appears to be some perception that the development review process is unpredictable and difficult for developers and business owners to navigate. Most of that perception seems to be based upon the manner in which the Code of Ordinances communicates the various processes, as opposed to the requirements and administration of the processes themselves. Language establishing the administration of the development review processes can be found in several sections throughout the Code of Ordinances. This makes it difficult to understand the timing of required approvals and doesn’t provide a clear picture of the typical development review process. In addition, the ordinance lacks a consolidated table of the various review processes and application requirements.

In general, the town’s staff, appointed boards, and Board of Commissioners seem to be doing a fine job administering the town’s development review process. As development pressure continues to increase however, the demands upon that process will increase as well. In order to manage greater development activity, the ordinance needs to offer a better enumeration of the expectations for development at the outset, both in terms of necessary approvals and the general schedule of development review.

EXISTING DEVELOPMENT ROLES & RESPONSIBILITIES TABLE

Permit /Review Process (Code of Ordinances Reference)	Process Type	Reviewing Entity	Public Notice	Decision-Making Authority	Appeals	Approval Period
General Use Permit (§152.036)	Administrative	Land Use Administrator	None	Land Use Administrator	Board of Adjustment	12 months
Special Use Permit (§152.038)	Quasi-Judicial	Planning Board, Planning Staff	Public Hearing	Board of Commissioners	Wake County Superior Court	12 months
Conditional Use Permit (§152.038)	Quasi-Judicial	Planning Board, Planning Staff	Public Hearing	Board of Commissioners	Wake County Superior Court	12 months
Mobile Home Park - Preliminary Plan (§152.050)	Quasi-Judicial	Planning Board, Planning Staff	Public Hearing	Board of Commissioners	Wake County Superior Court	12 months
Minor Subdivision (§152.055)	Administrative	Land Use Administrator	None	Land Use Administrator	Board of Adjustment	12 months
Major Subdivision - Preliminary Plat (§152.056)	Quasi-Judicial	Technical Review Committee, Planning Board	Public Hearing	Board of Commissioners	Wake County Superior Court	12 months
Major Subdivision - Final Plat (§152.056)	Administrative	Board of Commissioners	None	Board of Commissioners	Wake County Superior Court	12 months
Acceptance of Dedications (§152.059)	Legislative	Board of Commissioners	Public Hearing	Board of Commissioners	Wake County Superior Court	n/a
Vested Rights (§152.060)	Quasi-Judicial	Planning Board, Planning Staff	Public Hearing	Board of Commissioners	Wake County Superior Court	2 years
Appeal of Administrative Decision (§152.072)	Quasi-Judicial	Board of Adjustment	Public Hearing	Board of Adjustment	Wake County Superior Court	n/a
Variance (§152.073)	Quasi-Judicial	Board of Adjustment	Public Hearing	Board of Adjustment	Wake County Superior Court	Varies
Map Interpretations (§152.074)	Quasi-Judicial	Board of Adjustment	Public Hearing	Board of Adjustment	Wake County Superior Court	n/a
Watershed Development (§152.121(B))	Review conducted concurrently with applicable subdivision process as outlined in §152.055 and §152.056					
Watershed Development Variance (§152.121(B))	Quasi-Judicial	Planning Director	Public Hearing	Board of Adjustment, NCEMC*	Wake County Superior Court	6 months

* Review and approval by North Carolina Environmental Management Commission (NCEMC) required for Major Watershed Variances only

Ultimately, the best way to ensure that development is predictable and responsive to public concerns, is to make sure that the regulations of the UDO meet the specific intent of the Zebulon Comprehensive Plan. The Comprehensive Plan was informed by an extensive public involvement process, and the UDO should be prepared as the regulatory extension of that document. Developments that clearly support the goals and policies of the Comprehensive Plan should not be required to navigate unnecessary red tape. Such development should be permitted through administrative, by-right approvals to the extent possible.

Development Processes and Approval Entities

The current Code of Ordinances outlines 24 different development review processes and 12 different individuals/agencies/boards/commissions involved in the administration of those processes. The table above provides a summary of the current permit and approval processes mentioned in the Code of Ordinances.

Because these processes are outlined in various sections throughout the ordinance, there is no consistency in the information provided to establish each process and many of the processes are missing basic information (e.g., process type, public notification requirements,

Permit /Review Process (Code of Ordinances Reference)	Process Type	Reviewing Entity	Public Notice	Decision-Making Authority	Appeals	Approval Period
Planned Unit Development (\$152.137)	Quasi-Judicial	Planning Board, Planning Staff	Public Hearing	Board of Commissioners	Wake County Superior Court	12 months
Planned Residential Development (\$152.138)	Quasi-Judicial	Planning Board, Planning Staff	Public Hearing	Board of Commissioners	Wake County Superior Court	12 months
Conservation Subdivision (\$152.139)	Quasi-Judicial	Planning Board, Planning Staff	Public Hearing	Board of Commissioners	Wake County Superior Court	12 months
Planned Commercial Development (\$152.141)	Quasi-Judicial	Planning Board, Planning Staff	Public Hearing	Board of Commissioners	Wake County Superior Court	12 months
Floodplain Development Permit (\$152.149)	Administrative	Land Use Administrator	None	Land Use Administrator	Board of Adjustment	12 months
Floodplain Development Appeal/Variance (\$152.149)	Quasi-Judicial	Board of Adjustment	Public Hearing	Board of Adjustment	Wake County Superior Court	Varies
Sedimentation and Erosion Control Plan (\$152.249)	Administrative	Review process managed by Wake County Inspection Division (<i>The Wake County Soil Erosion and Sedimentation Control Ordinance is incorporated by reference within the Zebulon Code of Ordinances.</i>)				
Sign Permit (\$152.257)	Administrative	Land Use Administrator	None	Land Use Administrator	Board of Adjustment	12 months
Amendments (\$152.280-285)	Legislative	Planning Board, Planning Staff, Town Attorney	Public Hearing	Board of Commissioners	Wake County Superior Court	n/a
Certificate of Occupancy (multiple references)	Administrative	Review process managed by Wake County Inspection Division through an interlocal agreement				

TABLE NOTES

The current Code of Ordinances does not include a consolidated table of development processes. As such, this table has been assembled listing required development permits and approvals in the order they appear in the Code of Ordinances. The table illustrates the lack of organizational hierarchy in the current code in terms of establishing the different permit and process types. The table also illustrates (in red text) many instances where the Code of Ordinances provides vague or insufficient information to guide the review of each application/permit type. In such instances we have inferred the applicable information from similar processes within the Code of Ordinances and/or deferred to external sources.

standards for appeal, etc.). While some processes could be consolidated into a single permit/review type (e.g., Planned Unit Development, Planned Residential Development, and Planned Commercial Development), the Code of Ordinances also lacks some permit/review types that could be useful to the town in the future (e.g., Site Plan and Historic Preservation processes). The current Code of Ordinances also includes some procedural oddities that should be addressed in the new UDO (e.g., establishing Vested Rights through a quasi-judicial review and overly broad application of the Special Use Permit terminology).

The table on the following page identifies and categorizes the development processes recommended for use within the new UDO. The table also enumerates the roles and responsibilities of various development review bodies. The recommendations for specific changes to the town’s existing processes are discussed throughout the remainder of this chapter.

► **Action Item:** Simplify and reformulate the development review process as noted in the Recommended Development Roles and Responsibilities table.

RECOMMENDED DEVELOPMENT ROLES & RESPONSIBILITIES TABLE

Permit /Review Process	Process Type	Reviewing Entity	Public Notice	Decision-Making Authority	Appeals	Approval Period
ADMINISTRATIVE & USE PERMITS						
Development Permit	Administrative	Administrator	None	Administrator	Planning Board	12 months
Temporary Use Permit	Administrative	Administrator	None	Administrator	Planning Board	Varies by use
Special Use Permit	Quasi-Judicial	Administrator, Planning Board	Public Hearing	Board of Commissioners, OR Planning Board	Wake County Superior Court	Varies by use
Administrative Modifications	Administrative	Administrator	None	Administrator	Planning Board	n/a
ENVIRONMENTAL PROTECTION						
Watershed Development	Administrative	Administrator	Reviews conducted concurrently with applicable subdivision or site plan process			
Floodplain Development	Administrative	Administrator				
SITE PLANS						
Minor Site Plan	Administrative	Administrator	None	Administrator	Planning Board	2 years
Major Site Plan	Quasi-Judicial	Administrator	Public Hearing	Board of Commissioners	Wake County Superior Court	2 years
SUBDIVISIONS						
Minor Subdivision	Administrative	Administrator	None	Administrator	Planning Board	60 days to record
Major Subdivision - Preliminary Plat	Quasi-Judicial	Administrator	Public Hearing	Board of Commissioners	Wake County Superior Court	12 months
Major Subdivision - Final Plat	Administrative	Administrator	None	Administrator	Planning Board	60 days to record
HISTORIC PRESERVATION						
Designation of Historic Landmarks and Districts	Legislative	Historic Review Board	Public Hearing	Board of Commissioners	Wake County Superior Court	n/a
Certificate of Appropriateness (Minor)	Administrative	Administrator	None	Administrator	Historic Review Board	12 months
Certificate of Appropriateness (Major)	Quasi-Judicial	Administrator	Public Hearing	Historic Review Board	Planning Board	12 months
APPEALS & VARIANCES						
Appeal of Administrative Decision	Quasi-Judicial	Planning Board	Public Hearing	Planning Board	Wake County Superior Court	n/a
Variance	Quasi-Judicial	Planning Board	Public Hearing	Planning Board, NCEMC*	Wake County Superior Court	Varies
AMENDMENTS & LEGISLATIVE APPROVALS						
Amendments (Map & Text)	Legislative	Planning Board	Public Hearing	Board of Commissioners	Wake County Superior Court	n/a
Conditional District (including PUD)	Legislative	Planning Board	Public Hearing	Board of Commissioners	Wake County Superior Court	May be rescinded after 2 years
Vested Rights	Legislative	Planning Board	Public Hearing	Board of Commissioners	Wake County Superior Court	2 years

* Review and approval by North Carolina Environmental Management Commission (NCEMC) required for Major Watershed Variances only

Administrator Nomenclature

The current Code of Ordinances includes a variety of references to specific position titles or departments within the town. The term “Land Use Administrator” is used most often, although the terms “planning staff,” “Town Manager,” “Planning Director,” “Watershed Administrator,” “Floodplain Administrator,” and “Technical Review Committee” are also used to specify administrative review entities.

We recommend using a standard generic title across the entire ordinance such as “Administrator.” The Administrator should be established as the Town Manager or his/her designee. This permits the fluid assignment and reassignment of administrative responsibilities on an as-needed basis and leaves the ordinance nomenclature unaffected by inter-organizational changes.

-
- ▶ **Action Item:** Standardize Administrator nomenclature and responsibilities throughout the ordinance.
-

Board of Commissioners

Like many small towns, the Board of Commissioners in Zebulon has historically maintained a strong presence within the town’s development review process. The Commissioners rightly recognize that they have been elected to lead and that, especially in small towns, leadership means weighing in on development issues.

In the case of quasi-judicial hearings however, weighing in on development issues can present some unique challenges for elected bodies. The rigid quasi-judicial process, with its requirements for relevant testimony and narrow findings of fact, can seem awkward and overly rigid to elected boards. Elected boards are usually more comfortable with open discussions of the public interest, and, in some cases, have strayed from the procedural requirements of quasi-judicial hearings to carry out these processes in a more loose, legislative fashion.

Senate Bill 44, adopted by the General Assembly in their 2009 session may help to provide some clarity on this issue. First and foremost, it establishes that site plan and subdivision processes that are reviewed in a discretionary manner by appointed or elected boards

are declared to be quasi-judicial processes de facto. This legislation goes on to state that all procedures involving site plans are quasi-judicial in nature if

“...the ordinance authorizes a decision-making board to approve or deny the site plan based not only upon whether the application complies with specific requirements set forth in the ordinance, but also whether the application complies with one or more generally stated standards requiring a discretionary decision...”

Compliance with this statute does not imply a significant change for the Board of Commissioners. It simply means that the Commissioners must formalize their procedures for the acceptance and review of evidence and the delivery of decisions based on formal findings of fact. These findings of fact should be guided by basic building and site design principles established in the new UDO. It also means the Commissioners must be vigilant to avoid ex parte communication (conversations outside the formal hearing) regarding such applications.

This also suggests that the town’s current method of review for Special Use Permits involving subdivisions/ site plans should be amended. In accordance with State statutes, it is a generally recognized best practice that a single board should conduct the review and approval of discretionary subdivision & site plan applications as part of the same hearing. Currently the Planning Board reviews such applications and the Board of Commissioners acts on the application via the Special Use Permit process.

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- ▶ **Action Item:** Establish appropriate procedures to guide the Board of Commissioners when it acts in a quasi-judicial capacity within the development review process.
-

Planning Board / Board of Adjustment

Zebulon’s Planning Board functions as a purely advisory board with the primary role to review development applications before the Board of Commissioners. The Planning Board seems to be functioning without any real problem, although there is certainly an opportunity to grant the Planning Board approval authority over a limited number of applications. For example, the town may consider allowing the Planning Board to review and approve

Special Use Permit applications independent of a larger subdivision or site plan review. This small change has the potential to reduce the number of development processes that end up with the Board of Commissioners, without sacrificing the Commissioners' control of major development applications.

Perhaps the most pressing issue facing the Planning Board is the difficulty it has sometimes experienced establishing a quorum. The current Code of Ordinances establishes the Planning Board as a 9-member body, requiring the presence of a 5-member quorum to conduct business. While that doesn't seem like a significant burden, in a town the size of Zebulon, it can be difficult to find a group of qualified individuals that can regularly commit to Planning Board participation. Without a quorum, the development review process can come to a frustrating bottleneck at the Planning Board. The State statutes stipulate a minimum of 3 members on Planning Boards (NCGS 160A-361(b)). We recommend reducing the Planning Board membership in Zebulon to 7 people.

Generally speaking, boards with more than 5 to 7 members tend to add unnecessary length to the development review process without providing additional value in terms of securing better development outcomes. In addition, to the extent possible the membership of appointed boards should reflect the expertise required to execute their responsibilities. In the case of the Planning Board, it would be ideal for a majority of the members to have specific expertise in fields such as architecture, landscape architecture, urban planning, etc. The greater the number of members on appointed boards, the greater the challenge becomes to find the necessary number of members with the unique combination of time and expertise to serve on such boards.

Finally, the Planning Board and Board of Adjustment should be consolidated. In Zebulon, the Board of Adjustment appears to be the least utilized board in the development process. Staff indicated that the Board of Adjustment hasn't met in over 2 years. Given such low frequency of meetings, a number of similarly sized communities have moved to a consolidated Planning Board/Board of Adjustment to reduce the number of review bodies and their associated training requirements. Mechanically, the two boards could still

exist as separate boards with identical membership and meeting times.

► **Action Item:** Consider granting the Planning Board approval authority over Special Use Permit applications independent of subdivision/site plan approvals.

► **Action Item:** Reduce the number of Planning Board members to 7 so it's easier appoint qualified members and establish a quorum.

► **Action Item:** Combine the Planning Board and Board of Adjustment.

Historic Review Board

Zebulon does not have a local historic district. There has been some limited interest in the recent past for establishing local historic districts and landmarks, but to this point the town has not pursued that as a regulatory tool. In the event that the town decides to adopt a local historic district and design guidelines, the UDO should be prepared to accommodate that decision by enumerating historic review processes that comply with State statutes. The UDO should also include language that the town can use to establish a Historic Review Board to manage those processes.

► **Action Item:** Establish processes to govern future historic districts and properties.



The UDO should include processes and provisions that the town can use to protect certain historic resources if it chooses to do so in the future.

3.2 CLARIFY & STREAMLINE THE PROCESS

Consolidate the Process & Administration Section

Chapter 31 and Chapter 152, Article II in the current Code of Ordinances are largely redundant and should be combined within a single chapter or section that describes the roles and responsibilities of the various bodies involved in the development review process.

In addition, there is no consistency in the manner that the various development review processes are established. A consolidated Process and Administration chapter would allow for a much more clear and concise communication of the town's various development review procedures.

-
- ▶ **Action Item:** Combine Chapter 31 and Chapter 152, Article II into one comprehensive Process & Administration chapter.
-
- ▶ **Action Item:** Utilize a consistent hierarchy to establish the town's various development review procedures.
-

Development Permits

The terms “General Use Permit,” “Zoning Permit,” and “Development Permit” appear to be used interchangeably in different locations throughout the Code of Ordinances, creating some undue confusion. To the extent possible, administrative approvals should be consolidated under a single term and process. “Development Permit” seems to make the most sense as a descriptive term for this process that will serve as a final check by the Administrator for compliance with the UDO.

-
- ▶ **Action Item:** Use a consistent term to describe final administrative approvals
-

Special Use Permits

The term “Special Use Permit” is used broadly in the current Code of Ordinances to describe a number of approvals processed by the Board of Commissioners. The Special Use Permit process is used for the approval of the following applications:

- Special Use Permits,
- Mobile Home Park – Preliminary Plan,
- Major Subdivision – Preliminary Plat,
- Vested Rights,
- Planned Unit Developments,
- Planned Residential Developments,
- Conservation Subdivisions, and
- Planned Commercial Developments.

In most communities, the term “Special Use Permit” applies only to change of use approvals or concurrent/preliminary reviews for certain subdivision and site plan applications. In other words, the term “Special Use Permit” relates specifically to the use(s) proposed by an application, not the entire application.

In Zebulon, the Special Use Permit process is applied much more broadly to nearly all quasi-judicial hearings, leading to confusion about the specific type of application involved. Some simple changes, including the establishment of a separate Site Plan process (see below), would help to alleviate this confusion and clarify the development review process.

-
- ▶ **Action Item:** Use specific language to delineate different quasi-judicial processes instead of broadly applying the term Special Use Permit.
-

Site Plan Process

It is not immediately clear from the Code of Ordinances how development applications that do not involve subdivisions are reviewed and approved. This is partially due to the lack of a development review flowchart and partially due to the overly broad application of the Special Use Permit and General Use Permit processes (discussed previously).

In order to establish a more coherent development review process, many municipalities utilize a separate Site Plan process to manage applications that do not involve the subdivision of property. Within this process, Special Use Permits and other approvals may be reviewed concurrently. This minor change to the nomenclature used to establish Zebulon's development review procedures will have little effect on the town's current operations, but will offer a much clearer explanation of the appropriate pathway for different development applications.

As mentioned previously, in some cases the imposition of the formal quasi-judicial process may be unwarranted for some site plan applications. As such, Minor (administrative) and Major (quasi-judicial) Site Plan processes should be established in order to tailor the necessary level of review to expected impact of the proposal. The town already uses this approach for the approval of Minor and Major Subdivisions.

Specific development thresholds should be set that differentiate Minor and Major Site Plan processes and allow the Board of Commissioners to maintain control over more significant applications. In Wake Forest, NC, for example, developments that include 100 or more residential units and/or require an Enhanced Transportation Impact Analysis must go through the Major Site Plan process. Developments below these thresholds may be processed administratively via the Minor Site Plan process. Other common criteria for procedural thresholds include gross square footage, building/development types, transportation impacts, and underlying district designation.

-
- ▶ **Action Item:** Establish Minor and Major Site Plan processes for applications that do not involve the subdivision of property, and provide an appropriate level of review for each.
-

Vested Rights

Zebulon's current Code of Ordinances establishes Vested Rights through the quasi-judicial Special Use Permit process (Zebulon Code of Ordinances §152.061(A)). Although the North Carolina General Statutes do not specifically state what approval process should be used to establish a vested right, most municipalities employ a legislative approval process because of the flexibility legislative processes allow in conducting open discussions of the public interest. Quasi-judicial processes are limited to narrow public input through sworn testimony, and as such, do not seem to be the best method to achieve the intent of the vested right process as described below.

“There will be ample opportunities for public participation and the public interest will be served. These provisions will strike an appropriate balance between private expectations and the public interest, while scrupulously protecting the public health, safety, and welfare.” NCGS 160A-385.1(a)

Legislative processes offer greater opportunity for public participation, and the town should consider conducting its vested right approvals in an open legislative hearing.

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- ▶ **Action Item:** Conduct vested rights approvals as a legislative process.
-

Development Review Flowchart(s)

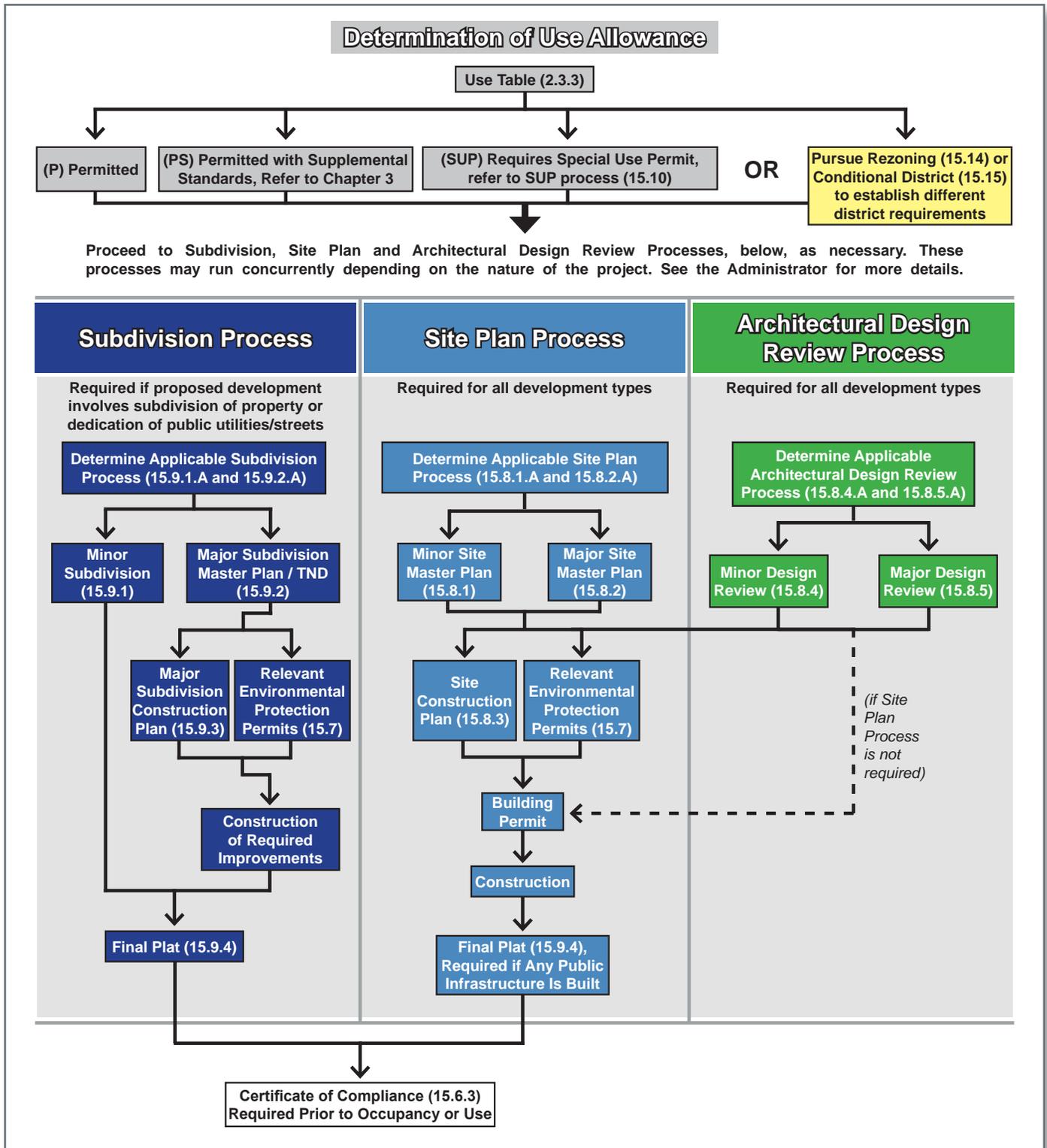
In addition to the table of development roles and responsibilities recommended in Section 3.1 of this report, a simple flowchart of the typical development review process would help to clarify expectations for users of the ordinance. The current Code of Ordinances does not include any flowcharts or other graphic/table to illustrate how the required permits/approvals relate to each other and when they are intended to occur. The flowchart on the opposite page offers a basic example of a graphic that helps provide clarity for the entire development review process. Such a flowchart should include references to the procedural regulations that correspond to each step. This could also be a useful tool to illustrate how development approvals are coordinated with building permits, certificates of occupancy, and other review processes managed by Wake County.

-
- ▶ **Action Item:** Utilize a flowchart(s) to illustrate the town's typical development review process as it relates to different types of applications and approvals from outside entities.
-

3.3 PLAN SUBMITTAL REQUIREMENTS

Zebulon's Code of Ordinances includes several sections that detail specific application requirements. By and large these requirements are appropriately tailored the necessary level of detail for each permit/review process, although they should be consolidated in a single location.

The most appropriate place for detailed submittal requirements is within straightforward checklists that are maintained independently of the ordinance. Removing the development submittal requirements from the UDO will give Town Staff the flexibility to change the requirements fluidly in response to changes in technology, the availability of data and the manner in which the town conducts its reviews.



The graphic on this page is a “Typical Development Review Process Chart” prepared for the Town of Wake Forest, NC. It is used to illustrate the process that most projects in Wake Forest are expected to follow. While the flowchart isn’t inclusive of all the application/approval processes that may be required in every instance, it provides a clear starting point for applicants, illustrating how required approvals relate to each other and what prerequisite approvals are necessary for most permit types.

Because the submittal requirements are currently included in the Code of Ordinances, any change, no matter how trivial, requires legislative approval as a text amendment to the ordinance. This level of oversight is unnecessary. As an example, Board of Commissioners approval should not be required to change the scale of a required vicinity map. Instead, a summary of the basic application materials should be included in the UDO, while the detailed checklists are maintained independently by the Administrator.

► **Action Item:** Set apart plan submittal requirements as a standalone appendix to the Code of Ordinances that may be edited without legislative approval.

3.4 CONDITIONAL DISTRICTS

Conditional Districts are a legislative rezoning tool upheld first by the state courts, and then codified into state law under the general zoning authority granted to cities in NCGS 160A-382(b). The Conditional District process permits a site-specific development plan, along with any other voluntary conditions, to be submitted with a rezoning application. Application for both the rezoning and the site plan run concurrently and can be adopted with one motion by the legislative body.

This process is perhaps one of the most flexible zoning tools available to North Carolina local governments. Conditional Districts often have fairly broad underpinnings to their structure but largely draw from a base district, often a mixed-use district, as their foundation. Other municipalities use the Conditional District process as a “catch-all” district, giving the applicant the flexibility to construct their specific standards, densities and use provisions.

Zebulon’s current Code of Ordinances establishes three process which are intended to offer regulatory

flexibility similar to the Conditional District process - Planned Unit Developments, Planned Residential Developments, and Planned Commercial Developments. These processes, which are largely redundant, are based upon the quasi-judicial Special Use Permit process. As such, they are narrowly constrained to relevant testimony and findings of fact.

By contrast, Conditional Districts allow regulatory flexibility by marrying a site plan and/or other development-related details to a legislative process. This encourages open conversation on the merits of the application and its impacts to the greater community. It also allows the community and the developer to negotiate toward a final proposal that is best for all parties. Neither the applicant, nor the governing body is bound by testimony and findings-of-fact to rule on a narrow interpretation of the ordinance.

Conditional Districts give the community a greater sense of predictability by illustrating the details of the proposal rather than just simply rezoning the parcel and relying upon the table of uses to guide future development decisions. In general, the focus is on demonstrating that the proposed development, although it does not strictly conform to the regulations of the base district, supports the vision of the community and will not have an adverse impact on its neighbors.

Zebulon should consider replacing its quasi-judicial Planned Development District tools with the legislative Conditional District process to allow this flexibility.

► **Action Item:** Implement a process for the adoption of Conditional Districts that provides greater regulatory flexibility.



GOAL: Eliminate unnecessary complexity within the current Code of Ordinances, calibrate Zebulon’s zoning districts to a range of desired development conditions, and encourage a diversity of uses.

4.1 ZONING DISTRICTS

Zebulon currently has 49 zoning districts - 21 base districts, 6 overlay districts, and 22 special use districts. 49 districts is a huge number of districts. For the sake of comparison, Wake Forest, NC, a town 7 times the size of Zebulon (33,000 people), has just 15 base districts. Davidson, NC, a town 2.5 times Zebulon’s size (11,500 people), has just 12 base districts and is likely to consolidate those even further in the coming months.

Of Zebulon’s 49 zoning districts, only 25 appear on the zoning map, which would seem to indicate that many of those 49 districts are unused and unnecessary. Even 25 districts however, is too many for a town of just 4,500 people and creates an unnecessary amount of complexity. The purpose of zoning districts is to establish a set of basic rules for the various development conditions within a municipality. A town the size Zebulon just doesn’t have 25 unique development conditions or place types – let alone 49.

The changes necessary to consolidate and clarify Zebulon’s existing districts, and to ensure that they reflect the goals of the Zebulon Comprehensive Plan, will be the most important changes in the new UDO. They are likely to result in the elimination of some districts, the creation of others, and inevitably, the rezoning of properties throughout town. But before we discuss recommendations for significant changes, it is necessary to share a brief word about the presentation of information related to the zoning districts.

Organization

The current Code of Ordinances buries the sections establishing Zebulon’s various zoning districts and their the associated density and dimensional regulations in the middle of the code. In addition, the language that establishes and describes the intent of the zoning districts is separated by several sections from the language that sets out the important density and dimensional standards for each district. This makes it difficult for casual users of the code to find even the most basic zoning information.

Important information, like district standards and use allowances, should be located toward the front of the UDO for easier reference. Further, the code section that establishes and describes the districts should also include the most important standards associated with each district.

► **Action Item:** Locate the dimensional regulations and other important district standards within the same code chapter that establishes and describes the districts.

Residential Districts

Zebulon’s residential districts offer a clear example of some unnecessary complexity in the Code of Ordinances. Zebulon uses 7 predominantly residential base districts, as follows:

- R-30
- R-20
- R-13
- R-10
- R-8
- RMF
- TR

The first five of those districts also have parallel mobile home districts (e.g., RMH-30, RMH-20, etc.). The Zoning Map also includes an eighth residential base district, R-40, although this district is not established in the Code of Ordinances and doesn’t appear to have any associated development standards.

In reality, most of these districts are very similar. The building setbacks (front, side and rear) vary only slightly, and the use allowances are nearly identical across all the districts except RMF and TR. In fact, minimum lot size is effectively the only distinguishing characteristic between most of these districts.

This zoning approach is historically very common, but has proven to be somewhat misguided as lot size is not necessarily a useful element to differentiate among different development conditions. For example, a neighborhood with lots that are 50 feet wide by 200 feet (~ 4 dua) deep will appear from the street to be more dense than a neighborhood with lots 80 feet by 100 feet (~ 5 dua), but in fact the opposite is true. In reality, characteristics such as lot width, setbacks,

massing, and frontage condition have much more to do with effectively differentiating districts than lot size.

Given the great similarity between many of Zebulon’s residential districts, and the sometimes inconsequential distinctions between minimum lot sizes, there are two major changes that should be made to these districts. First, a number of the districts are redundant and should be combined. In general, there is only a need to use 2 to 3 primarily residential districts for a community the size of Zebulon. Ideally, the remainder of the community should be allocated for mixed-use development, in accordance with the Comprehensive Plan.

The second major change is to regulate density within the residential districts by dwelling units per acre as opposed to lot size. That change will preserve the basic levels of density desired, while

- helping to eliminate “cookie cutter” subdivisions based solely on minimum lot size; and
- permitting a greater variety in lot sizes based on market conditions, house types, and topographic conditions; and
- allowing greater flexibility to cluster development areas and maintain more usable open space.

► **Action Item:** Consolidate the residential districts to eliminate redundancy.

► **Action Item:** Regulate density by dwelling units per acre as opposed to minimum lot size to permit greater flexibility.

Multifamily Housing

A greater variety of multifamily and housing types is a focus of the Zebulon Comprehensive Plan, but the community is concerned with the quality of new multifamily housing development, and for good reason. Unfortunately, Zebulon has many examples of poor quality multifamily housing developments throughout town. The recent Wakelon Townhomes development, however, provides reason for hope.

Zebulon recognizes the need to respond to changing market and demographic trends by encouraging a greater variety housing types, so the question is, “How can Zebulon ensure that multifamily and attached housing types are high-quality projects?”



Multi-family housing of varying qualities in Zebulon: Keystone Commons (top left), Wake Co. Housing Authority project (top right), Cambridge Dr. Apartments (bottom left), and Wakelon Townhomes (bottom right)

Much of the answer to that question is market-driven, but the new UDO can play a significant role in ensuring a consistency of quality among multifamily developments.

One important method for assuring multifamily housing quality is to establish some basic building and site design requirements. Strategies like locating parking behind buildings, prohibiting individual driveways on narrow lots, requiring connections to adjacent streets and properties, ensuring adequate sidewalks and landscaping, etc., are all very important. Most of these strategies are discussed at length elsewhere in this report.

For the purposes of the zoning districts, the most important recommendation is to allow a variety of housing types, by-right, in several different districts

so that multifamily developments are not isolated within separated development pods. Currently, the RMF district is the only location where multifamily housing is allowed by-right. Using an RMF district to accommodate apartment complexes is not an appropriate strategy. Isolated apartment complexes tend to exacerbate problems of housing quality. An integrated housing strategy that permits a variety of single-family and multifamily housing types will help to support greater housing choice and avoid concentrations of different housing types. In order to accomplish this, Zebulon’s districts must be adjusted to allow multifamily housing types, by-right, in more places.

► **Action Item:** Permit a variety of single-family and multifamily housing types in more zoning districts.

Commercial & Mixed-Use Districts

The Zebulon Comprehensive Plan sets the vision for the commercial and mixed-use districts in town by stating, “the goal of creating sustainable pedestrian environments should not only occur withing Downtown but should also be reflected throughout the town in new and redeveloping retail and commercial districts.” The Comprehensive Plan goes on to list a number characteristics that contribute to successful commercial and mixed-use districts, as follows:

- Creates a sense of place
- Pedestrian-oriented
- Provides for access by a variety of transportation modes - walking, bicycling, transit, and vehicles
- Attracts successive generations, adding age diversification
- Creates flexible commercial space
- Environmentally sensitive

Zebulon’s current commercial districts struggle to achieve many of these characteristics because the district standards encourage typical strip mall development that is oriented exclusively to access via an automobile. Clearly reform is needed.

One of the biggest problems in the current district structure is that residential uses are not permitted in most of the Business Districts. It is not enough for commercial districts to simply be near residential

districts. Unless people are within 1/4 mile, they are far more likely to get in their car instead of walk or bike to stores and services. This means that most of the town’s commercial area is a strictly automobile dependent environment. The town should consider permitting a wide array of uses and building types in current commercial-only districts and adopt design standards that govern and support mixed-use arrangements. (Also see 4.3 – Arrangement of Uses.)

► **Action Item:** Convert the existing commercial districts to mixed-use districts and permit more uses, by-right, pursuant to clear mixed-use design standards.

Big Box Development

Large-format national retailers, commonly referred to as “big box stores,” require special consideration within development ordinances. Big box stores can provide a lucrative source of sales tax dollars to the local community making them attractive, at least in economic terms. The problem is most big box stores provide this economic value without contributing any aesthetic, social or cultural value to the neighborhoods they are located in. Typical big box stores are located within buildings characterized by large blank walls. They fragment traditional urban structure; they are surrounded on all sides by acres of parking lots and loading areas; they degrade the environment; and they are typically abandoned within 20 to 30 years after



The Rosedale Commons development in Huntersville, NC illustrates several techniques that can be used to soften the impact of big box stores, including the use of perimeter buildings to screen parking areas and building frontages that are detailed to emphasize the pedestrian.

construction. In this format, big box stores are a hostile neighbor. They detract from the character of the public realm, cater only to automobile circulation, and contribute no lasting value to the community.

Perhaps the best answer to these problems is simply to make large-format retailers play by the same rules of good urban design as everybody else. The places that have had the most success accommodating big box uses are the places that have required large-format retailers to blend into a more typical neighborhood structure within the context of pedestrian-oriented neighborhoods. The Rosedale Commons development in Huntersville, NC (see images, below and opposite) provides an ideal example of a big box store that accomplishes this. The development accommodates two large-format grocers within the structure of a typical neighborhood street grid. The site is designed with parking on the interior of blocks to better define the streetscape environment. The buildings are detailed to create an effective transition to the residential uses adjacent to the development.

Design regulations that require this type of site layout and architectural detail should be incorporated into Zebulon's UDO. Big box stores should be required to break up their massing with appropriate architectural detailing. Retail, apartment and/or townhome liner buildings should be incorporated into a mixed-use site plan, wherever possible, to screen the big box store (see image, opposite). Customer entrances and outdoor dining should face an appropriately-detailed streetscape with a generous sidewalk and planting

strip. Finally, parking areas should be located behind the building(s) in order to continue a consistent pedestrian-oriented streetscape.

► **Action Item:** Establish standards to mitigate the impacts of large-format retailers.

4.2 PERMITTED USES

The Zebulon Code of Ordinances identifies 260 separate use types. The table necessary to establish the permissions for that many uses occupies 18 pages, and that does not account for the various definitions and supplemental standards needed to establish those uses. In fact, many of the uses are not defined at all. It is not surprising, given the sheer number of use types in the Code of Ordinances, that some of those definitions have gotten lost in the fray. For the sake of comparison, the UDOs in Wake Forest and Wilson have less than half the amount of uses of Zebulon. And in fact, it is not uncommon in contemporary ordinances for use tables to occupy just a single spread (2 pages) within a code document.

Within Zebulon's 260 use types, there are all kinds of unnecessary distinctions. For example, a "consignment shop", and "used clothing sales" are separate uses. An "upholstery shop" and "furniture reupholstering and repair" are separate uses. There doesn't appear to be any discernible difference between such use types, yet they are established as distinct uses with different allowances.

This big box development at the intersection of East Gannon Avenue and US 264 in Zebulon lacks the site and building design elements necessary to contribute social, cultural, or aesthetic value to the public realm.



Image Source : bing.com/maps/

WHAT IS MIXED-USE DEVELOPMENT?

Mixed-use development is simply development that accommodates a variety of uses within a close, walkable proximity. When this is accomplished within a single building, it is referred to as “vertical mixed-use.” When it is accomplished through multiple buildings within a compact development area, it is referred to as “horizontal mixed-use.” According to the Urban Land Institute ¹ mixed-use development is characterized by:

- Three or more significant revenue-producing, mutually supporting uses clustered together in order to maximize development potential and buildable land area;
- Significant physical and functional integration of project components (and thus a relatively close-knit and intensive use of land), including uninterrupted pedestrian connections; and
- Development in conformance with a coherent plan, which frequently stipulates the type and scale of uses, permitted densities, and related items.

1 Schwanke, Dean et al. (2003). “Mixed-Use Development Handbook, Second Edition.” Urban Land Institute.

WHY MIXED-USE DEVELOPMENT?

Increasingly, people prefer to live in mixed-use communities with a range of housing options, stores and businesses within walking distance. A recent survey ² conducted by the National Association of Realtors reveals this trend:

- 42% of people said there are too little shops or restaurants within an easy walk of their house.
- 48% of people would prefer to live in something other than a detached single family home on a large lot (e.g., small lot detached home, townhome, or apartment).
- 58% of people would prefer to live in an urban or suburban mixed-use communities over mostly residential communities.
- 60% of people would prefer to live in a neighborhood with a mix of houses, stores, and businesses that are easy to walk to, while only 35% prefer a neighborhood with houses only that requires driving to stores and businesses.

2 National Association of Realtors and American Strategies. (October 2013). “National Community Preference Survey.”



Examples of vertical mixed-use development: Birkdale Village in Huntersville, NC (left) Arendell Avenue in historic Downtown Zebulon (middle) and Southern Village in Chapel Hill, NC (right).

A diversity of uses located within a close, walkable proximity creates neighborhoods that are more active, vibrant, and responsive to household needs. People prefer to live in mixed-use communities.

These unnecessary distinctions add meaningless length and complexity to the Code of Ordinances and make it more difficult to understand and administer. Further, as uses evolve, no ordinance will ever be able to predict all of the uses that might be proposed. There are bound to be uses that do not easily fit into predetermined categories.

Given all of this, the town should take a different approach toward use regulations in the new UDO. First, the use table should be condensed to eliminate redundant and dated use types. Second, the UDO should broaden the authority granted to the Administrator to review and address unexpected uses in accordance with the most similar use identified in the use table. Finally, the UDO should utilize more form-based regulations to clarify expectations for development and avoid the problematic administration of use-based codes. This last recommendation is discussed at greater length later in this chapter (See “A New Paradigm for District Classification”) and in Chapter 5.

-
- ▶ **Action Item:** Combine similar uses to eliminate redundancy and simplify the use table.
-
- ▶ **Action Item:** Grant the Administrator authority to make determinations regarding unforeseen uses.
-

4.3 ARRANGEMENT OF USES

Mixed-Use Development

The arrangement of uses within a community determines how well neighborhoods and towns are able to accommodate household needs. Towns with ordinances that spread out different uses within separated development pods force their citizens to drive to accomplish daily tasks. Towns with ordinances that allow an active mix of uses provide their citizens with a variety of transportation choices for accomplishing daily tasks.

The Zebulon Comprehensive Plan clearly sets a vision for the community that is aligned with this latter, mixed-use approach. Chapter 9 of the Comprehensive Plan (Land Use & Overview) sets the following Action Item, “encourage mixed-use development within the

Town Core that provides residential units as well as compatible retail and commercial uses.” Similarly, Chapter 6 of the Comprehensive Plan (Housing & Neighborhoods) establishes this Action Item, “encourage mixed-use development of compatible uses such as residential and neighborhood retail.”

The practice of separating different land uses is based on the notion that different use types are inherently incompatible and should be spread apart using large setbacks and single-use development areas. This is a dated assumption, based upon the noxious and unhealthy effects of industries in the early 20th century (the time when our conventional zoning approach was developed). Commercial uses today are much different than they were in the 1910s-20s. It is perfectly appropriate, and in fact it is increasingly desirable among housing consumers, for residential uses to be integrated with stores, businesses, schools, churches, offices, etc. (See opposite page.) The Zebulon Comprehensive Plan recognizes this trend, and the new UDO should reflect that with regulations that to allow more flexibility and integration of different uses throughout town.

Mixed-use zoning has the simultaneous benefit of allowing property owners and developers more flexibility to respond to market conditions. In places where a wide variety of uses are allowed, it is much easier to adapt to convert an office building, for example, to apartments and retail. This encourages greater redevelopment and reinvestment instead of encouraging vacant buildings to remain that way. As a general rule of thumb, the closer together things are within the built environment, the more attention should be paid to making sure those things work well together. So allowing a fine-grained mix of uses within Zebulon should be accompanied by supplemental use standards and site/building design regulations that mitigate any potential negative impacts and ensure consistency and compatibility.

-
- ▶ **Action Item:** Remove unnecessary use restrictions to allow a vibrant mix of uses in more areas of town.
-
- ▶ **Action Item:** Adopt supplemental use standards and building/site design regulations that mitigate potential impacts and ensure compatibility among different uses in mixed-use neighborhoods.
-

Setbacks

The current minimum setbacks established in the Zebulon Code of Ordinances seem to be applied with little logic and are based more on historic precedent than current practice. Typical minimum front setbacks outside the Downtown Overlay District are in the 30- to 50-foot range. In fact, none of the base districts have a minimum front setback less than 20 feet. As a result, there is almost no opportunity for developers who seek to create more walkable, intimate streets with narrow setbacks.

This limited approach to setbacks undermines the town’s adopted Comprehensive Plan policies of providing “safe and attractive streets” and “improved streetscape design.” Expansive setbacks weaken the pedestrian environment by removing social activity and aesthetic appeal from the streetscape. Instead, pedestrian-friendly streetscapes utilize narrow front setbacks to create a feeling of enclosure and proximity to human activity that people desire for interest and a sense of security.

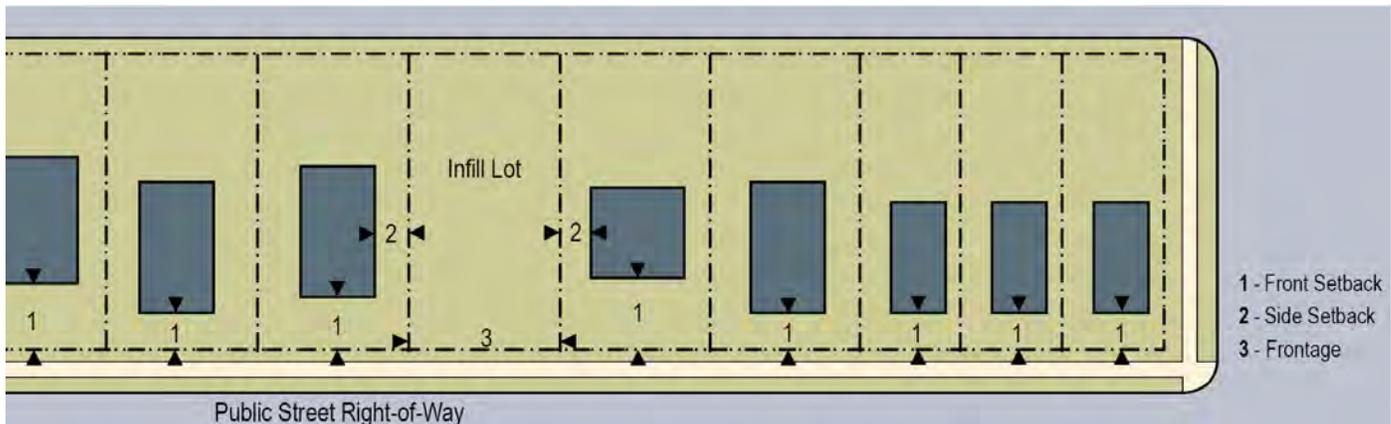
Large front yard setbacks also threaten the value and usability of the private realm. The front yard is the least used portion of a typical single family lot. (When was the last time you hosted a picnic in your front yard?) Mandating large front setbacks results in less private space in the rear of lots, where it’s actually used. In addition, broad setbacks limit flexibility for building and site layouts. In fact, deep front yard setbacks and shallow rear yards all but ensure the complete grading of an individual lot, particularly for subdivisions with

lots smaller than 1/4 acre in size, and result in less tree preservation on private properties.

In commercial districts, the combination of expansive front yard setbacks and inflated minimum parking requirements results in large parking lots along the street and environments that are totally unsuited for pedestrian use. The shopping centers along West Gannon Avenue provide an illustration of this unfortunate type of development that the new UDO should seek to avoid.

Finally, the rigid standards of the current ordinance do not permit any flexibility for infill lots in older neighborhoods. So often the regulatory focus of land development regulations is on new subdivisions in greenfield locations, without appropriate consideration given to encouraging and regulating infill development and redevelopment. Encouraging the revitalization of Downtown Zebulon and other older neighborhoods through infill development is a key focus of the Zebulon Comprehensive Plan. By allowing flexibility in setbacks and lot size, the new UDO can remove some obstacles from redevelopment projects. One of the more common techniques for accomplishing this is to allow the front setback for infill lots to deviate up to 10 feet from the average front setback on the same side of the block.

- ▶ **Action Item:** Reduce front and side setbacks in all districts, particularly in those intended to support a pedestrian-oriented character.
- ▶ **Action Item:** Allow flexibility in determining setbacks for infill lots.



Example of creating flexible setback standards for infill lots from the Town of Waynesville Land Development Standards (2010)

RURAL-URBAN TRANSECT



The Transect is a scaleable organizing tool that establishes a proper balance between urban and rural development.

4.4 A NEW APPROACH TO ZONING

The best way to address the issues of unnecessary complexity in the district and use standards, while simultaneously adopting better regulations for the design of streets and neighborhoods, is to take a new approach to zoning within certain parts of Zebulon.

As mentioned earlier in this report, Zebulon's current land development regulations are based upon decades old model language that was written to be broadly applied to communities across the state. In fact, that model language is derived from a zoning model that was developed in the early 20th century. This conventional zoning approach is based almost entirely on separation of land use and has been widely criticized and rejected by urban planners over the past several decades (see "Conventional Zoning" on the following page).

An alternative model to this approach uses form-based districts that focus primarily on the design of the streets and neighborhoods and the role of individual buildings in shaping the public realm (See "Form-

Based Zoning" on the following page). This approach is concerned primarily with how different places look and feel. It is focused on ensuring a logical gradation of urbanism in a community, from rural areas to town centers, through the use of an organizing structure called the "Rural-Urban Transect."

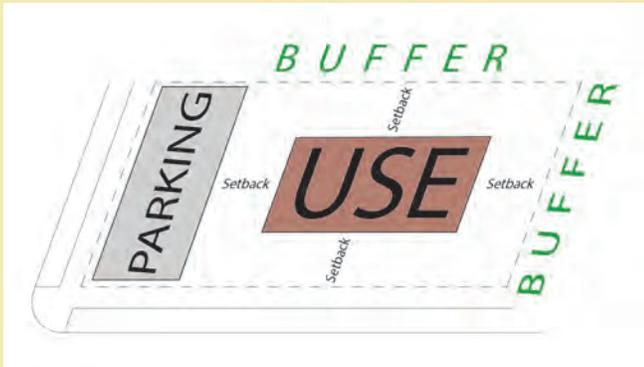
The Rural-Urban Transect, or just "Transect" for short, is simply a diagram that illustrates a continuum of development intensity and prescribing different building and site design requirements to districts depending upon their location within that continuum (See diagram, above). In simple terms, it orders design regulations so that we know that dense neighborhoods and tall buildings are more appropriate in town centers than rural areas.

This model of land development is based on precepts of human settlements that have worked successfully for thousands of years. In fact, the Transect has a historical basis in the growth of Zebulon as a small railroad town with a mixed-use main street and pedestrian-oriented neighborhoods. Back then, the concept of context-based land development was simply common sense.

CONVENTIONAL ZONING VS. FORM-BASED ZONING

Conventional Zoning

Conventional zoning approaches, like Zebulon's existing Zoning Code, focus primarily on the regulation of different use types within a municipality. Such codes are based on the dated assumption that different use types are incompatible and should be spread apart using large setbacks and single-use development areas. This creates sprawling cities and towns that require an automobile to get from place to place. As a result, conventional codes typically prescribe very high parking ratios and result in inefficient infrastructure networks. Over the past several decades, the conventional zoning model has proven unsustainable because of the wasteful development patterns it creates, the fiscal burden it implies, and the erosion of civic life it has caused in cities and towns across the country.

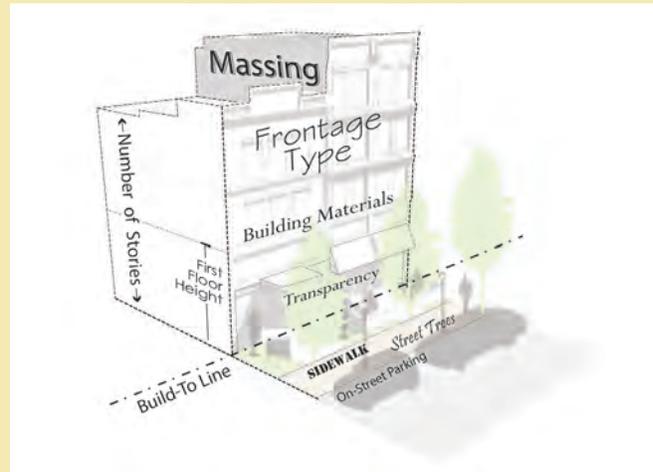


Typical Development Outcomes - Conventional Zoning



Form-Based Zoning

A form-based zoning approach focuses primarily on the design of the streets and neighborhoods and the role of individual buildings in shaping the public realm. This model is mostly concerned with the way that zoning districts look and feel. Because of this, form-based codes are more permissive in terms of use restrictions and parking requirements, but more restrictive in terms of building, frontage, and site design requirements. Over the past several decades, form-based zoning models have emerged as the best way to support vibrant, walkable, mixed-use neighborhoods and centers that emphasize the pedestrian over the automobile.



Typical Development Outcomes - Form-Based Zoning



WHAT IS A HYBRID ZONING APPROACH?

A hybrid zoning approach seeks to balance the conventional zoning model and the form-based zoning model by applying form-based zoning districts in some areas while maintaining conventional zoning districts in others. Areas that are auto-oriented and not expected to change significantly over the long-term, like single-family residential subdivisions on the far edge of town, are maintained under conventional zoning districts. This avoids the creation of needless nonconformities in areas that are unlikely to change.

Existing pedestrian-oriented neighborhoods like Downtown Zebulon, and areas that are expected to experience significant growth, are assigned form-based zoning districts. These districts include detailed provisions for the design of neighborhoods, density, height, street design, parks requirements, mix of uses, building design, parking, and other aspects of the human environment. This ensures that new development and redevelopment support more walkable and vibrant streets and neighborhoods.

Hybrid zoning models tend to be an ideal way to introduce form-based regulatory concepts within the context of a town-wide zoning update. Hybrid codes provide municipalities with form-based tools to apply on an as-needed basis, without encouraging major changes to existing suburban neighborhoods that may be reluctant to embrace a greater mix of uses. For this reason, a hybrid zoning approach tends to be the most politically feasible and non-threatening method for establishing form-based districts within developed areas. This report recommends the use of a hybrid zoning approach in the Zebulon UDO, with both conventional and form-based districts, in accordance with the Zoning District Conversion Table, on the following page.

Perhaps the most striking feature of the Transect as a form-based organizing tool is what it lacks. The Transect does not prescribe rigid use restrictions, relying instead on design regulations to ensure that the form of development is appropriate for its place within the community. This is the essence of form-based zoning, and it is an approach that should be applied to certain areas in Zebulon because it is the most effective way to implement the vision of the Zebulon Comprehensive Plan.

The best way to introduce form-based zoning districts within Zebulon is through a hybrid zoning approach that maintains conventional districts in some areas and applies form-based districts in others (See Hybrid Zoning, above). Many cities and towns across the state (including Raleigh, Wake Forest, Davidson, Wendell, Wilson, etc.) have used this hybrid approach with much success. The table on the following page illustrates how Zebulon's existing districts are recommended to be converted to this hybrid model.

Introducing form-based districts will also provide a framework for dealing with the large tracts of developable land around Zebulon. The town is currently considering options for the extension of utilities through the Beaverdam Creek Sewer

Interceptor project. That project has the potential to open 192 acres of land for development along US 264 and Old Bunn Road. Without establishing clear expectations for a range of development types, greenfield developments of this size tend to turn into sprawling single-use subdivisions.

Instead, the UDO should offer an alternative model that allows subdivisions over a certain size to establish a by-right differentiation of zones in order to create a mixed-use neighborhood center as the focal point of large new subdivisions. For example, the Town of Wake Forest, NC applies a by-right overlay district to any development site of 100 acres or more. That overlay district requires large subdivisions to allocate land area (by percentage) to sub-districts with varying development intensities in order to create neighborhoods with identifiable centers. Zebulon should consider adopting this model.

► **Action Item:** Utilize a hybrid zoning approach in the new UDO that establishes form-based districts as noted in the Zoning District Conversion table.

► **Action Item:** Include provisions that allow for a by-right differentiation of districts in order to create town centers in large subdivisions.

ZONING DISTRICT CONVERSION TABLE

Current District*	Recommended District	Zoning Approach	Description/Commentary
IH - Heavy Industrial	HI - Heavy Industrial	CONVENTIONAL	No major changes are proposed.
IL - Light Industrial	LI - Light Industrial		No major changes are proposed, except for a reduction in the minimum lot size and setbacks to encourage a greater diversity of uses.
HB - Highway Business	HMX - Highway Mixed-Use		This district is revised to include a greater emphasis on pedestrian accessibility and comfort, a more appropriate mix of uses, and greater height allowances to permit hotels and similar uses near the highway interchanges.
CASUD - Commercial Amusement Special Use District	RE - Regional Entertainment District		No major changes are proposed. This district will support the goals of the Commercial Amusement Special Use District within a base district established to accommodate regional event venues.
N/A	CS - Civic Space <i>(or OSP - Open Space & Parks)</i>		This district should be created for land protected in perpetuity as natural or recreational areas.
R-40 <i>(Note - mapped but not established in Code)</i>	SR2 - Suburban Residential (2 dua)		This district combines the lowest density residential districts into a single district with a minimum average lot size of 1/2 acre. This district is intended to accommodate existing suburban subdivisions. It is not intended to be applied to any new development areas within Zebulon.
R-30			
R-20			
R-13	SR4 - Suburban Residential (4 dua)		No major changes are proposed, except for a reduction in setbacks and regulating density by dwelling units per acre as opposed to minimum lot size.
R-10			
R-8	SR6 - Suburban Residential (6 dua)		No major changes are proposed, except for a reduction in setbacks and regulating density by dwelling units per acre as opposed to minimum lot size.
Various <i>(R-40, R-30, R-20, etc.)</i>	RA - Rural Agriculture	This district includes agricultural land and associated uses. The maximum density should be limited to .2 dua or lower to support a preservation goal.	
RMF	RMX - Residential Mixed-Use	FORM-BASED	Similar to the RMF district, this district will accommodate a variety of housing types in connected neighborhoods within walking or biking distance from mixed-use centers.
TR - Transitional Residential	NMX - Neighborhood Mixed-Use		This district combines the TR and GB districts to provide for pedestrian-scaled, mixed-use areas adjacent to the Town Center district. This will likely include lots fronting Arendell Avenue, between downtown and Highway 64, as well as other transitional areas.
GB - General Business			
CB - Central Business	TC - Town Center		This district combines the CB and Downtown Overlay districts to support pedestrian-scaled, vertical mixed-use development in the heart of Zebulon. The district will focus on encouraging appropriate infill projects, active ground floor uses, and vibrant streetscapes.
Downtown Overlay			
MA - Medical Arts	IC - Institutional Campus	No major changes proposed. This district accommodates healthcare and other institutional campuses.	
W - Watershed	WPO - Watershed Protection Overlay	OVERLAY	No major changes are proposed.
FFD - Floodway Fringe	FHO - Flood Hazard Overlay		No major changes are proposed, except for consolidation within a single overlay district (with subdistricts as necessary).
FWD - Floodway			
EOD - Entrance Overlay	None	N/A	This district is not currently used and should be eliminated in favor of design regulations that emphasize a high-quality streetscape in the Town Center District, and other districts as necessary.

* This table does not include the corresponding special use districts for each current base district. Instead, the table focuses only on the existing base districts and overlay districts that will be the most important references for the revised districts in the new UDO.



GOAL: Preserve the small-town character of Zebulon by implementing design standards that promote a high-quality pedestrian environment and the creation of places with lasting value.

5.1 PRESERVING SMALL-TOWN CHARACTER

While regional trends point to increasing growth pressure in Zebulon, a larger population base does not have to mean losing the small-town character that defines Zebulon. The town's classic main street (Arendell Avenue), historic neighborhoods, masonry architecture, and rustic farms are a few of the key elements that should be preserved as the town prepares to accommodate significant new development.

Large parking lots that dominate low-slung strip malls — the form that many more-recent developments have taken — detract from the town's charm and make it feel like every other suburban locale in the country. The best way for the town to prevent further proliferation of out-of-character suburban development is to set clear expectations for the design of new development. As discussed in the previous chapter, form-based districts are the first tool for creating small-town walkable neighborhoods. Building and site design standards add the next layer of expectations.

Good urban design is about the appropriate arrangement and detailing of buildings, streets, and public spaces to create places for people. Standards that specify building alignment, frontage types, materials usage, parking location, landscaping, park types, signage, and lighting, among others, establish the collective expectations for development that builds on the success of Zebulon's small-town character. In many cases, simple, low-cost design improvements will allow new buildings to meet such design standards.

Further, in order to preserve the small-town character of existing neighborhoods, like downtown, specific standards for infill development and redevelopment should ensure that new projects fit into the existing context by reflecting the character of nearby buildings and blocks.

- **Action Item:** Include subdivision, building, and site design requirements (e.g., parking location, frontage type, materials restrictions, street design, etc.) that reinforce the small-town character of Zebulon.

5.2 BUILDING DESIGN & FRONTAGE TYPES

The current Code of Ordinances provides architectural guidance in two places: 1) the Utilities section (§152.235) addresses building and roof color, use of glass in building entrances, and the location of shipping/receiving doors; and 2) the Downtown Overlay District (§152.1468) addresses awning and canopy design, boarded windows, and display windows. These guidelines take the first step toward assuring that private development contributes to an attractive public streetscape.

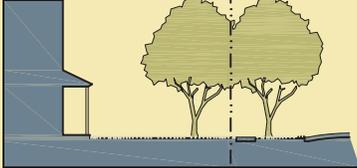
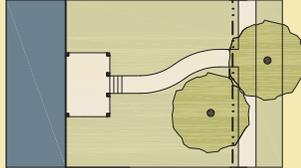
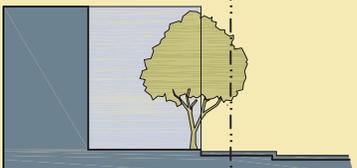
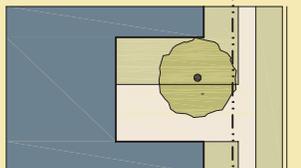
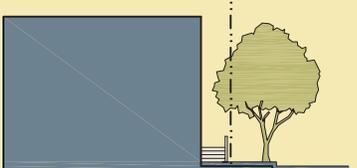
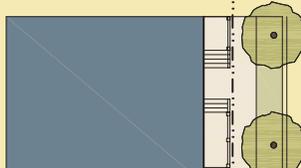
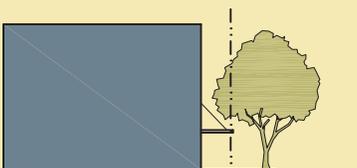
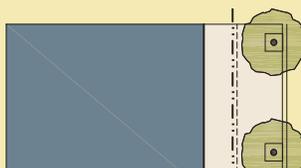
The next step is to provide additional guidance for building frontages that form the backdrop of walkable neighborhoods and mixed use centers (see inset at left). Frontage requirements establish the manner in which buildings engage the public realm. They are intended to ensure that this critical interface between public and private space is detailed appropriately. For example, minimum transparency requirements for display windows in shopfronts, raised stoops for residences to maintain privacy, and facade articulation requirements that prevent blank walls.

As noted in Chapter 3, the administration of design standards should be handled by staff as much as possible in order to create a fast, predictable review process. This means that building design requirements should be written as standards that can be clearly interpreted administratively rather than more subjective design guidelines that require a quasi-judicial process for enforcement.

► **Action Item:** Use frontage types and design guidelines to ensure buildings support a high-quality pedestrian environment.

► **Action Item:** To the extent possible, ensure that building and site design standards are clear and objective so that they can be enforced consistently.

FRONTAGE TYPE EXAMPLES

<p>Section View</p> 	<p>Plan View</p> 
<p><i>Common Yard: The facade is set back substantially from the frontage line creating a continuous front yard across the block.</i></p>	
	
<p><i>Forecourt: A portion of the facade is close to the frontage line and the central portion is set back for outdoor dining, vehicular drop-offs, etc..</i></p>	
	
<p><i>Stoop: The facade is aligned close to the frontage line with the first story elevated from the sidewalk for privacy and accessed via an exterior stair</i></p>	
	
<p><i>Shopfront: The facade is aligned close to the frontage line with a high percentage of glazing and a building entrance at the sidewalk grade</i></p>	



Downtown Zebulon embodies small-town character in the high-quality historic architecture that frames its classic main street, Arendell Avenue.

5.3 BUILDING HEIGHT

Building height is a key consideration in the appropriate massing and scale of a building. Currently, most of the zoning districts have a maximum height of 35 feet, with 3 exceptions: the RMF district allows up to 50 feet; the HB district allows up to 100 feet, and the IL and IH districts allow up to 100 feet.

As the zoning districts are currently designated, the town’s tallest buildings could be scattered throughout Zebulon - on either of the Highway 64 interchange, in downtown, and along Gannon Avenue. To create cohesive neighborhoods and districts within town, height limits should be modulated in conjunction with density, market expectations, and streetscape designs.

With Highway 64 becoming an interstate, one major change that the town should consider is increasing height limits around the interchange and along the Arendell Avenue corridor to encourage higher-intensity development at the town’s major gateway.

The town should also reconsider its methodology of measuring height maximums. Regulating height by feet can lead to uniform and monotonous districts as developers seek to maximize their built volume within rigid height maximums. Alternatively, regulating by stories, with minimum floor-to-ceiling heights, allows for more flexibility and variety in the built environment. For example, the first floor of a commercial building should have a floor-to-ceiling height of at least 12 feet, while a second or third story can be 9 or more feet. As a result, different three story buildings, would vary in height, depending on their design and intended use.

Typically, the limiting factor in height maximums is the ability to provide adequate fire protection. Any revision to the height maximums established in the Zoning Code must take the capabilities of the local fire district into consideration.

► **Action Item:** Modulate height to create cohesive districts and neighborhoods, with the greatest heights focused around the Highway 64 - Arendell Avenue interchange.

► **Action Item:** Regulate height by stories instead of feet.

5.4 SIGNS

The signs section of the ordinance (§152.254 – 152.263) contains 31 different types of signs. Consolidating these sign types and providing the dimensional requirements in one table with illustrations will simplify adherence to and administration of sign requirements.

► **Action Item:** Consolidate the existing sign types, and clarify them with illustrations.

5.5 LIGHTING

Currently, the Code of Ordinances addresses lighting fairly generally in requiring illumination of streets, sidewalks, common facilities, and non-residential building entrances. One issue that should be addressed is the location of street lights, which is not established in the code, but rather in a town engineering specification manual. The current standard designates the installation of street lights behind the sidewalk, rather than between the curb and sidewalk within the planting strip, pushing these lights awkwardly into the front yards of homes.

► **Action Item:** Amend the relevant specifications manual to require the placement of street lights in a planting strip.



Locating street lights behind the sidewalk means that they end up in the front yard. In this case, the sidewalk hasn't been built yet, leaving the streetlight stranded far from the street it is meant to light. This photo also shows the effect of locating utility boxes in front of houses without screening.

5.6 PARKING

Number of Parking Spaces

The current Zoning Code requires more off-street parking spaces than are necessary for most uses (§152.268), and in fact when exploring the town, one finds that most parking lots are largely empty. For example, the Zoning Code requires 1 space per 400 square feet of building area for typical office uses, and 1 space per 100 square feet for restaurants. In contrast, the Town of Wake Forest, NC requires just 1 space per 600 square feet for office uses and 1 space per 400 square feet for restaurants. The minimum requirements for residential uses are also too high. For apartments Zebulon currently requires 1 space per bedroom plus an additional space for every 4 units. Again, for the sake of comparison, Wake Forest requires just 1.5 spaces per apartment unit. These differences can amount to a substantial cumulative effect on the land area required for projects, and ultimately, they can create a significant financial disincentive to develop/redevelop within Zebulon.

While parking lots are necessary for most businesses to accommodate their customers, they do not provide a public benefit. On the contrary, large empty parking lots detract from streetscapes by interrupting continuous building frontages. They also contribute

excessive runoff to the stormwater system, increasing public maintenance costs.

Reducing or eliminating parking minimums alleviates the detrimental effects of parking on the public realm. It also allows business owners more site design flexibility to provide parking that meets their individual needs. In new development, this reduces the amount of dead space devoted to parking. In redevelopment situations, reduced parking minimums unlock overbuilt parking areas for new development. This adds substantial value and tax base to the community in locations where infrastructure is already in place to serve it.

Zebulon’s Zoning Code addresses the reduction of parking minimums for joint use of parking (§152.273), but it does not establish an easily enforceable policy for how to calculate such a reduction. Establishing a by-right formula for sharing off-street parking would simplify the process and clarify expectations.

It may also be appropriate in some situations to establish parking maximums. This is especially applicable in districts intended for compact, walkable development where overly large parking areas would be particularly detrimental to the desired development outcomes.

Finally, the land use categories used in the Zoning Code to establish the minimum parking requirements need to be revised. The categories are very specific, but suffer from numerous omissions. For example, it’s not clear what the minimum parking ratio is for a grocery store or a clothing store. The problem with using overly specific categories is that any omissions lead to uncertainty. And in fact, such specificity is rarely necessary when establishing minimum/maximum parking requirements. Fewer, broader categories will help to simplify the parking requirements table and alleviate confusion.

- ▶ **Action Item:** Reduce off-street parking requirements, clarify shared parking allowances, and establish maximums where appropriate.
- ▶ **Action Item:** Simplify and condense the parking requirements table by using broader land use categories.



Requiring high parking space minimums leads to large empty parking lots and creates a disincentive for redevelopment.

Parking Location

Zebulon’s small-town character is perhaps best-embodied in the downtown main street of Arendell Avenue near the railroad. The Downtown Overlay District seeks to preserve this character by requiring that buildings meet the sidewalk and that parking is located behind buildings (§152.14684(C)). Extending this policy to other parts of Zebulon will help to ensure that new commercial and multifamily development continues this character.

Similarly, a major difference between the historic small-town neighborhoods around downtown Zebulon and the newer subdivisions is the location of garages on single-family lots. While garages are an expected amenity in most new housing construction, there are several options for designing single-family homes that are not dominated by large front-facing garage doors. For example, garages can be recessed from the front facade, turned so that garage doors are perpendicular to the front facade, or detached from the main structure and located behind the house. These types of garages are already in place in some new single-family subdivisions in Zebulon, and standardizing the practice will contribute to a more walkable small-town character in all neighborhoods.

- ▶ **Action Item:** Require that parking is located behind or next to multifamily, commercial, and mixed-use buildings.
- ▶ **Action Item:** Establish design standards for garages that do not dominate single-family homes.



These examples from Zebulon illustrate the importance of garage location in single-family development. The “snout house” above has a front-loaded two car garage. The garage door dominates the front of the house resulting in poor street presence. The houses below accommodate parking on the side and rear. This arrangement is more compatible with Zebulon’s traditional architecture and creates a more attractive streetscape environment.



5.7 LANDSCAPING

Planting and Tree Preservation

As written today, the Zoning Code focuses on tree plantings within the front yards of properties. While recent subdivision developments may seem somewhat sparse in terms of vegetation, this is the result of the newness of the subdivisions and their location on previously farmed land. As the required trees mature, a richer canopy will develop, similar to the character of the town’s historic residential neighborhoods near downtown.

Rather than requiring more planting, the town should consider stronger requirements for preserving existing trees with new development. As written, the town does not have any regulations to prevent clear-cutting property. The provision that comes closest (§152.313(K)) says only that “reasonable efforts shall be made to replace trees that are removed and to protect quality trees that are endangered.” This is a weakly-worded requirement to enforce. Trees play an important role in the aesthetic appearance of the town, as well as providing ecosystem services such as aiding stormwater mitigation and preventing erosion. As such, greater protection of mature trees should be provided in the UDO.

Additionally, the plant material list (§152.315) does not need to be a legislated document. This list should be maintained outside the UDO to allow staff to make changes as necessary.

► **Action Item:** Require the preservation and/or replacement of mature trees, and explicitly prohibit clear-cutting land.

► **Action Item:** Set apart the plant material list as a standalone appendix to the UDO.

Street Trees

Another consideration for tree coverage is the provision of street trees (§152.311), which is perhaps more important to the public realm and walkability than trees planted in private yards.

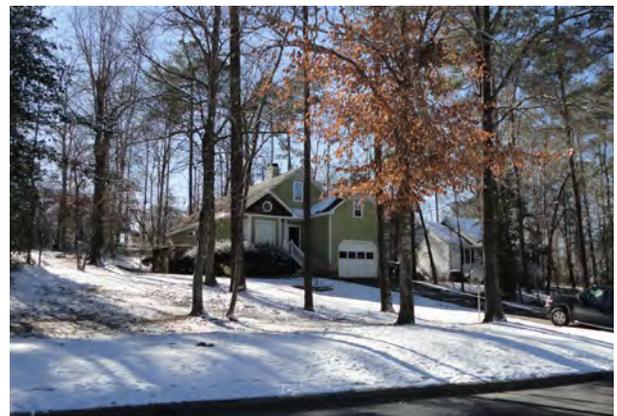
The current requirements take the first step toward fostering a walkable streetscape, with two notable

shortcomings. First, the existing provisions allow the installation of a berm in lieu of street tree plantings. Planting strips along the side of streets should provide a spatial buffer from vehicle traffic, but high berms can isolate sidewalks from the street, blocking them from view and potentially encouraging criminal activity. Additionally, the slopes of a berm can divert more stormwater runoff onto sidewalks and streets, rather than utilizing planted areas to absorb rain.

The second shortcoming is the allowance of street trees to be “arranged in a random, clustered and/or linear fashion.” More detail is needed to calibrate the formality (type, spacing, and arrangement) of street trees in accordance with the development context.

► **Action Item:** Do not allow a berm in lieu of street trees.

► **Action Item:** Calibrate street tree planting requirements to street sections.



The Zebulon neighborhoods pictured above are located only a few blocks apart, but they have a very different character. In the top photo, mature trees were preserved during construction, while in the lower picture, mature trees are currently lacking.

Buffering/Screening

The current buffer requirements (§152.307 – 152.310) are fairly rigorous as most dissimilar uses require a planted buffer of 20 to 40 feet in width. While these requirements do provide beneficial greening to new development, they also increase the distances between land uses and restrict the ability to create connected, walkable neighborhoods.

Buffers have their place, especially when it comes to separating heavy industrial and other potentially noxious uses from homes. As such, the buffer provisions of the current ordinance should be maintained in some limited instances, such as the screening of utilities. However, context-based building and site design standards are a much more precise way to deal with land use compatibility.

The current requirements for screening of utilities and mechanical equipment, while adequate as written, are very difficult to find in the ordinance, and do not seem to be well-enforced. Per §152.235(H), “all mechanical equipment shall be completely screened from the ground level of any adjacent property with architectural materials that are consistent with those used on the primary building.”

This provision could be improved by providing more options for screening, such as plantings or other decorative materials. Specific requirements for the screening of certain rooftop mechanical equipment should also be added. Finally, the code should require that mechanical structures are located to the side or behind buildings, and not adjacent to streets.

► **Action Item:** Use building and site design regulations, as opposed to landscape buffer requirements, to ensure development compatibility.

► **Action Item:** Ensure that utilities are accommodated without compromising the function and appeal of public spaces.



These examples from Zebulon illustrate undesirable utility placement and screening. The top photo illustrates unscreened rooftop equipment is visible from the street. The bottom photo shows poorly screened utilities on a residential street.

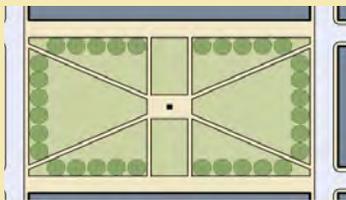
PARK & OPEN SPACE TYPE EXAMPLES



Park/Greenway: Natural preserve consisting of paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed.



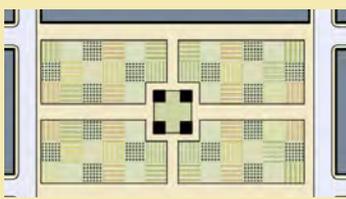
Green: An open lawn available for unstructured recreation that is spatially defined by landscaping rather than building frontages.



Square: An open civic space that is spatially defined by building frontages.



Playground: An open space designed and equipped for the recreation of children - may be included within parks and greens.



Community Garden: A grouping of garden plots available for small-scale cultivation, generally to residents of multi-family dwelling types.

5.8 OPEN SPACE & PARKS

The Zoning Code currently provides regulations for the dedication of open space with new development in two ways: through conservation subdivisions (§152.139) and with miniparks (§152.169 – 152.174). Conservation subdivisions require a percentage of undeveloped land and detailed provisions for the programming options of open space. Miniparks are required for all residential developments of 25 or more housing units. Minipark size is based on a per capita formula for the expected number of residents, and programming options focus on the provision of usable open space.

A combination of these two tools can provide the basis for a more nuanced approach to the dedication of open space that is calibrated to a specific development context. Using a set percentage of land area by zoning district to determine the amount of space to be dedicated is a much simpler calculation than the per capita formula and makes set-aside requirements easier to work into development pro formas.

Additionally, establishing expectations for a range of open space types, rather than just a list of amenity options, provides more assurance of usable open space. At the same time, open space types allow flexibility in configurations and can be implemented through form-based districts.

The town should also consider allowing a payment in lieu of open space dedication. If this tool is used in conjunction with a lower threshold for requiring open space dedication, for example developments of 12 or more units instead of 25 or more, the town could create a new source of funding for new parks and recreation space. This would also ensure that smaller infill developments contribute to the development of parks for additional residents without placing the burden of providing that park space on site.

- ▶ **Action Item:** Simplify the open space dedication formula, and apply form-based open space types.
- ▶ **Action Item:** Allow payments in lieu of open space dedication.



Example of open space in a Zebulon multifamily development

5.9 NONCONFORMITIES

Redevelopment and reinvestment in the existing built environment is the most fiscally and environmentally sustainable way to accommodate new growth. With the adoption of a new UDO, there will be a need to manage nonconforming buildings and sites. In some cases, expecting full compliance with all new requirements may be financially unfeasible and could deter redevelopment.

Generally, the approach that this report outlines for the new UDO would not result in nonconformities in downtown and other older, historic neighborhoods. The most prevalent non-conformity issues are likely to arise in the case of significant redevelopment of strip mall, big box commercial, and multifamily residential developments. While portions of some single-family subdivisions – especially those with prominent front garages and large setbacks – may become technically nonconforming, the threshold for bringing these into compliance should be set fairly high so that individual homeowners in newer subdivisions are not required to meet new compliance standards.

The town should focus on ensuring that the continuation of nonconformities is managed to

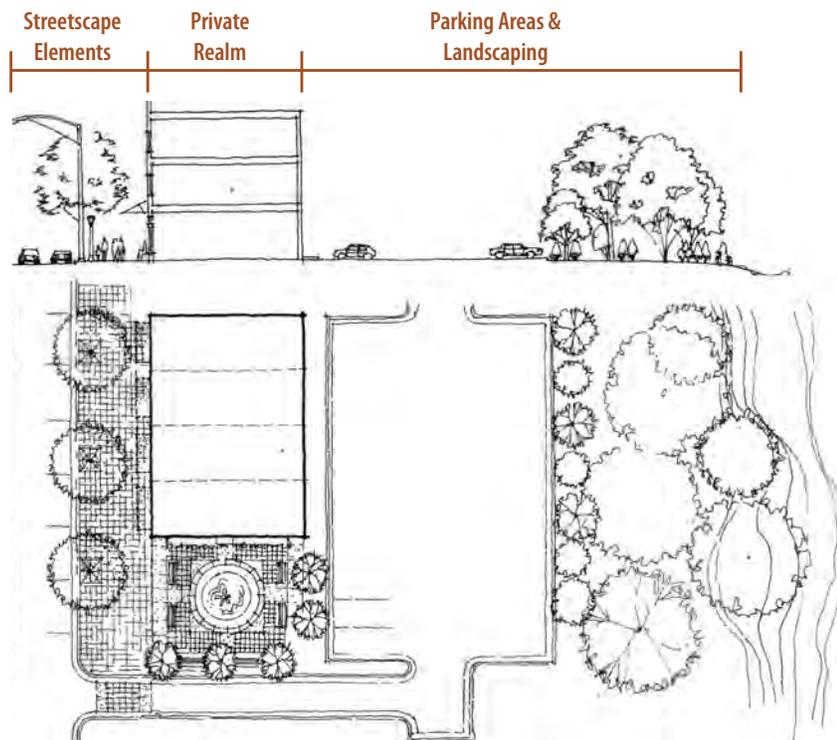
the extent practical without discouraging targeted investment by:

- Prioritizing compliance of public realm elements;
- Seeking to apply different expectations of compliance in different districts; and
- Reducing certain standards to encourage redevelopment.

An appropriate method for accomplishing this is to provide a table that evaluates the relative priorities of bringing certain structures into compliance. Signs, for example, could be the first element to be brought into compliance. This could be followed by the installation of landscaping in parking lots and street frontage areas. In general, the elements of compliance should focus on the public realm first (e.g., freestanding signs, landscaping, sidewalks) and the private realm last (e.g., building design, use).

► **Action Item:** Create a redevelopment compliance table for nonconformities that prioritizes compliance of features outside the private realm.

The expectations for compliance of existing buildings and uses should be based on the scale and nature of the specific redevelopment proposal. Streetscape elements such as signage, lighting, and street trees should be the first priority for compliance, followed by parking areas and landscaping, and finally by private realm considerations such as the building and use.



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STREETS & INFRASTRUCTURE

6

GOAL: Ensure that Zebulon’s streets and infrastructure are environmentally sensitive, fiscally sustainable, and provide a safe and pleasant experience for all users.

6.1 CONTEXT-SENSITIVE STREET DESIGN

The building blocks for all American communities are their streets. Streets comprise the greatest amount of public space in our communities, and historically, streets were active spaces used to accommodate a diversity of functions. Streets were spaces for commerce, gathering, recreation, dining, celebration, worship, protest, education, and travel. Streets were spaces that American communities used for the daily exchange of goods and ideas - spaces where people would choose to stroll, linger, and socialize with neighbors.

In the more recent past however, many of our streets have been constructed to serve a single purpose, the movement of cars as quickly and efficiently as possible through a corridor. Portions of West Gannon Avenue in Zebulon provide an unfortunate example of this type of road - a road without any sidewalks, street trees, fronting buildings, or other characteristics that would encourage people to gather or stroll. As a result, our streets no longer accommodate the multitude of users and functions they once did, nor do they provide the same degree of economic value. And in fact, in many instances these streets don’t even do a good job accomplishing the one purpose they are intended to serve, as evidenced by the many traffic-choked highways in the Triangle area.

The statistics on this issue speak loudly. Pedestrians comprise 1 in every 10 deaths by automobile in the U.S.¹ The Raleigh-Cary urban area is considered one of the ten most dangerous urban areas for walking in the U.S. based on injuries and deaths.² Furthermore, cardiovascular and pulmonary diseases are among the leading causes of death in the U.S.,³ and more than 29% of North Carolinians are considered obese.⁴ Roughly 57% of Americans would like to spend less time in the car, but 73% feel they have no choice but to drive as much as they do.⁵

1 Transportation for America. (2011). “Dangerous by Design.”
2 Transportation for America. (2011). “Dangerous by Design.”
3 Center for Disease Control and Prevention. (2011) <http://www.cdc.gov/nchs/FASTATS/lcod.htm>
4 Center for Disease Control and Prevention. (2012) <http://www.cdc.gov/obesity/data/adult.html>
5 National Complete Streets Coalition - Smart Growth for America. (2013)

SIX: STREETS & INFRASTRUCTURE

The common denominator of all of these issues is the lack of streets that provide a safe and pleasant experience for pedestrians and bicyclists. Streets are the largest public investment in any community, and it is a mistake to use that investment to create streets that serve cars exclusively. Instead, street infrastructure should strive to serve all roadway users - pedestrians, cyclists, motorists, transit users, and fronting property owners. This is referred to as a Complete Streets approach. (See opposite page.)

Zebulon currently uses functional classification to regulate street design. This method defines street types (e.g., Local, Collector, Arterial, Thoroughfare) by anticipated traffic volume and tailors design requirements to moving that volume as efficiently as possible. The desired character of a street and the relationship with surrounding land uses are, at best, a secondary consideration. This results in streets that are (sometimes) good at moving cars, but not necessarily good at moving people.

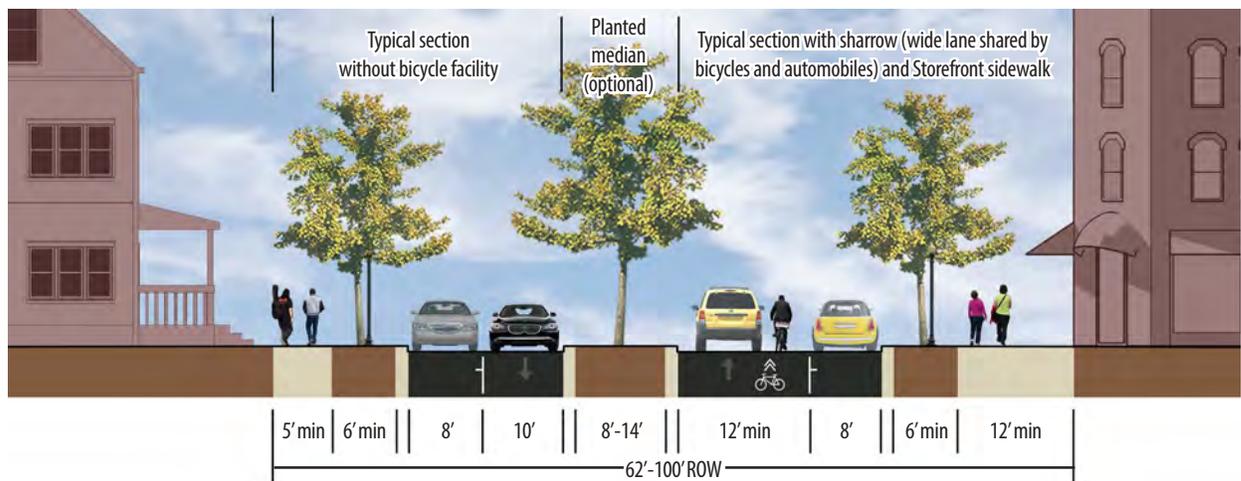
The Complete Streets approach flips this model around, focusing first on creating streets that accommodate all users within the desired development context. The UDO should adopt this approach by establishing street type requirements that focus on the development context of proposed streets. Instead of “Arterial” or “Thoroughfare”, more descriptive street types such as “Urban Boulevard” and “Residential Lane” should be defined and illustrated in the code. (See example below.) NCDOT recently adopted a Complete Streets policy and design guide that reflects this movement within the state. The UDO offers an ideal opportunity to implement a parallel local policy.

Once a clear set of street types has been effectively defined and illustrated, the UDO should establish where and how the street type regulations will be implemented. There are two primary techniques that can be used to apply the street types to their ideal context within the town. The first is a simple applicability table denoting which street types may be used in each zoning district. A slightly more nuanced approach utilizes a Street Regulating Plan to assign desired street types on a block-by-block basis. Street Regulating Plans function in the same manner as typical zoning maps, except that standards are applied to specific sections of streets instead of parcels of land.

Both of these techniques will allow the town to establish an appropriate degree of context sensitivity in street design. In redevelopment projects, development along existing substandard streets would be required to contribute to the improvement of those streets in accordance with the standards set out in the UDO. As such, this also provides an ideal way to address the lack of sidewalks in Zebulon’s existing neighborhoods.

- ▶ **Action Item:** Establish street design requirements that prioritize the desired character of the streetscape environment over the functional classification of the street.
- ▶ **Action Item:** Using the NCDOT Complete Streets guide as a reference, create street type illustrations that identify the critical street elements needed to accommodate all users.
- ▶ **Action Item:** Determine where each street type will be permitted according to different zoning districts and/or a Street Regulating Plan.

Illustration of an Avenue street type with associated dimensional requirements



WHAT ARE COMPLETE STREETS?

Complete Streets are streets for everyone. They are designed and operated to enable safe access for all users – whether on foot, in a car, on a bike or riding a bus. People of all ages and abilities are able to safely move along and across these streets, regardless of how they are traveling. **Complete Streets** make it easy to walk to shops, and bicycle to work. They allow traffic to move efficiently, buses to run on time, and people to walk safely to and from transit stations, shops, offices, churches, and homes.



COMPLETE STREETS CONTRIBUTE MANY BENEFITS TO THE SURROUNDING COMMUNITY.

- > Wide, attractive sidewalks and well-defined bike routes, where appropriate to community context, encourage healthy and active lifestyles among residents of all ages.
- > Complete Streets can provide children with opportunities to reach nearby destinations in a safe and supportive environment.
- > A variety of transportation options allow everyone – particularly people with disabilities and older adults – to get out and stay connected to the community.
- > Multi-modal transportation networks help communities provide alternatives to sitting in traffic.
- > A better integration of land use and transportation through a Complete Streets process creates an attractive combination of buildings – houses, offices, shops – and street designs.
- > Designing a street with pedestrians in mind – sidewalks, raised medians, better bus stop placement, traffic-calming measures, and treatments for travelers with disabilities – may reduce pedestrian risk by as much as 28%.
- > Complete Streets help reduce carbon emissions and are an important part of a climate change mitigation strategy.

Complete Streets are designed and operated to enable safe access for all users - whether on foot, in a car, on a bike, or riding a bus.

Adapted from www.smartgrowth.org and the Complete Streets Coalition

6.2 CONNECTIVITY

At a larger scale, the function of Zebulon’s growing network of streets will depend largely upon its degree of connectivity. The benefits of a robust and well-connected street network are well-documented (see inset at right). Until the past 60 years or so, most development in the United States was organized along a connected network of streets supporting a mix of land uses within a convenient, walkable proximity. Downtown Zebulon’s historic grid and its nearby neighborhoods offer an ideal example of this traditional model of development. Chapter 5 of Zebulon’s Comprehensive Plan recognizes this, indicating that the historic grid “contributes strongly to the sense of community” and that “multiple options for mobility and travel are afforded in this easily understood street development system.”

Unfortunately, the convention of more recent suburban developments, like Pineview Estates, is to offer only one means of access to isolated subdivisions, thereby forcing traffic onto a few high-speed arterial roads. This induces greater traffic congestion and deteriorates the character of the urban environment. (See opposite page.)

The Zebulon Comprehensive Plan recognizes these principles. Chapter 6 of the plan indicates that development of low-density residential subdivisions with curvilinear streets and cul-de-sacs provides a less connected street pattern and a sprawl-like environment, and that developments of this form should be heavily discouraged.

Zebulon’s current Code of Ordinances doesn’t reflect these recommendations. In fact, §152.188 (General Layout of Streets) offers language that is in direct conflict with the Comprehensive Plan recommendations; “subcollector, local and minor residential streets shall be curved whenever practicable...cul-de-sac and loop streets are encouraged so that through traffic on residential streets is minimized.”

These standards are in clear conflict with the intent of the Comprehensive Plan and reflect dated and flawed thinking with regard to transportation networks. Clearly these inconsistencies should be corrected in the new UDO through the inclusion of connectivity requirements that reflect the success of Zebulon’s

BENEFITS OF CONNECTED STREETS

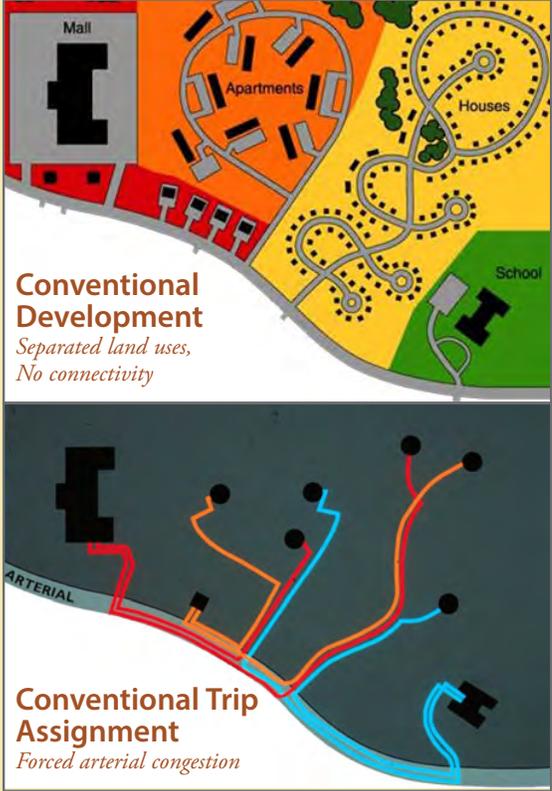
- Fine-grained street networks connect multiple places and people via multiple modes of travel, ultimately allowing places to become successful centers of economic development.
- Networks comprised of frequent narrow streets, as opposed to a few large streets, move cars more efficiently, create a better environment for pedestrians, improve safety, and support better public health.
- Well-connected street networks are more resilient to disruptions, like downed trees or traffic accidents, because they provide multiple alternative routes.
- Less traffic concentration leads to narrower streets which slows traffic, permits shorter pedestrian crossing distances at intersections, and reduces accidents.
- Connected streets improve emergency response times by providing multiple direct routes.
- Encouraging biking and walking improves public health and reduces the risk of many health issues.
- The character and appearance of well-connected, walkable streets increases the desirability and value of adjacent properties.

Adapted from Congress for the New Urbanism, “Sustainable Street Network Principles” and “Benefits of Connected Streets” 2012.

historic grid. For example, the maximum block length should be reduced from 1,000 feet to a number that is more consistent with the blocks in the historic grid (roughly 650 feet by 450 feet). Also, it may be appropriate to introduce a minimum connectivity index requirement. Connectivity indices measure the density of street networks, and are typically calculated as the number of roadway links (segments between intersections) divided by the number of roadway nodes (intersections and dead-ends). (See example calculations on opposite page.)

CONNECTIVITY AND CONGESTION

Traditional patterns of development, like Downtown Zebulon’s historic grid offer multiple route options and greater overall capacity than conventional suburban patterns of development, like the Pineview Estates subdivision, which has only one means of access and forces all traffic onto West Gannon Avenue.



Downtown (including Franklin Heights and East Side)
Connectivity Index: 1.79 (111 segments to 62 nodes)
Typical Block Length: 650 feet
Intersections with Arterial Roads: 18



Pineview Estates
Connectivity Index: 1.11 (50 segments to 45 nodes)
Typical Block Length: 1,400 feet
Intersections with Arterial Roads: 4

A higher connectivity index means that travelers have increased route choice and mobility. Elsewhere in NC, the *Mecklenburg County: Quality of Life Dashboard* suggests that a score of 1.4 is the minimum needed to support a walkable community,⁶ while the City of Wilson, NC has a minimum connectivity index requirement for new development of 1.3.⁷ The Virginia Department of Transportation also requires a connectivity index of 1.4 in their *Secondary Street Acceptance Requirements*.⁸ Zebulon's historic downtown grid easily meets this typical standard, but most of Zebulon's newer subdivisions fall short of this goal. The Pineview Estates neighborhood, for example, has a connectivity index of just 1.11.

The UDO should establish requirements for greater connectivity through the use of techniques like smaller blocks, a connectivity index, connected driveways, street stubs to future development areas, and by discouraging cul-de-sacs. This will ensure that as Zebulon continues to grow it will develop using a coherent network of Complete Streets that dissipates traffic, offers choices among a variety of travel routes and options, and provides for the needs of pedestrians, cyclists, and drivers alike.

► **Action Item:** Establish connectivity standards, for both new subdivisions and redevelopment, that extend Zebulon's historic grid pattern and support improved mobility.

⁶ Mecklenburg County and University of North Carolina at Charlotte. (2013). <http://maps.co.mecklenburg.nc.us/qoldashboard/>

⁷ City of Wilson - Unified Development Ordinance. (2013). <http://www.wilsonnc.org/departments/development-services/unifieddevelopmentordinance/>

⁸ Virginia Department of Transportation. (2009). http://www.virginiadot.org/info/secondary_street_acceptance_requirements.asp

6.3 ENVIRONMENTAL PROTECTION REGULATIONS

The effect of development and human activity on the quality of rivers, streams, and lakes in the Triangle Region is well documented. Pollution is a serious threat to all water resources in the region and is an issue of specific importance to Zebulon because of its location within the Neuse River watershed. In Zebulon, Wake County serves as the enforcement authority for rules regarding stormwater management and soil erosion and sedimentation. According to the Wake County Water Quality Division, "Algal blooms and fish kills in the lower Neuse River during 1988 led to state rules for controlling nutrients in the Neuse basin. These rules, codified by the North Carolina Department of Environment and Natural Resources (15A NCAC 2B .0235), require protection of riparian buffers, peak flow control and nitrogen control from new development."

One of the largest contributors to water pollution is non-point source pollution. Non-point source pollution is carried by stormwater runoff from a variety of locations, including construction sites, parking lots, and rooftops, into streams, rivers, and lakes. Factors that affect stormwater runoff and non-point source pollution are generally development-related. With an increase in development, there is an increase in the amount of impervious surface area - those areas such as pavement or roofing which do not allow for filtration of stormwater. These impervious surfaces cause stormwater to drain more directly into streams and rivers, creating higher peak flow volumes, accelerated stream bank erosion, increased flooding, and greater levels of non-point source pollution.

In response to these effects, governments at all levels have created various stormwater and watershed protection regulations throughout the country. These regulations have far-reaching impacts on the manner in which development is accommodated in every city and town across the country. The most effective regulations are those which are appropriately tailored to specific development contexts, encouraging dense development in certain areas while limiting the amount of impervious surface area in others, as appropriate.

Unfortunately, in the case of Zebulon, the regulations for stormwater management and watershed protection

tend to reflect a one-size-fits-all approach that casts a broad brush across the community. As a result, in certain situations these regulations are at odds with the compact walkable development outcomes that the town describes in its Comprehensive Plan.

As such, it may be appropriate to exempt specific locations from impervious surface ratios and density limits to achieve the desired development outcomes. It may also be appropriate to exempt infill lots in some areas from nutrient removal and runoff volume requirements. Imposing these requirements often discourages redevelopment of small sites because it requires highly-engineered solutions that are expensive to administer on a small scale.

While it is not possible or desirable to exempt all development in dense urban areas from stormwater management and watershed protection standards, there are a variety of creative solutions that allow for more flexibility in the administration and enforcement of such standards without compromising water quality goals. Techniques such as low-impact development standards, context sensitive BMP's (best management practices), payments-in-lieu of pervious surface, and impervious surface averaging have been used in other North Carolina communities with success.

Wilson, NC is currently in negotiation with the State to create a city-managed stormwater bank that would

allow the flexibility to exempt development from the State's impervious surface standards in more urban areas. The state already permits impervious surface averaging between two parcels to accomplish similar objectives. A stormwater bank is just an extension of this policy, allowing more dense walkable development in some areas while requiring more preservation and pervious surfaces in other areas, according to the desired development outcomes across an entire municipality. This may be an appropriate technique to utilize in Zebulon.

The primary goal should be to establish stormwater management and watershed protection standards that apply a variety of context-sensitive solutions. Specific emphasis should be given to accommodating dense walkable development in those areas of town that are best equipped to support it, as identified by the Comprehensive Plan. Such solutions should be careful not to undermine the intent of the existing regulations, but to apply them in a more holistic manner that preserves water quality across the entirety of the town.

Ultimately, these may be issues that the UDO project is unable to fully address, as the regulations are largely beyond local control. The same is true for the various floodplain and watershed protection regulations enforced by the town. At the very least the UDO should include language that offers examples of appropriate BMP's for different zoning

AMENDING THE ENVIRONMENTAL PROTECTION REGULATIONS

Stormwater management and watershed protection standards are crucial to maintaining the quality of surface waters but should be practical and tailored to different development contexts. The shortcomings of Zebulon's environmental protection regulations (i.e., Floodplain, Stormwater, Erosion Control, and Watershed Protection) offer a particularly troubling challenge because most of these standards are beyond the town's control. As such, it is important to note that any significant changes to these standards would require a lengthy process of collaboration with various County and State agencies to ensure compliance and compatibility. Consequently, the town should consider engaging these agencies in a separate process after the UDO rewrite is complete.



districts, utilizing the tools discussed in the North Carolina BMP Manual. Zebulon’s Comprehensive Plan indicates this need to express some sort of local control/preference for specific stormwater management techniques. Many of the goals, policies and action items in Chapters 4 and 6 of that plan suggest that Zebulon should adopt code requirements that establish local expectations for low impact development practices. At a minimum, for the ease of administration, the UDO should also assemble the various environmental protection standards (i.e., Floodplain, Stormwater, Erosion Control, and Watershed Protection) in a single chapter.

► **Action Item:** Adopt stormwater regulations that indicate local expectations for the use of context-sensitive best management practices (BMPs) by zoning district.

6.4 FISCAL SUSTAINABILITY

Not all development is beneficial. This is true both in terms of contributing value to the character of the community and contributing value to the municipal tax base. As Zebulon grows, the cost of providing services to its citizens will increase. Chapter 8 of the Zebulon Comprehensive Plan recognizes this reality and calls for the town to plan for the provision of cost-efficient utilities in partnership with other regional service providers. The UDO will play a significant role in the fiscal sustainability of the town as the cost of municipal services is heavily influenced by the form and density of new development.

A study of the cost of service provided by 8 fire stations in the City of Charlotte offers an instructive lesson. The study found that fire stations located in traditional, well-connected, compact neighborhoods were able to provide service at a lower per capita cost than those located in more recent, sprawling neighborhoods.⁹ The difference was significant. In fact, the highest performing station (Station 2 - located in a historic neighborhood with a grid street pattern) covered 4.5 times more addresses than the lowest

9 City of Charlotte and the Congress for the New Urbanism. (2008). “Saving Lives and Money: A Charlotte Case Study.” <https://www.cnu.org/sites/www.cnu.org/files/Charlotte-EmergencyResponse.pdf>

performing station (Station 31 - located in Charlotte’s auto-oriented suburban periphery). The annualized per capita cost for the Station 2 service area was \$159 compared to \$740 for Station 31.

While these numbers are specific to fire service, the principle they illustrate applies to all municipal services and infrastructure - garbage collection, water, sewer, electricity, cable, etc. Simply put, compact, walkable, mixed-use neighborhoods outperform conventional suburban development. It is inefficient and more expensive to serve sprawling disconnected development than it is to serve compact walkable neighborhoods.

Fiscal sustainability for any organization boils down to minimizing the cost side of the balance sheet, while maximizing the revenue side. Compact walkable neighborhoods benefit both sides of this equation because they minimize the cost of service, and they have also been shown to generate higher property values,^{10, 11} thereby increasing property tax revenue. In order to ensure that the ongoing support of public services and infrastructure is fiscally sustainable, the UDO should establish development requirements that ensure new development can be serviced without creating a fiscal burden on the town.

Perhaps the most basic and important technique to prevent fiscally unsustainable development is the use of appropriate density regulations. The UDO should focus on prohibiting large-lot development except in instances where the town wants to encourage the preservation of valuable agricultural and open space resources. This is the most clear and direct technique at the town’s disposal, and allows the town to establish districts that are intended to meet either a preservation goal or a walkable development goal. (See opposite page.)

10 Leinberger, Christopher B. (May 25, 2012.) “Now Coveted: A Walkable, Convenient Place.” *New York Times*. http://www.nytimes.com/2012/05/27/opinion/sunday/now-coveted-a-walkable-convenient-place.html?partner=rss&emc=rss&_r=0

11 Cortright, Joe. (August 2009.) “Walking the Walk: How Walkability Raises Home Values in U.S. Cities.” CEOs for Cities. http://nacto.org/docs/usdg/walking_the_walk_cortright.pdf

COMMUNITY GOALS AND DENSITY REGULATIONS

When establishing density regulations for zoning districts it is important for a community to understand what goal(s) it is trying to accomplish with that district. In terms of serving the long-term best interests of the community and its residents, density regulations should typically seek to serve one of two primary goals:

- A preservation goal or
- A walkable development goal.

If the district is intended to be a low-density agrarian/preservation district, densities should generally be restricted to **less than 0.2 dua** (or 1 dwelling unit per 5 acres). If the district is intended to be a walkable development district (either for residential neighborhoods, mixed-use main streets, or anything in between) the density should generally be limited to **more than 6.0 dua**.

There are a wide variety of other characteristics necessary to successfully accomplish either a preservation goal or a walkable development goal, but generally speaking, development densities that fall between 0.2 and 6.0 dua impede the pursuit of either of these goals. Instead, such densities usually result in suburban sprawl, a development pattern that has been widely recognized as environmentally destructive, fiscally irresponsible (in terms of the amount of infrastructure required to serve it), and extremely limited in terms of viable mobility options.

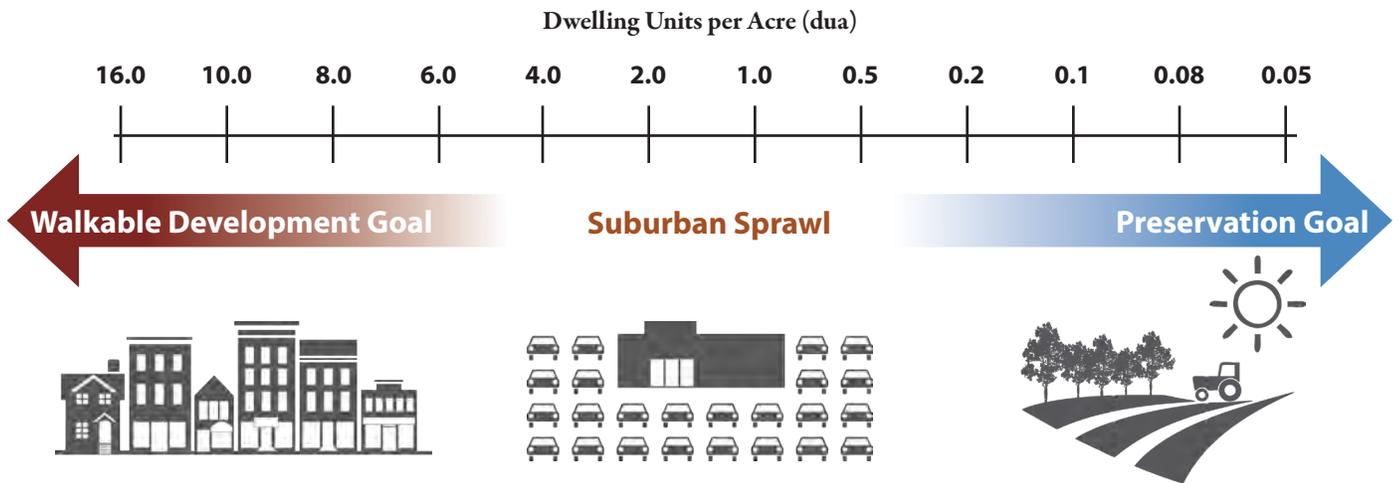


Image Source: Josh Martin

Image Source: Ralph Preston

ONE: INTRODUCTION

Another common technique that municipalities use to control the cost of providing services is an urban service boundary. This technique is usually applied to the provision of water and sewer services. Because Wake County operates the water and sewer utilities for Zebulon, the town should continue a dialogue with the county about limiting service extensions within Zebulon's extra-territorial jurisdiction.

-
- ▶ **Action Item:** Prohibit large-lot developments that create an undue fiscal burden on the town.
-



The following annotated outline summarizes the key provisions of the proposed Unified Development Ordinance (UDO) for the Town of Zebulon, NC. The outline is the aggregate result of the various Action Items contained in this Diagnostic Report. It translates those Action Items into a framework for the UDO that acts upon the specific recommendations provided herein.

The annotated outline compares and consolidates the various development processes, procedures, standards, and definitions in the current Code of Ordinances. It identifies new provisions and provisions that need to be modified. The outline does not provide specific language for the UDO. Instead, its intent is to provide the roadmap for a draft of the UDO that the town and consultant team will follow in creating the preliminary draft of the ordinance. It is expected that the outline and subsequent regulatory text will evolve and change as the process of developing the UDO unfolds.

The outline contains each Chapter and Section heading of a draft UDO. A summary below each heading explains the subject matter of the section. Some sections from the existing Code of Ordinances have been carried over to the Annotated Outline with little or no changes, while some sections have been consolidated in accordance with the Action Items and key policy issues discussed in the Diagnostic Report.

The Annotated Outline compares the existing Code of Ordinances structure to the proposed UDO by including cross-references to existing sections of the Code of Ordinances that would be moved, revised or replaced. These references are set out in the italicized text after each section description.

Annotated Outline

for revisions to the Code of Ordinances of the Town of Zebulon, North Carolina

The *italicized references* below identify the specific code sections in the existing Zebulon ordinances that will be revised/replaced/adapted for the corresponding code sections in the updated ordinance.

1.0 PURPOSE & APPLICABILITY

1.1 Title

Establishes a title, “Zebulon Unified Development Ordinance (UDO),” to be used as a shorthand reference. *(152.001)*

1.2 Authority

Describes the statutory authority prescribed for zoning and development regulations in accordance with NCGS 160A-381-382. *(152.002)*

1.3 Jurisdiction

Defines the applicability of the UDO to all public and private development within the corporate limits of the Town of Zebulon and the ETJ. *(152.003)*

1.4 Purpose & Intent

Describes the purpose and intent of the UDO in accordance with the *Zebulon Comprehensive Plan*.

1.5 Consistency with All Adopted Plans

Requires consistency with all adopted plans in accordance with G.S. 160A-383. *(152.006)*

1.6 Required Conformance with this Ordinance

General statement requiring conformity of all land development to the UDO. *(152.007)*

1.7 UDO Map

Establishes the UDO Map and describes the interpretation of boundaries. *(152.122)*

1.8 Transitional Provisions

Describes the relationship of the UDO to previous development ordinances in effect prior to the adoption of this revision. *(152.005)*

1.9 Conflicts & Severability

Provides guidance in instances of conflict, both internal and external, and states that if any portion of the UDO is determined by a court to be unconstitutional or invalid, such decision does not affect the remainder of the ordinance. *(152.009)*

1.10 Effective Date

Date the regulations become effective (date of adoption). *(152.004)*

2.0 DISTRICT STANDARDS

2.1 Base Districts

Establishes, organizes, and describes the proposed base districts according to the district conversion table on the opposite page. *(152.117; 152.118; 152.119; 152.120; 152.14681)*

ZONING DISTRICT CONVERSION TABLE

Current District*	Recommended District	Zoning Approach	Description/Commentary
IH - Heavy Industrial	HI - Heavy Industrial	CONVENTIONAL	No major changes are proposed.
IL - Light Industrial	LI - Light Industrial		No major changes are proposed, except for a reduction in the minimum lot size and setbacks to encourage a greater diversity of uses.
HB - Highway Business	HMX - Highway Mixed-Use		This district is revised to include a greater emphasis on pedestrian accessibility and comfort, a more appropriate mix of uses, and greater height allowances to permit hotels and similar uses near the highway interchanges.
CASUD - Commercial Amusement Special Use District	RE - Regional Entertainment District		No major changes are proposed. This district will support the goals of the Commercial Amusement Special Use District within a base district established to accommodate regional event venues.
N/A	CS - Civic Space (or OSP - Open Space & Parks)		This district should be created for land protected in perpetuity as natural or recreational areas.
R-40 (Note - mapped but not established in Code)	SR2 - Suburban Residential (2 dua)		This district combines the lowest density residential districts into a single district with a minimum average lot size of 1/2 acre. This district is intended to accommodate existing suburban subdivisions. It is not intended to be applied to any new development areas within Zebulon.
R-30			
R-20			
R-13			
R-10	SR4 - Suburban Residential (4 dua)		No major changes are proposed, except for a reduction in setbacks and regulating density by dwelling units per acre as opposed to minimum lot size.
R-8	SR6 - Suburban Residential (6 dua)		No major changes are proposed, except for a reduction in setbacks and regulating density by dwelling units per acre as opposed to minimum lot size.
Various (R-40, R-30, R-20, etc.)	RA - Rural Agriculture		This district includes agricultural land and associated uses. The maximum density should be limited to .2 dua or lower to support a preservation goal.
RMF	RMX - Residential Mixed-Use	FORM-BASED	Similar to the RMF district, this district will accommodate a variety of housing types in connected neighborhoods within walking or biking distance from mixed-use centers.
TR - Transitional Residential	NMX - Neighborhood Mixed-Use		This district combines the TR and GB districts to provide for pedestrian-scaled, mixed-use areas adjacent to the Town Center district. This will likely include lots fronting Arendell Avenue, between downtown and Highway 64, as well as other transitional areas.
GB - General Business			
CB - Central Business	TC - Town Center		This district combines the CB and Downtown Overlay districts to support pedestrian-scaled, vertical mixed-use development in the heart of Zebulon. The district will focus on encouraging appropriate infill projects, active ground floor uses, and vibrant streetscapes.
Downtown Overlay			
MA - Medical Arts	IC - Institutional Campus	No major changes proposed. This district accommodates healthcare and other institutional campuses.	
W - Watershed	WPO - Watershed Protection Overlay	OVERLAY	No major changes are proposed.
FFD - Floodway Fringe	FHO - Flood Hazard Overlay		No major changes are proposed, except for consolidation within a single overlay district (with subdistricts as necessary).
FWD - Floodway			
EOD - Entrance Overlay	None	N/A	This district is not currently used and should be eliminated in favor of design regulations that emphasize a high-quality streetscape in the Town Center District, and other districts as necessary.

* This table does not include the corresponding special use districts for each current base district. Instead, the table focuses only on the existing base districts and overlay districts that will be the most important references for the revised districts in the new UDO.

2.2 District Standards

Describes dimension/form-based standards by district including setbacks, height, frontage standards, parking location, etc. *(152.162; 152.14682)*

2.3 Overlay Districts

Establishes overlay districts, including the Watershed Protection District, Flood Protection Districts, Historic Overlay District, and other as appropriate, for the purpose of imposing additional design, use, or other standards over a base district or districts. *(152.121; 152.136)*

2.4 Conditional Districts

Describes Conditional Districts with conditions voluntarily added by the applicant and approved in a legislative procedure by the Board of Commissioners in accordance with G.S. 160A-382. *(152.137; 152.141)*

3.0 USE STANDARDS

3.1 Purpose & Applicability

Describes the purpose of additional use standards in this chapter and defines the applicability of those standards to the different types of use allowances established in the UDO (i.e., Permitted with Supplemental Standards [PS] and uses permitted via Special Use Permit [SUP]). *(152.130; 152.131; 152.132)*

3.2 Permitted Uses

Provides tables indicating the permitted uses in each zoning district organized by major use category. *(152.129; 152.134)*

3.3 Supplemental Use Standards

Establishes standards for specific uses Permitted with Supplemental Standards [PS]. The standards are organized by major use category *(152.142; 152.143; 152.145; 152.146; 152.1461; 152.1462; 152.1463; 152.1464; 152.1465; 152.1466; 152.14684(E); 152.050(E))*

3.4 Temporary Use Standards

Sets out specific standards for various temporary uses. *(152.1463)*

3.5 Accessory Uses & Structures

Describes accessory structures and their associated uses/general requirements. *(152.133)*

4.0 SITE & BUILDING DESIGN STANDARDS

4.1 Purpose & Intent

Describes the purpose and intent of the site and building design standards established in this chapter as primarily focused on ensuring the high-quality of Zebulon's public realm. *(152.319)*

4.2 Interpretation of Dimensional Standards

Establishes methods for interpreting various dimensional standards found throughout the UDO, including the measurement of height.

4.3 Infill & Redevelopment Standards

Outlines administrative and discretionary standards for infill development and redevelopment projects with a specific focus on context and compatibility. *(152.14684(B))*

4.4 Site Design Requirements

Sets out basic site design principles used to evaluate all development applications and establishes basic design standards applicable to all building and development types, including basic lot standards, encroachments, irregular lots, etc. *(152.14684; 152.14686)*

4.5 Building Design Requirements

Outlines design requirements applicable to all buildings and establishes a clear distinction between administrative standards and discretionary guidelines which direct a formal design review process. *(152.235(C); 152.235(D); 152.235(E); 152.235(F); 152.320; 152.321; 152.14685; 152.14687)*

5.0 SUBDIVISION & INFRASTRUCTURE STANDARDS

5.1 Purpose & Intent

Describes the purpose of this chapter to provide standards for required improvements in all development projects and subdivisions of real property.

5.2 Applicability

Describes how the provisions in this chapter are intended to apply to various development projects throughout the town and its ETJ.

5.3 Required Improvements for all Development

Describes the required improvements associated with all development in tabular format according to zoning district. Such improvements include public water supply distribution and hydrants, sewer, public streets and rights of way, sidewalks, street lights, underground utilities, landscaping, etc. *(152.220; 152.221; 152.222; 152.223; 152.224; 152.225; 152.228; 152.229; 152.230; 152.231; 152.233)*

5.4 Land Suitability

Establishes regulations regarding areas in which land may not be suitable for development, such as flood hazard areas, watersheds, and demolition landfill areas.

5.5 Connectivity

Defines standards for street, pedestrian, and bicycle connectivity for all development. *(152.182; 152.183; 152.185)*

5.6 Street Classification & Design

Establishes required street sections for various development contexts. Includes reference to Appendix 3: Street Engineering Standards. *(152.181; 152.184; 152.187; 152.188; 152.189; 152.190; 152.193; Appendix A §1; Appendix A §3; Appendix A §4; Appendix A §10; Appendix A §1;)*

5.7 Implementation of Street Standards

Establishes method of compliance for existing substandard streets and requires conformance with adopted transportation plans in the reservation/dedication of rights-of-way and the construction of certain facilities.

5.8 Sidewalks & Greenways

Establishes requirements for sidewalks, greenways, and other pedestrian pathways. *(152.139(O); 152.139(P); 152.187; 152.191; 152.192)*

5.9 Bicycle Facilities

Establishes requirements for bicycle facilities.

5.10 Traffic Impact Analysis

Sets the applicability threshold for which development types require a Traffic Impact Analysis. Refers to Appendix 2: Application Submittal Checklists. *(152.194(D))*

5.11 Improvement Guarantees

Defines regulations for improvement guarantees, including surety performance bonds, cash/equivalent securities, defaults and releases of guarantee security.

5.12 Easements & Dedications

Establishes minimum requirements for certain public easements and the reservation of land for school sites and/or other public facilities.

6.0 PARKS & OPEN SPACE

6.1 Purpose & Intent

Establishes the distinction between improved park space and unimproved open space and describes the general intent for the creation of centrally located land as neighborhood parks and open spaces. *(152.170)*

6.2 Dedication & Conservation Requirements

Describes how to calculate the required amount of dedicated parks and conserved open space in each zoning district. *(152.139(J); 152.173)*

6.3 Payment in Lieu of Dedication & Conservation

Establishes regulations for payments in lieu of park dedication and open space conservation, which may be appropriate where such measures are prohibitive. A formula for determining fee payment is provided.

6.4 Park/Open Space Standards

Defines various types of parks and open spaces and includes criteria for required improvements and amenities in association with each type. *(152.139(J); 152.139(O); 152.139(P); 152.171)*

6.5 Ownership & Maintenance

Establishes regulations for the ownership and maintenance of parks and open space by the town, a land conservancy, an approved HOA and/or a similar entity. *(152.139(M); 152.139(N); 152.049)*

7.0 PARKING AREAS

7.1 Purpose & Intent

Establishes regulations for the construction, expansion and renovation of parking lots, loading areas and similar facilities.

7.2 Applicability

Describes what provisions apply based on development type.

7.3 Permitted Parking Locations

Establishes permitted parking locations in relation to the building type and zoning district of the proposed development. *(152.14684(C); 152.14684(D))*

7.4 Type & Amount of Parking

Defines minimum and maximum ratios for automobile and bicycle parking areas through a Use Type/Required Parking Spaces matrix. Includes standards for the provision of satellite parking, shared/combined parking allowances and payments in lieu of parking for development in certain zoning districts. *(152.139(O)(8); 152.268; 152.273; 152.274)*

7.5 Automobile Parking Standards

Establishes standards for the design of all automobile parking areas including general parking area design standards, marking and surfacing requirements, structured parking requirements, provision of pedestrian corridors and exemptions/adjustments. *(152.270; 152.271; 152.272)*

7.6 Bicycle Parking Standards

Establishes standards for the design of required bicycle parking areas at multi-family and non-residential developments.

8.0 TREE PRESERVATION, LANDSCAPING & SCREENING

8.1 Purpose & Intent

Establishes the purpose and intent for landscape and screening requirements. *(152.300)*

8.2 Applicability & Administration

Defines applicability for landscaping regulations based on development type. References plant species list in Appendix 1. *(152.302; 152.304)*

8.3 Tree Coverage and Preservation

Establishes minimum tree coverage for subdivisions and preservation standards for existing trees and vegetation. *(152.139(O)(6); 152.303.1; 152.305; 152.313)*

8.4 Street Tree Plantings

Establishes requirements for the planting of trees within the public right-of-way, typically in a planting strip between the curb/street pavement and the sidewalk. Requirements are differentiated by corridor type and fronting use. *(152.311)*

8.5 Parking Area Landscaping

Establishes requirements for landscaping the interior of parking areas. *(152.312; 152.314(A); Standard Drawing 1, Standard Drawing 2)*

8.6 Screening & Buffers

Establishes the types of planting yards that shall be required to screen features, such as parking areas, loading docks, mechanical equipment and certain uses from the public realm and/or adjacent residential uses. *(152.235(H); 152.307; 152.308; 152.309; 152.310)*

8.7 Installation & Maintenance

Establishes standards for new plantings, including minimum size, time of installation, performance bond requirements, maintenance requirements, and alternate methods of compliance. *(152.303; 152.314(B); 152.317; Standard Drawing 3; Standard Drawing 4; 152.049)*

9.0 LIGHTING**9.1 Purpose & Intent**

Establishes the purpose and intent for lighting regulations to ensure safety and control light spillage and glare so as to not adversely affect motorists, pedestrians, and adjacent properties. *(152.235)*

9.2 Applicability & Administration

Defines how light level measurements are to be determined in administering the provisions of this chapter.

9.3 Exemptions & Prohibitions

Lists outdoor lighting types that are exempt from the provisions of this chapter and those which are expressly prohibited within the town and its ETJ.

9.4 Design Standards

Establishes standards for maximum permitted illumination measured in average foot-candles. *(152.235(G))*

9.5 Street Lighting

Defines street lighting design standards including minimum average street light spacing, fixture type and placement. *(152.226; 152.227)*

10.0 SIGNS**10.1 Purpose & Intent**

Establishes the purpose and intent for sign regulations throughout the town and its ETJ. *(152.254(A); 152.254(C))*

10.2 Applicability

Establishes when a development permit is required for the erection of a sign within the town and its ETJ. *(152.254(B); 152.254(D); 152.257(A))*

10.3 Computation of Sign Measurements

Clearly illustrates how sign area and height are calculated. *(152.256)*

10.4 Sign Standards

Uses tables to establish allowances for number of signs, size, area and type in each zoning district. *(152.263; 152.264; 152.14683)*

10.5 Temporary Signs

Outlines provisions for temporary signs. *(152.263(17); 152.263(13))*

10.6 Exemptions & Prohibitions

Lists sign types that are exempt from the provisions of this chapter and those which are expressly prohibited within the town and its ETJ. (152.259; 152.260)

10.7 Construction & Maintenance of Signs

Establishes requirements for the erection and upkeep of signs and defines specific conditions that constitute abandonment and noncompliance. Includes reference to nonconforming signs in Chapter 12. (152.258(C); 152.258(D))

11.0 ENVIRONMENTAL PROTECTION

11.1 Purpose & Intent

Describes the purpose of this chapter to provide standards for the management of stormwater, control of erosion, and prevention of property damage due to flooding.

11.2 Sedimentation & Erosion Control

Identifies Wake County as the authority for the review of sedimentation and erosion control plans in accordance with the *Wake County Soil Erosion & Sedimentation Control Ordinance*. (152.249)

11.3 Stormwater Management

Outlines locally preferred techniques for low-impact stormwater management (e.g., rain gardens, wetland restoration, rain barrels, pervious paving, etc.) and identifies Wake County as the authority for the review of subdivision and site plans in accordance with the *Wake County Stormwater Rules & Regulations*. (152.246; 152.247; 152.248)

11.4 Flood Damage Prevention

Establishes the title and statutory authorization for the floodplain regulations. Outlines general standards, applicability, and administration for flood hazard reduction within the Special Flood Hazard Areas. References Chapter 16 for definitions specific to the floodplain regulations. (152.147; 152.148; 152.149; 152.150; 152.151)

11.5 Watershed Protection

Outlines the applicability and administration of the watershed protection regulations according to state-mandated water supply watersheds. Defines the standards for all protected watersheds designated by the State Environmental Management Commission. (152.121(B))

12.0 NONCONFORMITIES

12.1 Purpose & Applicability

Establishes the purpose of nonconformity regulations to limit the continued existence of uses and structures established prior to the effective date of the UDO. (152.104; 152.106; 152.107; 152.108; 152.109; 152.110(A))

12.2 Nonconforming Uses & Structures

Defines regulations for nonconforming uses, structures, accessory uses, accessory structures, and open uses of land including expansions, changes to conforming use and abandonment. (152.106; 152.107; 152.108; 152.109)

12.3 Nonconforming Lots

Defines regulations for nonconforming lots and specifically addresses nonconforming lot development. (152.105)

12.4 Nonconforming Signs

Establishes regulations for nonconforming signs including repairs/maintenance, replacement, and abandonment. (152.261; 152.262)

12.5 Nonconforming Plans

Defines regulations for nonconforming plans including plans approved prior to the adoption of the UDO and amendments/modifications to previously adopted plans. *(152.110)*

13.0 ADMINISTRATIVE AGENCIES**13.1 Administrator**

Defines the duties of the Administrator including general responsibilities and maintenance of all records and files. *(152.025; 152.026; 152.047; 152.074(D))*

13.2 Technical Review Committee

Defines the duties of the Technical Review Committee. *(152.027)*

13.3 Board of Commissioners

Defines the responsibilities of the Board of Commissioners related to the processes outlined in the UDO. *(152.017)*

13.4 Planning Board / Board of Adjustment

Establishes authority and defines responsibility and membership for members of the combined Planning Board and Board of Adjustment. *(152.018; 152.019; 152.020; 152.022; 152.023; 152.024; 152.074; 152.121(B)(5)(b); 31.30; 31.31; 31.32; 31.33; 31.34)*

13.5 Historic Review Board

Establishes authority and defines responsibility and membership for members of a Historic Review Board that may be called upon in the future to administer any Historic Overlay District(s) adopted by the Board of Commissioners.

13.6 Wake County

Describes the role of Wake County in the development review process.

13.7 Meetings & General Procedures

Defines that all meetings shall be open to the public and conducted in accordance with stated procedures. *(152.082; 152.084; 152.085; 152.086)*

14.0 ADMINISTRATION & PROCEDURES**14.1 Purpose & Intent**

Defines the purpose and intent for establishing a clear, comprehensive and orderly process for land development within the town and its ETJ.

14.2 General Provisions & Applicability

Establishes applicability for the provisions outlined in this chapter affecting all development and subdivision of land within the jurisdiction of the Town of Zebulon according to the Recommended Development Roles & Responsibilities table on the following page. Defines when a development permit is not required for certain activities. *(152.031; 152.032; 152.033; 152.045)*

RECOMMENDED DEVELOPMENT ROLES & RESPONSIBILITIES TABLE

Permit /Review Process	Process Type	Reviewing Entity	Public Notice	Decision-Making Authority	Appeals	Approval Period
ADMINISTRATIVE & USE PERMITS						
Development Permit	Administrative	Administrator	None	Administrator	Planning Board	12 months
Temporary Use Permit	Administrative	Administrator	None	Administrator	Planning Board	Varies by use
Special Use Permit	Quasi-Judicial	Administrator, Planning Board	Public Hearing	Board of Commissioners, <i>OR</i> Planning Board	Wake County Superior Court	Varies by use
Administrative Modifications	Administrative	Administrator	None	Administrator	Planning Board	n/a
ENVIRONMENTAL PROTECTION						
Watershed Development	Administrative	Administrator	Reviews conducted concurrently with applicable subdivision or site plan process			
Floodplain Development	Administrative	Administrator				
SITE PLANS						
Minor Site Plan	Administrative	Administrator	None	Administrator	Planning Board	2 years
Major Site Plan	Quasi-Judicial	Administrator	Public Hearing	Board of Commissioners	Wake County Superior Court	2 years
SUBDIVISIONS						
Minor Subdivision	Administrative	Administrator	None	Administrator	Planning Board	60 days to record
Major Subdivision - Preliminary Plat	Quasi-Judicial	Administrator	Public Hearing	Board of Commissioners	Wake County Superior Court	12 months
Major Subdivision - Final Plat	Administrative	Administrator	None	Administrator	Planning Board	60 days to record
HISTORIC PRESERVATION						
Designation of Historic Landmarks and Districts	Legislative	Historic Review Board	Public Hearing	Board of Commissioners	Wake County Superior Court	n/a
Certificate of Appropriateness (Minor)	Administrative	Administrator	None	Administrator	Historic Review Board	12 months
Certificate of Appropriateness (Major)	Quasi-Judicial	Administrator	Public Hearing	Historic Review Board	Planning Board	12 months
APPEALS & VARIANCES						
Appeal of Administrative Decision	Quasi-Judicial	Planning Board	Public Hearing	Planning Board	Wake County Superior Court	n/a
Variance	Quasi-Judicial	Planning Board	Public Hearing	Planning Board, NCEMC*	Wake County Superior Court	Varies
AMENDMENTS & LEGISLATIVE APPROVALS						
Amendments (Map & Text)	Legislative	Planning Board	Public Hearing	Board of Commissioners	Wake County Superior Court	n/a
Conditional District (including PUD)	Legislative	Planning Board	Public Hearing	Board of Commissioners	Wake County Superior Court	May be rescinded after 2 years
Vested Rights	Legislative	Planning Board	Public Hearing	Board of Commissioners	Wake County Superior Court	2 years

* Review and approval by North Carolina Environmental Management Commission (NCEMC) required for Major Watershed Variances only

- 14.3 Public Notification**
Outlines public notification requirements in accordance with the NCGS, including notices in the newspaper, letters to affected property owners, and provisions for full community notification. *(152.083)*
- 14.4 Application Requirements**
Outlines general application requirements and includes a reference to the detailed application submittal checklists in Appendix 2. *(152.293; 152.294; 152.295; 152.306; 152.034)*
- 14.5 General Requirements for Quasi-Judicial Hearings & Decisions**
Establishes standards and procedures for all quasi-judicial processes, regardless of the decision-making body.
- 14.6 Administrative & Use Permits**
Establishes the review process for all administrative permits/approvals and all approvals required for compliance with the use standards of the UDO. This includes Development Permits, Temporary Use Permits, and Special Use Permits, among others. *(152.038; 152.039; 152.040; 152.042; 152.043; 152.046; 152.048; 152.050(C); 152.162.(C); 152.235(I); 152.036; 152.037; 152.046; 152.047; 152.232)*
- 14.7 Environmental Protection Permits**
Establishes the review process for permits/approvals required for activities that impact the natural environment including Tree Removal Permits, Watershed Development Permits, and Floodplain Development Permits. *(152.121(B)(5))*
- 14.8 Site Plans**
Establishes applicability and procedures for site plan review and approval.
- 14.9 Subdivisions**
Establishes applicability and procedures for subdivision submission and approval. *(152.053; 152.054; 152.055; 152.056; 152.057; 152.058; 152.059; 152.121(B)(2)(b))*
- 14.10 Historic Preservation**
Creates a designation and review process for future historic districts, should the town decide to use them. This includes Certificates of Appropriateness for development in a designated historic district.
- 14.11 Appeals & Variances**
Establishes regulations for Appeals of Administrative Decisions and Variances from the provisions of the UDO. *(152.048; 152.072; 152.073; 152.075; 152.099)*
- 14.12 Amendments & Legislative Approvals**
Establishes regulations regarding Amendments to the UDO (text and map) and the establishment of Conditional Districts and Vested Rights. Includes general requirements and procedures for substantial changes and rescission of Conditional Districts and the revocation/expiration of Vested Rights. *(152.060; 152.061; 152.062; 152.063; 152.065; 152.066; 152.280; 152.281; 152.282; 152.283; 152.284; 152.285)*
- 15.0 VIOLATIONS & PENALTIES**
- 15.1 Notice of Violations**
Establishes that written complaints may be filed whenever a violation of the UDO occurs or is alleged to have occurred and that the town may conduct inspections to certify compliance with the provisions of the UDO. *(152.093)*
- 15.2 Penalties for Violation & Enforcement Mechanisms**
Defines remedies and enforcement mechanisms which may be used to enforce the provisions of the UDO including criminal penalties, equitable remedies, injunctions, orders of abatement, civil penalties, execution of court decisions, stop work orders, and revocation of permits. *(152.096; 152.097; 152.098)*
- 15.3 Specific Types of Violations**
Sets out provisions specific to certain types of violations, including watershed development and landscape violations. *(152.318; 152.121(B)(1)(c); 152.121(B)(1)(d))*

16.0 DEFINITIONS

16.1 Purpose & Intent

Describes the objective of the definitions to be used for the purpose of interpreting the ordinance.

16.2 Rules of Construction

Defines how certain words, concepts, or ideas should be interpreted.

16.3 Use Definitions

Defines all the uses established in the UDO. *(152.016)*

16.4 General Definitions

Consolidates and updates the various definitions within the UDO. *(152.016)*

16.5 Specialized Definitions

Consolidates and updates the various definitions which are applicable only to certain sections or chapters of the UDO (e.g., definitions related to flood damage prevention). *(152.016)*

A-1 APPENDIX 1: PLANT SPECIES LIST

Lists acceptable tree and shrub species to satisfy the requirements of Chapter 8: Tree Preservation, Landscaping, and Screening. *(152.315)*

A-2 APPENDIX 2: APPLICATION SUBMITTAL CHECKLISTS

Establishes details for the submittal of various permit applications, including site plans, subdivisions, traffic impact analyses, etc. *(152.194)*

A-3 APPENDIX 3: STREET ENGINEERING SPECIFICATIONS

Establishes standards for street installation, including cutting and filling, clearing, grading, base course, and street surfacing. *(Appendix A §2; Appendix A §5; Appendix A §6; Appendix A §7; Appendix A §8; Appendix A §9; Appendix A §10; Appendix A §11; Appendix A §12; Appendix A §13; Appendix A §14; Appendix A §15)*



Image Credit: DPZ

The Style Guide on the following pages illustrates the recommended conceptual document layout for the Zebulon Unified Development Ordinance (UDO). It contains placeholder text and graphics that are intended to show how typical pages from the UDO will appear. (Note - Nothing in the Style Guide is intended to represent specifically recommended standards for the UDO. The numbers and standards shown are simply placeholders used for the sake of general illustration.)

The Style Guide has been prepared using Adobe InDesign software and utilizes master pages, paragraph styles, text styles and “flowing” text boxes that will allow Town Staff to quickly and seamlessly integrate ongoing amendments into the body of the document. It uses a one-column format that will allow new graphics and amendments to be quickly and easily incorporated as necessary.

The InDesign software will also allow the updated ordinance to be published as a PDF document with embedded “clickable” navigation, searchable text, and links to web-based resources and/or contact information such as application checklists, and separately maintained regulatory documents. This will create an interactive experience that provides a much clearer relationship between the town’s various land development regulations and a much greater depth of understanding for users of the ordinance.

The Style Guide has been organized using the basic Chapter-Section-Subsection-Paragraph-Number hierarchy (e.g., 4.5.3.B.1) recommended in the Diagnostic Report to promote greater ease of use and access to information. A chapter-specific table of contents is provided for quick reference on the first page of each chapter. Large section headers and subheaders support quick access to specific provisions within the ordinance. Headers and footers with section and page number references allow for quick and easy navigation within the document.

The Style Guide has also been organized to accommodate the generous use of tables and graphics and create a more visually attractive and user-friendly document. A variety of standard page layouts have been created to accommodate all different sizes of tables and graphics within the body of the document. Standard table and chart layouts will allow long sections of narrative in the existing ordinance to be condensed and presented in an efficient manner.

Used in combination, these techniques will radically improve the readability and usability of the existing Code of Ordinances, decrease its overall length and communicate the various regulations in a much more clear and effective manner.

DISTRICT STANDARDS

2

2.1 BASE DISTRICTS

2.1.2 BASE DISTRICTS ESTABLISHED

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- CS - Civic Space
- RA - Rural Agriculture
- SR4 - Suburban Residential
- SR6 - Suburban Residential
- UR - Urban Residential
- NMX - Neighborhood Mixed-Use
- TC - Town Center
- IC - Institutional Campus
- HMX - Highway Mixed-Use
- IMX - Industrial Mixed-Use
- HI - Heavy Industrial
- RE - Regional Entertainment

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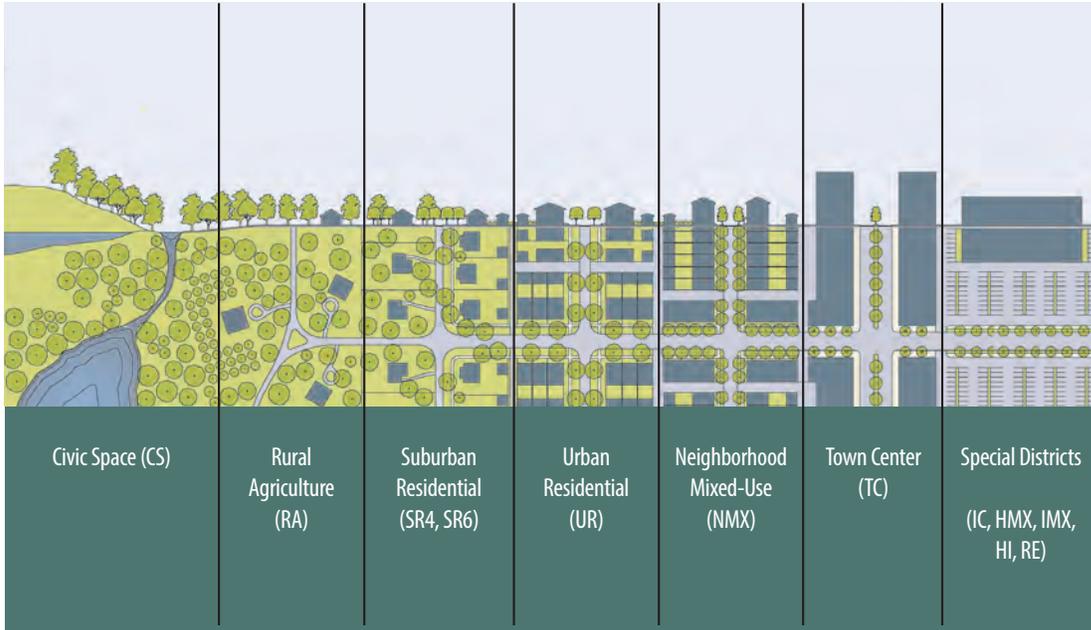
SECTIONS

2.1 BASE DISTRICTS	7
2.2 DISTRICT STANDARDS	12
2.3 PERMITTED USES	16
2.4 OVERLAY DISTRICTS	20
2.5 CONDITIONAL DISTRICTS	27

District Standards | 2.1 Base Districts

ZEBULON DISTRICT CLASSIFICATION DIAGRAM

Image Credit: Duany Plater-Zyberk and Co.



CS - CIVIC SPACE

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RA - RURAL AGRICULTURE

Et od quibus quasita temped quaeri dolupitatem diciur aut eosandam fuga. Nossequiam nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressi ut laces ero quo volupta quatibus dolorep erionse dita dolest, sim fugia.



District Standards | 2.1 Base Districts

SR4 & SR6 - SUBURBAN RESIDENTIAL

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UR - URBAN RESIDENTIAL

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District Standards | 2.1 Base Districts

2.2.1 BUILDING TYPE TABLE

Et od quibus quasita temped quaeri dolupitatem diciur aut eosandam fuga. Nossequiam nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Et od quibus quasita temped quaeri dolupitatem diciur aut eosandam fuga. Nossequiam nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem.

	CS	RA	SR4, SR6	UR	NMX	TC	IC	HI	REFERENCES
Building Types									
Civic/Institutional	DR	DR	DR	DR	DR	DR	DR	DR	4.6.2
Detached House	P	P	P	P	-	-	P	-	4.6.3
Attached House (Duplex, Triplex, Quadplex)	-	-	DR	DR	P	P	P	-	4.6.3
Townhouse	-	-	-	DR	DR	DR	DR	-	4.6.4
Live/Work Unit	-	-	-	DR	DR	DR	-	-	4.6.4
Apartment	-	-	-	-	DR	DR	DR	-	4.6.5
Mixed-Use/Storefront	-	-	-	-	DR	DR	DR	DR	4.6.6
Suburban Campus (Commercial, Industrial)	-	-	-	-	-	-	-	DR	4.6.7

P - Permitted by-right; DR - Permitted subject to review by the Design & Historic Review Board in accordance with Section 14.8.3; (-) - Prohibited



CIVIC / INSTITUTIONAL BUILDINGS nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Quiassit et occuptae plitioressit es voluptatur.



DETACHED HOUSES anobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Quiassit et occuptae plitioressit es voluptatur.

District Standards | 2.1 Base Districts



ATTACHED HOUSES nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Quiassit et occupatae plitioressit es voluptatur.



TOWNHOUSES nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Quiassit et occupatae plitioressit es voluptatur.



LIVE/WORK UNITS nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Quiassit et occupatae plitioressit es voluptatur.



APARTMENT BUILDINGS inobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Quiassit et occupatae plitioressit es voluptatur.



MIXED-USE/STOREFRONT BUILDINGS nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Quiassit et occupatae plitioressit es voluptatur.



SUBURBAN CAMPUS BUILDINGS nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Quiassit et occupatae plitioressit es voluptatur.

2.3 PERMITTED USES

2.3.1 USE CATEGORIES

Et od quibus quasita temped quaeri dolupitatem diciur aut eosandam fuga. Nossequiam nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem:

- A. **Residential:** Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem.
- B. **Lodging:** Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem.
- C. **Office/Service:** Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem.
- D. **Commercial/Entertainment:** Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem.
- E. **Civic:** Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utemy.
- F. **Educational/Institutional:** Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utems.
- G. **Automotive:** Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utems.
- H. **Industry/Wholesale/Storage:** Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utemle.
- I. **Agriculture:** Pam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem.
- J. **Infrastructure:** Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem.

2.3.2 INTERPRETATION OF USE TABLE

- A. **Permitted/Prohibited Uses:** Et od quibus quasita temped quaeri dolupitatem diciur aut eosandam fuga. Nossequiam nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem.
- B. **Vitioreces Escima:** Adit, sae vendanditam si officie nducilicatur sitis aditius voles ea consequatur sumquiant quam sum earcit expel ipsapic ipsapernat abor molest audis evelent pel et fuga. Vitioreces escima quiantur aut audit, ute et, cuptae cus, quaectasped quo ipient volorro reictus. Adit, sae vendanditam si officie nducilicatur sitis aditius voles ea consequatur sumquiant quam sum earcit expel ipsapic ipsapernat abor molest audis evelent pel et fuga. Vitioreces escima quiantur aut audit, ute et, cuptae cus, quaectasped quo ipient volorro reictus. Adit, sae vendanditam si officie nducilicatur sitis aditius voles ea consequatur sumquiant quam sum earcit expel ipsapic ipsapernat abor molest audis evelent pel et fuga. Vitioreces escima quiantur aut audit, ute et, cuptae cus, quaectasped quo ipient volorro reictus
- C. **Nam Laccatissus:** Et od quibus quasita temped quaeri dolupitatem diciur aut eosandam fuga. Nossequiam nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occupatae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem.

District Standards | 2.3 Permitted Uses

2.3.3 USE TABLE

USE TYPE	CS	RA	SR4, SR6	SR4, SR6	UR	NMX	TC	EC	References
Residential									
Accessory Dwelling	PS	P	PS	PS	PS	PS	PS	-	3.2.1.A
Halfway Home	-	-	-	-	PS	-	PS	-	3.2.1.B
Manufactured/Mobile Home	PS	PS	PS	-	-	-	PS	-	3.2.1.C
Manufactured/Mobile Home Park	-	CD	-	-	-	-	-	-	
Multifamily Dwelling	-	-	PS	PS	P	P	P	-	3.2.1.D
Live/Work Unit	-	-	-	CD	PS	PS	-	-	3.2.1.E
Residential Care Facility (more than 6 residents)	-	-	-	-	P	P	-	-	
Residential/Family Care Home (6 or less residents)	-	P	P	P	P	P	P	-	
Single Family Home	PS	P	P	P	-	-	P	-	3.2.1.F
Lodging									
Bed and Breakfast (up to 8 rooms)	-	PS	PS	PS	PS	PS	PS	-	3.2.2.A
Boarding or Rooming House (12 or less persons)	-	-	-	-	P	P	P	-	
Dormitory	-	-	-	-	P	P	P	-	
Fraternity/Sorority House	-	-	-	P	P	P	P	-	
Hotel/Motell/Inn	-	-	-	-	P	P	P	P	
Office / Service									
Business Support Services	-	CD	-	P	P	P	P	P	
Dry Cleaning and Laundry Services	-	-	-	P	P	P	P	P	
Funeral Home	-	P	-	P	P	P	-	P	
General Office	-	CD	-	P	P	P	P	P	
Home Occupation	-	PS	PS	PS	PS	PS	PS	-	3.2.3.A
Kennel - Commercial	-	PS	-	-	-	-	-	-	3.2.3.B
Medical/Dental/Optical Clinic	-	-	-	P	P	P	P	P	
Personal Services	-	-	-	P	P	P	P	P	
Personal Services - Restricted	-	-	-	-	-	-	-	P	
Veterinary Clinic	-	-	-	P	P	P	-	P	
Commercial / Entertainment									
Adult Establishment	-	-	-	-	-	-	-	PS	3.2.4.A
Alcoholic Beverage Sales Store	-	-	-	-	-	-	-	P	
Amusements - Indoor	-	-	-	-	P	P	P	-	
Amusements - Outdoor	-	P	-	-	-	-	-	P	
Bar/Tavern/Nightclub	-	-	-	P	P	P	-	P	
Billiard/Pool Hall	-	-	-	P	P	P	-	P	
General Commercial	-	CD	-	P	P	P	P	P	
Marina - Commercial	P	P	-	-	P	P	-	P	
Outdoor Sales	-	-	-	PS	PS	PS	PS	PS	3.2.4.B
Pawnshop	-	-	-	-	-	-	-	-	
Racetrack	-	P	-	-	-	-	-	-	

2.4 OVERLAY DISTRICTS

2.4.1 OVERLAY DISTRICTS ESTABLISHED

Et od quibus quasita temped quaeri dolupitatem diciur aut eosandam fuga. Nossequiam nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressi ut laces ero quo volupta quatibus dolorep erionse dita dolest, sim fugia.

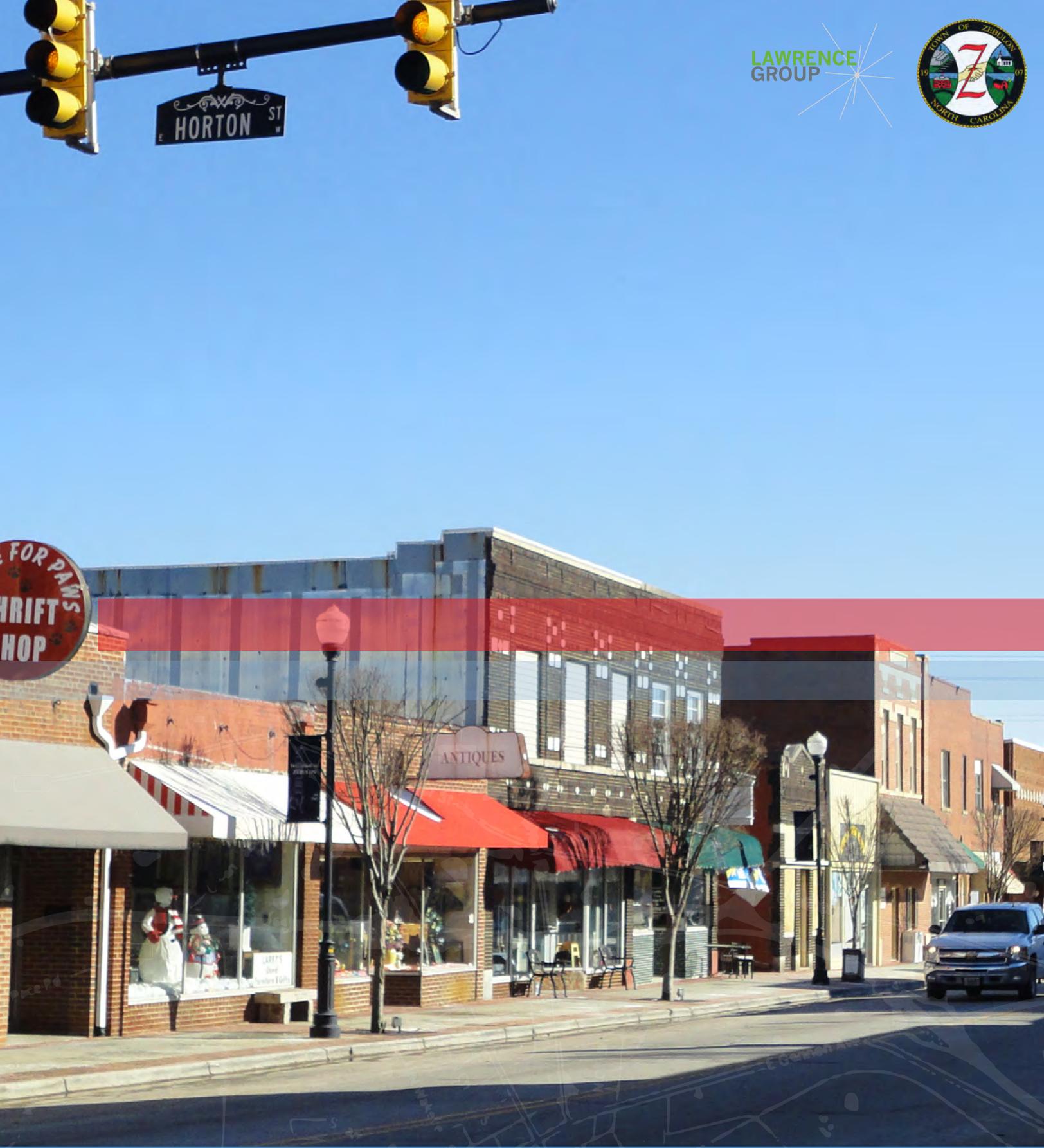
2.4.2 SHOPFRONT OVERLAY STANDARDS

Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressi ut laces ero quo volupta quatibus dolorep erionse dita dolest, sim fugia. Et od quibus quasita temped quaeri dolupitatem diciur aut eosandam fuga. Nossequiam nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressi ut laces ero quo volupta quatibus dolorep erionse dita dolest, sim fugia.

- A. **Et od quibus:** Quasita temped quaeri dolupitatem diciur aut eosandam fuga. Nossequiam nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressit es voluptatur, sum, ullatquunt idus mostem sundi utem. Nam laccatissus, quos aspitib usaped que mostis volore, quiassit et occuptae plitioressi ut laces ero quo volupta quatibus dolorep erionse dita dolest, sim fugia.
- B. **Temped aut:** Quasita temped quaeri dolupitatem diciur aut eosandam fuga. Nossequiam nobit voluptas restio. Nam laccatissus, quos aspitib usaped que mostis.

FRONTAGE TYPE	SECTION VIEW		PLAN VIEW	
	LOT PRIVATE FRONTAGE	R.O.W. PUBLIC FRONTAGE	LOT PRIVATE FRONTAGE	R.O.W. PUBLIC FRONTAGE
Shopfront: A frontage wherein the facade is aligned close to the property line with the building entrance at sidewalk grade. It has a substantial glazing on the sidewalk level and an awning that may overlap the sidewalk to within 2 feet of the curb.				
Gallery: A frontage wherein the facade is aligned close to the property line with an attached cantilevered shed or a lightweight colonnade overlapping the sidewalk. The gallery shall be no less than 10 feet wide and should overlap the sidewalk to within 2 feet of the curb.				
Arcade: A colonnade supporting habitable space that overlaps the sidewalk, while the facade at sidewalk level remains at or behind the property line. The arcade shall be no less than 12 feet wide and should overlap the sidewalk to within 2 feet of the curb.				

LAWRENCE
GROUP



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