



THE TOWN OF

# Holly Springs

**Ordinance Number:** XX-XX

**Date Submitted:**

**Date Adopted:**

**AN ORDINANCE TO AMEND SECTIONS OF THE CODE OF ORDINANCES  
TO MODIFY APPENDIX A: UNIFIED DEVELOPMENT ORDINANCE  
AND ADOPT THE COMPATIBILITY STATEMENT REQUIRED BY  
NORTH CAROLINA GENERAL STATUTES 160A-383**

**WHEREAS**, the Town of Holly Springs Town Council adopted *Vision Holly Springs: Town of Holly Springs Comprehensive Plan* in November 2007 and updated the plan in 2009 and 2018; and

**WHEREAS**, Town of Holly Springs desires to amend the Unified Development Ordinance in accordance with the goals and policies contained within *Vision Holly Springs: Town of Holly Springs Comprehensive Plan*; and

**WHEREAS**, the Holly Springs Planning Board has reviewed this request at a Public Meeting and recommended approval; and

**WHEREAS**, an opportunity for public input into the suggested amendment has been offered in a public hearing before the Town Council; and

**WHEREAS**, the Holly Springs Town Council finds that the requested UDO Text Amendment is consistent with the *Vision Holly Springs: Town of Holly Springs Comprehensive Plan: Executive Summary* in regards to “Using the Plan to Implement the Town’s Vision” and “Adopting and Implementing the Plan”; Section 1 Future Land Use and Community Character, which encourages the Town to Actively balance commercial, industrial and residential development with conservation when promoting land use decisions that will enable the Town to develop a sustainable balanced tax base; Identify land for future industrial development; Encourage a “village atmosphere” by creating a sense of community and identity for the residents and businesses of Holly Springs; and Encourage the development of connected pedestrian oriented developments. The proposed UDO Amendment provides the tools necessary for staff and the development community to implement the goals and objectives stated in the Plan and is in the public interest; and

**THEREFORE, BE IT ORDAINED** by the Holly Springs Town Council of the Town of Holly Springs, North Carolina, that the Code of Ordinances Appendix A: Unified Development Ordinance of the Town is amended as follows:

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Email: [dick.sears@hollyspringsnc.us](mailto:dick.sears@hollyspringsnc.us)

Part 1: Amending Table of Contents; to add new section M, Exemptions, to section 1.21:

Add text as indicated in **bold** to Table of Contents; Section 1.21 Nonconforming Lots, Uses, Buildings, Structures or Signs:

- 1.21 Nonconforming Lots, Uses, Buildings, Structures or Signs
  - A. Intent
  - B. Incompatibility of Legally Established Nonconforming Uses
  - C. Avoidance of Undue Hardship
  - D. Legally Established Nonconforming Lots of Record
  - E. Legally Established Nonconforming Buildings or Structures (Excluding Signs)
  - F. Legally Established Nonconforming Uses of Land
  - G. Discontinuation of Legally Established Nonconforming Uses of Land
  - H. Legally Established Nonconforming Uses Within Legally Established Nonconforming Buildings or Structures
  - I. Repairs and Maintenance of Legally Established Nonconforming Buildings or Structures (Excluding Signs)
  - J. Legally Established Nonconforming Signs
  - K. Legally Established Nonconforming Trash Containers
  - L. Determination of Reported Tax Value or Replacement Costs
  - M. Exemptions**

Part 2: Amending Table of Contents, to add a reference to a new subsection to Section 4.03 being created by this Ordinance:

Add text as indicated in **bold** to Table of Contents, Section 4.03; as follows:

- 4.03 IT Industry and Technology District
  - A. Permitted Uses
  - B. Development Standards
  - C. Architectural and Site Design Review
  - D. Special Regulations for Permitted Uses.**

Part 3: Amending Section 1 Provisions of Common Applicability; to add new section M exemptions, existing Self-storage (Mini-) Warehouse uses:

Add text as indicated in **bold** to UDO Section 1.21 Nonconforming Lots, Uses, Buildings, Structures or Signs:

- 1.21 Nonconforming *Lots, Uses, Buildings, Structures or Signs*
  - M. Exemptions**
    - 1. Self-storage (Mini-) Warehouse uses, where a special exception and development plan have been approved by the Town Council prior to July 1, 2019, shall not be deemed a nonconforming use, building, or**

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**structure provided the use, building, or structure shall remain in compliance with the terms, provisions or conditions of the grant of special exception; development plan; or, other approval grant authorized by this UDO.**

Part 4: Amending Section 4.01 A. 2. e. BT Business and Technology; Permitted Uses; Special Exception Uses; Industrial Use to remove self-storage/mini-warehouse uses from this district

Remove text as indicated in ~~strike through~~ to Section 4.01 A. 2. e. BT Business and Technology; Permitted Uses; Special Exception Uses; Industrial Use, as follows:

- e. Industrial Use: Assembly or Repair of previously manufactured parts, sub-assemblies or components; Light Manufacturing; Prototype Process and Production Plant; ~~Self-storage (Mini-) Warehouse.~~

Part 5: Amending Section 4.03 A. 2. d. IT Industrial and Technology; Permitted Uses; Special Exception Uses; Industrial Use to add self-storage/mini-warehouse uses in this district

Add text as indicated in **bold** to Section 4.03 A. 2. d. IT Industrial and Technology; Permitted Uses; Special Exception Uses; Industrial Use, as follows:

- d. Industrial Uses: Commercial and Industrial Machinery and Equipment Repair; Heavy Equipment Sales/Rental; Machine or Welding Shop; Manufacturing-Heavy; Resource Extraction; **Self-storage (Mini-) Warehouse.**

Part 6: Adding Section 4.03 D. IT Industrial and Technology; Special Regulations for Permitted Uses: to add special regulations for self-storage/mini-warehouse uses

Add text as indicated in **bold** to Section 4.03 D. IT Industrial and Technology; Special Regulations for Permitted Uses, as follows:

**D. Special Regulations for *Permitted Uses*.**

**1. Special Regulations for *Self-storage (Mini-) Warehouse Uses***

- a. In addition to complying with the *Development Standards* contained in Section 4.03 - IT Industry and Technology District, and the requirements for a *Special Exception Use* in Section 9.10 - Special Exception Uses, all *Self-storage (Mini-) Warehouse uses* shall comply with the following additional *development standards*:

- (1) **Minimum Height** – All *buildings or structures* in which any portion of the *lot* is located within a *gateway corridor* shall be a minimum of two (2) stories in height.

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- (2) **Separation – New *Self-storage (Mini-) Warehouse uses* shall have a minimum separation radius from other *Self-storage (Mini-) Warehouse uses*, as measured from *property line* to *property line*, of one thousand three hundred and twenty (1,320) feet or one-quarter (1/4) mile.**
- (3) **Climate Control – All storage units located in a multi-story *building* or *structure* shall be climate controlled with a working HVAC system.**
- (4) ***Outdoor Storage* and Operations.**
- (a) ***Outdoor storage* shall be prohibited.**
- (5) **Accessory Uses**
- (a) **In addition to the *accessory uses* permitted in Section 4.04, A. – Accessory Uses, Buildings and Structures, Truck – Rental Service shall be permitted as an *accessory use* only if included and shown on an approved site specific *Development Plan* with the following additional development standards:**
- (i) **No more than a total of six (6) vehicles and/or trailers for rent shall be parked on site at any time in association with the *Truck – Rental Service*.**
- (ii) **Vehicles and trailers associated with the *Truck – Rental Service* shall be parked as follows:**
1. **Shall be parked in a designated *off-street parking space* and shall not interfere with any minimum required *off-street parking spaces* or safe and efficient flow of vehicular and pedestrian traffic around the *parking area*.**
  2. **Shall not be parked or located between a *front building line* and *front lot line*.**
  3. **Shall not block the entrance to the *building* or any required *off-street loading area*.**
  4. **Shall not be permitted along a *building* façade which is parallel to or within ninety (90) degrees of being parallel to a *front lot line* or *bufferyard*. Parking or locating of vehicles and/or trailers along**

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a *building* façade which is located between ninety (90) and one-hundred and twenty (120) degrees of being parallel to a *front lot line* or *bufferyard* shall be effectively screened from such *front lot line* or *bufferyard* by either:

- a. a screening wall accompanied by *foundation landscaping*; or,
- b. Type C landscape screening with a *plant unit value* of at least forty (40), for the full depth of the *off-street parking spaces*.

(6) Loading

- (a) In addition to the requirements in Section 7.05 Off-Street Loading Regulations, each multi-story *building* or *structure* shall provide a minimum of one (1) *off-street loading space* with an attached loading dock that is accessible to semi-tractor combinations or other delivery vehicles for loading or unloading goods directly into the *building* or *structure*.

(7) Architectural and Site Design Review

- (a) *Self-storage (Mini-) Warehouse uses* shall be subject to the architectural and site design requirements set forth in Section 3.08 – Architectural and Site Design Requirements of this UDO.
- (b) Interior architecture that is visible from the exterior (e.g. elements located within ten (10) feet and visible through translucent windows), including walls, doors, etc., shall have a color pallet that has been approved in a manner consistent with the exterior of the *building*.
- (c) There shall be no exterior storage unit access doors on the *front façade* of any *building* facing a *thoroughfare*.

Part 7: Amending Section 11.02 Definitions to define self-storage/mini-warehouse:

Add text as indicated in **bold** to Section 11.02 Definitions, as follows:

**Mini-Storage: See Self-storage (Mini-) Warehouse.**

**Self-storage (Mini-) Warehouse: An establishment engaged in the storage of personal property in a *building* or group of *buildings* or *outdoor storage yard*, where the *building* or group of *buildings* or *outdoor storage yard* are divided into separate**

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**storage units or locations that may be leased, rented, or shared by multiple tenants on a short or long term basis. Self-storage (Mini-) Warehouse may include refrigerated facilities and climate control facilities. This term also includes mini-storage and self-storage facilities.**

**Part 8: REPEAL OF CONFLICTING ORDINANCES**

All ordinances or parts of the UDO of the Town of Holly Springs conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

**Part 9: SEVERABILITY**

If any section, part of a section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**Part 10: INCLUSION IN CODE**

It is the intention of the Town Council entered as hereby ordained, that the provisions of this Ordinance shall become and be made part of the Unified Development Ordinance of the Town of Holly Springs, North Carolina; that the Section(s) of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "Ordinance" may be changed to "Section, or "Article" or other word.

**Part 11: EFFECTIVE DATE**

The provisions of this ordinance shall become effective August 20, 2019 in accordance with the laws of the State of North Carolina.

Adopted this, the 20 day of August 2019.

Attested to:



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Dick Sears, Mayor

\_\_\_\_\_  
Linda McKinney, Town Clerk

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