



THE TOWN OF

# Holly Springs

**Ordinance Number:** 20-06  
**Date Submitted:** October 20, 2020  
**Date Adopted:** October 20, 2020

**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*: Page 27: Requiring decorative features and landscaping does support the FLUP in creating character based design guidelines. CC-8 Page 122 Increased Walkability: Utilizing a 6' fence that is set back from the property line and that includes landscaping can support the feeling of safety and security for pedestrians walking on the sidewalk. CC-9 Page 123 Enhanced Character and Walkability by orienting all Buildings to the Street: orienting a decorative fence with decorative features with landscaping to the street can promote a more pedestrian friendly environment by showing investment in the public realm.

**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:

*Office of the Mayor*

P.O. Box 8 • 128 S. Main Street • Holly Springs, NC 27540 • [www.hollyspringsnc.us](http://www.hollyspringsnc.us)  
Email: [dick.sears@hollyspringsnc.us](mailto:dick.sears@hollyspringsnc.us)

Part 1: Amending Section 2.08 General Regulations for Residential Districts:

Add text as indicated in **bold** and remove text as indicated in ~~strikethrough~~ to Table of Contents as follows:

d. Fences (including but not limited to chain link, solid, shadow-box, stockade, architectural screen, lattice-work or masonry).

(1) Individual lots - Shall not exceed forty-eight (48) inches in height above grade in a minimum front yard or if located in the buildable area of a lot located between the front line of the primary building and the minimum front yard;

**(2) Corner lots - Shall not exceed six (6) feet in height above grade in the front yard that is located on the side of the home:**

- a. Shall not be placed closer to the front of the lot than one half (1/2) of the depth of the building footprint;**
- b. Shall use materials other than chain link, and;**
- c. Any plantings shall not be planted within or in a manner which interferes with the public or private right-of-way.**

**(3) Subdivision frontage** – Fences which are located along a perimeter street frontage of a recorded, platted residential subdivision shall not exceed (6) feet in height above grade.

**(4)** Shall not exceed six (6) feet in height above grade in a minimum side yard or minimum rear yard;

**(5)** Shall be placed with the finished side of the fence facing out from the lot upon which the fence is placed;

**(6) Special Exception Uses** – All fencing located between a front lot line and the front line of the primary building shall be black vinyl coated chain link or ornamental fence; and,

**(7)** Shall comply with all regulations of Section 1.22 – Sight Distance Requirements of this UDO.

*Office of the Mayor*

P.O. Box 8 • 128 S. Main Street • Holly Springs, NC 27540 • [www.hollyspringsnc.us](http://www.hollyspringsnc.us)  
Email: [dick.sears@hollyspringsnc.us](mailto:dick.sears@hollyspringsnc.us)

**(8) Control of Access fencing** – All new or replacement of control or access fencing along the right-of-way shall be ornamental fence.

**Part 2: 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 3: 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 4: INCLUSION IN CODE**

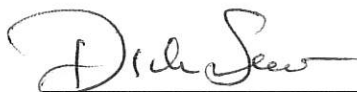
It is the intention of the Town Council entered as hereby ordained, that the provisions of this Ordinance shall become and be made part of the Unified Development Ordinance of the Town of Holly Springs, North Carolina; that the Section(s) of this Ordinance may be renumbered or relettered to accomplish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

**Part 5: EFFECTIVE DATE**

The provisions of this ordinance shall become effective October 20, 2020 in accordance with the laws of the State of North Carolina.

Adopted this, the 20<sup>th</sup> day of October, 2020.

Attested to:



Dick Sears, Mayor



Linda McKinney, Town Clerk  
 Kathy White, Deputy Town Clerk



*Office of the Mayor*

P.O. Box 8 • 128 S. Main Street • Holly Springs, NC 27540 • [www.hollyspringsnc.us](http://www.hollyspringsnc.us)  
Email: [dick.sears@hollyspringsnc.us](mailto:dick.sears@hollyspringsnc.us)