

Section 3.03 TV Town Village District

Intent - The TV *District* is established to promote the development of the original central village core of the Town of Holly Springs. The regulations are intended to encourage all the elements of a traditional village center, including: storefront retail; professional offices; and, *dwelling units* located in the upper stories of mixed-use *buildings*. The *development standards* in this *district* are designed to: encourage a pedestrian oriented design throughout the *district*; and, maintain an appropriate pedestrian scale, massing and relationship between *buildings* and *structures* within the *district*.

A. Permitted Uses.

1. *Primary Uses*- for existing *buildings* or *structures*. [Amended Ordinance#14-07]
 - a. Clothing Service: Costume Rental; Dressmaking; Dry Cleaning and Laundry Establishment; Millinery (Fabric) Shop; Shoe Repair Shop; Tailor and Pressing Shop; Tuxedo Rental. [Amended Ordinance #10-11]
 - b. Educational Uses: *Child Care Center*; *Child Care Ministry*; School – Commercial, Trade or Business. [Amended Ordinance #04-13, 10-11]
 - c. Food Sales and Service: Bakery – Retail; *Bar*; Convenience Store; Dairy Bar – Retail; Delicatessen; Farmers Market; Grocery; Ice Cream Store – Retail; Restaurant – Fast Food; Restaurant – Sit-down; *Tavern*; Yogurt Store – Retail. [Amended Ordinance #10-11, 12-09, 19-03]*
 - d. Miscellaneous: *Bed & Breakfast*; Bus Station; Clinic – medical, dental or optometrists; *Cottage Business / Residential*; *Cottage School*; Electrical / Electronic Repair; Tourist *Home*. [Amended Ordinance #10-11]
 - e. Office / Professional Services: Architect; Artist; Bank Machines - Walk-up; Bank Machines-Freestanding ATM; Bank / Savings & Loan / Credit Union; Construction Companies (office only); Consultant; Contractors (office only); Dentist; Design Services; Engineer; Home Remodeling Companies (office only); Insurance Agent; Lawyer; Musician; Physician; Pharmacist; Photographic Studio; Professional Offices; Real Estate Office; Travel Agency. [Amended Ordinance #10-11, 11-07]
 - f. Personal Service: Barber Shop; Beauty Shop; Health Spa or Fitness Center; Tanning Salon. [Amended Ordinance #10-11]
 - g. Public Facilities: *Neighborhood Recycling Collection Point*; Public Park; *Public Parking Lot*, *Religious Use*. [Amended Ordinance #02-16, 08-15, 10-11]
 - h. Residential: *Dwelling Unit* – upper level; Dwelling, *Multifamily Townhouse*. [Amended Ordinance #10-11]

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- i. Retail: Antique Shop; Apparel Shop; Art Gallery; Arts and Craft Store; Bicycle Sales and Service; Camera Store; Card Shop; Clock Shop; Coin and Stamp Shop; Computer Store; Convenience Store; Drug Store; Fabric Store; Flower Shop; Frame Shop; Gift Shop; Hobby, Toy or Game Shop; Jewelry Store; Liquor Store; Music Store; Newsdealer; Shoe Store; Sporting Goods; Stationery and Book Store; Tobacco Store; Video Store. [Amended Ordinance #10-11]
2. *Special Exception Uses.*
 - a. Any *project* or *subdivision* that is subject to any *development plan* provisions of this UDO for Architectural and Site Design Review or *development options*. [Added Ordinance #14-07]*
 - b. Communication/Utilities: Electricity Relay Station; Non-municipal Utility Substation; Non-municipal Pumping Stations; Water Towers. [Amended Ordinance #05-01, #10-11, 15-10]*
 - c. Food Sales and Service: *Artisan Food and Beverage Producer; Nightclub*. [Amended Ordinance #10-11, 15-10]*
 - d. Government Use: Fire Station; Governmental Offices; Municipal / State Road Maintenance Facility; Police Station; Post Office – with outdoor parking of delivery vehicles; Public Library. [Amended Ordinance #04-13, 10-11]
 - e. Miscellaneous: *Artificial Lake; Banquet Facility; Motel; Hotel; Veterinary Hospital (indoor operations only)*. [Amended Ordinance #10-11, 11-04]
 - f. Public Facilities: Community Center; *Parking Garage*; Parking Lot – Commercial; Recreation Center; Transit Stop. [Amended Ordinance # 08-15, 10-11]
3. *Accessory Uses* – See Section 3.07, A. – Accessory Uses, Buildings and Structures.
4. *Temporary Uses* – See Section 3.07, B. – Temporary Uses, Buildings and Structures.
5. *Home Occupations* – See Section 3.07, C. – Home Occupations.

B. Development Standards.

1. Minimum *Lot Width* and *Frontage* - each *single use site, subdivision, or integrated center* shall have a minimum *frontage* on a *public street* of 50 feet.

Each *lot* or *out lot* shall have sufficient *frontage* and *access* as set forth in Section 7.06, B., 1. Lot Arrangement of this UDO. [Amended Ordinance #13-09]

2. *Yards and Building Setbacks*

- a. Front - a *front yard* and *building setback* measured from the greater of the *proposed right-of-way* or existing *right-of-way* shall be provided as follows:

	<u>Minimum</u>	<u>Maximum</u>
<i>Freeway: NC-540 / US 1:</i> <small>[Amended Ordinance #14-07]*</small>	100'	NA
<i>Freeway: NC 55 Bypass:</i>	50'	NA
<i>Thoroughfare:</i> <small>[Amended Ordinance #11-07, 13-09]</small>	5'	25'
<i>Collector Street:</i>	5'	15'
<i>Local Street / Cul-de-Sac Street:</i>	5'	15'

Provided, however:

- (1) *Integrated Centers* containing:
 - (a) One *building* with multiple tenants – in elevation view from the *street frontage*, at least fifty percent (50%) of the length of the façade of the *building* facing a *street* shall be located at or between the *minimum setback* and the *maximum setback*;
 - (b) Multiple *buildings* – in elevation view from the *street frontage*, at least fifty percent (50%) of the visible façades of the *buildings* facing a *street* shall be located at or between the *minimum setback* and the *maximum setback*;
- (2) *Single Use Sites* – in elevation view from the *street frontage*, at least fifty percent (50%) of the length of the façade of the *building* facing a *street* shall be located at or between the *minimum setback* and the *maximum setback*; and,
- (3) *Parking areas and interior access drives*

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- (a) if located in front of the *maximum setback*, shall provide *parking area* screening by a compact row of Dwarf Burford Holly (or equivalent) planted three feet on-center (3' o.c.) and a minimum of twenty-four (24) inches in height at the time of planting and include one (1) stone column as specified in the Town of Holly Springs' Engineering Design and Construction Standards for each sixty (60) feet of parking area frontage with a maximum spacing of seventy-five (75) feet in lieu of the *parking area* screening specified in Section 7.01 Landscape Regulations of this UDO. [Added Ordinance #12-05]
 - (b) if located behind the *maximum setback*, shall provide *parking area* screening as set forth in Section 7.01 Landscape Regulations of this UDO. [Added Ordinance #12-05]
 - (4) *projects* shall demonstrate that the sight distance requirements are in compliance with the Town of Holly Springs' Engineering Design and Construction Standards. [Added Ordinance #11-07]
- b. Minimum *Side Yard* and *Setback*:
- (1) *Integrated Centers*:
 - (a) Minimum *Side Yard* - zero (0) feet
 - (b) Minimum *Side Bufferyard* - ten (10) feet [Amended Ordinance #11-07]
 - (2) *Single Use Sites*:
 - (a) Minimum *Side Yard* - zero (0) feet
 - (b) Minimum *Side Bufferyard* - ten (10) feet [Amended Ordinance #11-07]
- c. Minimum *Rear Yard* and *Setback*:
- (1) *Integrated Centers*:
 - (a) Minimum *Rear Yard* - ten (10) feet
 - (b) Minimum *Rear Bufferyard*- ten (10) feet [Amended Ordinance #11-07]
 - (c) Within the TV *District*, all *lots* which are part of an *integrated center* shall be considered *out lots*. *Out lots* within an *integrated center* shall not be required to provide

a *minimum rear yard* along *lot lines* in common with other *out lots*. If any portion of an *out lot* abuts the perimeter of an *integrated center*, that portion of the *out lot* shall be required to comply with the applicable *rear yard* requirements.

- (2) *Single Use Sites:*
 - (a) *Minimum Rear Yard* - ten (10) feet
 - (b) *Minimum Rear Bufferyard* - ten (10) feet [Amended Ordinance #11-07]

3. Use of *Minimum Yards* and *Bufferyards*

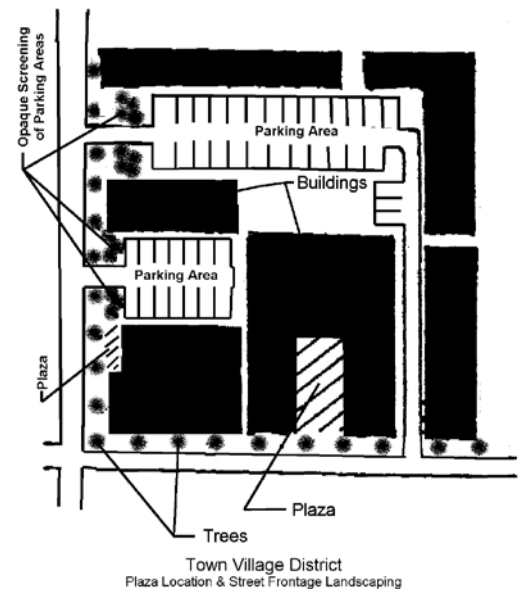
All *minimum yards* and *bufferyards* shall be landscaped in compliance with the requirements for perimeter *yard* landscaping as set forth in Section 7.01 – Landscape Regulations of this UDO and shall remain free from *structures* except where expressly permitted below:

a. *Minimum Front Yards* –

- (1) along *freeways* – may include *signs* as regulated by Section 7.03 – Sign Regulations of this UDO, and shall be otherwise maintained as *open space* free from *buildings* or *structures*;

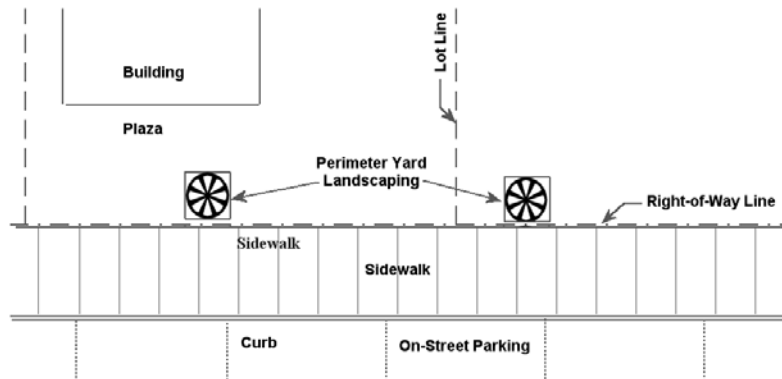
- (2) along *thoroughfares*, *collector streets*, *local streets* and *cul-de-sac streets* – may include: *driveways*; *parking areas*; or, *signs* as regulated by Section 7.03 – Sign Regulations of this UDO, and shall otherwise be developed as *plazas* in compliance with the following requirements:
[Amended Ordinance #13-09]*

- (a) shall be located adjacent to a *building*;
- (b) shall be surfaced with concrete, brick or other form of hardsurface paver appropriate for the proposed



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development, except for those areas required for trees, foundation landscaping or planters; and



- (c) shall maintain surface areas at a slope of less than 3%, surface areas may be stepped, where appropriate, as necessary to accommodate natural topography.

[Amended Ordinance #11-07]

- b. Minimum Front *Bufferyards* - may include: *driveways*; or, *signs* as regulated by Section 7.03 – Sign Regulations of this UDO, and shall otherwise be maintained as *open space* free from *buildings* or *structures*;
- c. Minimum *Side* and *Rear Yards* – may include *driveways*, *interior access driveways*, *parking areas*, *loading areas*, *walkways* or other pedestrian way connections to adjoining *lots*, provided that the remainder of said *yards* shall be maintained as *open space* free from *buildings* or *structures*;
 [Amended Ordinance #07-03]
- d. Minimum *Side* and *Rear Bufferyards* – may include *walkways* or other pedestrian way connections to adjoining residential areas provided that the remainder of said *yards* shall otherwise be maintained as *open space* free from *buildings* or *structures*.

4. *Building Height:*

- a. Minimum Building Height-
 - (1) Front Façade and Side Façade: twenty-five (25) feet and two (2) stories. [Amended Ordinance #11-07, 14-07]*
 - (2) Rear Façade: Eighteen (18) feet. [Added Ordinance #14-07]*

- b. Maximum Building Height – Sixty (60) feet; not to exceed four (4) stories.
[Amended Ordinance #11-07]

5. Maximum Gross Floor Area:

- a. For any use listed under the following headings, no single use, whether free-standing or contained in an *integrated center*, shall exceed thirteen thousand (13,000) square feet of *gross floor area*:

<u>Clothing Service</u>	<u>Personal Services</u>
<u>Food Sales and Service</u>	<u>Recreation</u>
<u>Miscellaneous</u>	<u>Retail</u>

- b. For any use listed under the following headings, no single use, whether free-standing or contained in an *integrated center*, shall exceed fifty thousand (50,000) square feet in *gross floor area*:

<u>Communication / Utilities</u>	<u>Office / Professional Services</u>
<u>Educational Use</u>	<u>Public Facilities</u>
<u>Governmental Use</u>	<u>Residential</u>

- 6. Parking and Loading - See Section 7.04 – Off-Street Parking Regulations and Section 7.05 – Off-Street Loading Regulations; provided, however, a *single use site* or *integrated center* in the Town Village District may include *on-street parking* located immediately adjacent to the *single use site* or *integrated center* in conformance with Section 7.07, B. 23.- On-Street Parking Areas, if such adjacent *on-street parking* is approved by the agency having jurisdiction over *on-street parking* and the Director of Engineering. If *on-street parking* is provided, the amount of *off-street parking* required by this UDO for the *single use site* or *integrated center* may be reduced by the number of *on-street parking spaces* provided immediately adjacent to the *single use site* or *integrated center*. [Amended Ordinance #03-02, #12-05]

- 7. Signs - See Section 7.03 – Sign Regulations.

- 8. Outdoor Operations - All uses and operations (except *off-street parking*, *off-street loading* and delivery and walk-up customer service windows) shall be conducted completely within enclosed *buildings*, except where expressly permitted below:

- a. Outdoor seating for restaurants provided that such outdoor seating:

[Removed Ordinance #19-03]*

- (1) shall be permitted only along the business' tenant bay or storefront façade; [Amended Ordinance 14-07; 19-03]*
- (2) shall not block the entrance to the business or building;

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- (3) shall be located so as not to interfere with *sidewalks* or pedestrian ways by maintaining five (5) feet of *sidewalk* clear for pedestrian flow; and [Added Ordinance 14-07]
 - (4) shall provide parking bumpers or other separation measures such as bollards, *ornamental fencing*, seatwalls, or planters as deemed necessary by the *Director* if the outdoor seating area is located adjacent to an *off-street parking area*. [Added Ordinance 14-07, 19-03]*
- b. *Outdoor display* or sales of merchandise:
- (1) shall not be located in any *street right-of-way*;
 - (2) shall be located against the *building* façade;
 - (3) shall be permitted only along the business' tenant bay or storefront façade;
 - (4) shall not block the entrance to the business or *building*;
 - (5) shall not exceed ten percent (10%) of the *gross floor area* of each non-related and separately operated use;
 - (6) shall be permitted only during the hours of operation of the business and shall be removed at the close of each business day;
- c. Walk-up customer service windows or Automated Teller Machines (ATM's), provided that such facilities are not free-standing and are set flush with the façade of the *building*.
- d. Vending machines - provided that vending machines:
- (1) shall abut the exterior wall of the *building*;
 - (2) shall not be located in a required *yard* or required *bufferyard*, and
 - (3) no individual machine shall exceed twenty-four (24) cubic square feet. [Amended Ordinance 14-07]
- e. *Outdoor playgrounds* provided that such outdoor *playground* provided: [Added Ordinance #19-03]*
- (1) is an *accessory use* to a *permitted use*; and
 - (2) shall be included in the calculation of required *foundation landscaping area* and any applicable *building foundation*

landscaping area and associated *plant unit value* shall be extended or relocated around the perimeter of the outdoor *playground* area.

9. Landscape Requirements - See Section 7.01 – Landscape Regulations.

C. Architectural and Site Design Review. [Amended Ordinance #11-07]

All development in the TV *District* shall be subject to the filing of a *development plan* for Architectural and Site Design Review as set forth in Section 9.09 – Decision Matrix. The *development plan* shall demonstrate compliance with the following architectural and site design requirements:

1. *Building Materials, Colors, Textures and Architecture.*

a. Applicability:

The *building materials*, colors, textures and architecture requirements of this sub-section shall be applicable to:

- (1) any new *buildings* which are equal to or greater than one-hundred and forty-four (144) square feet in *gross floor area*; or
- (2) any *building* additions;
- (3) exterior *building* renovations; [added Ordinance#14-07]
- (3) to the greatest extent practical, be applicable *to accessory structures* so as to maintain a consistent and compatible appearance.

b. Front and Side Façade *Building Materials*, and *Building Massing and Façade Treatment*:

(1) Building Materials.

- (a) *Building Material* (required) – The *building material* (excluding: windows; display windows; doors; roofing; fascia or soffit materials) shall be:

- (i) Brick or stone.

(2) *Building Massing and Façade Treatment*.

(a) Base, Body, and Cap.

- (i) The composition of the *building* shall include a clearly recognizable base, body, and cap along the entire length of the façade.

- (ii) A recognizable base shall consist of a minimum of nine (9) percent of the vertical height of the *building* wall and shall be constructed of a masonry material.
- (ii) A recognizable cap shall consist of a minimum of seven (7) percent of the vertical height of the building wall and shall be designed with multiple 3-dimensional decorative layers.



Base, Body, and Cap

(b) Variation in Massing.

- (i) *Building* walls shall consist of a *building* bay or structural *building* system that is a minimum of twenty (20) feet in width and maximum of fifty (50) feet in width. Bays shall be visually established by architectural features such as columns, ribs, pilasters or piers, changes in plane, no less than twelve (12) inches in width and four (4) inches in depth or an equivalent element that subdivides the wall into human scale proportions.



(c) Animating Features.

- (i) *Building* walls shall be subdivided and proportioned using a variety of features such as windows, entrances, arcades, arbors, awnings, trellises, friezes

or alternate architectural detail that defines human scale, along no less than sixty (60) percent of the lineal length of the façade.

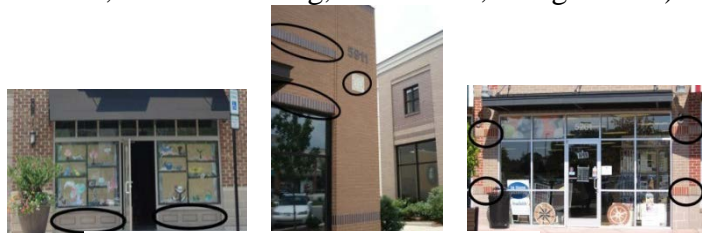


Animating Features

- (ii) Windows and glass doors shall be provided on a minimum of two (2) building facades based on highest levels of pedestrian traffic and vehicular visibility as follows:
 - 1. Ground level (first ten (10) feet measured vertically at street level) of *uses*: forty (40) percent minimum surface area and shall be traditional storefront style (e.g. floor/base to ceiling) and generally vertical in orientation.
 - 2. Upper levels: fifteen (15) percent minimum surface area.
 - 3. Shall not be applicable to *multi-family townhomes*. [Added Ordinance #14-07]

(d) Human Scale Design Elements.

Façades shall incorporate a minimum of two (2) continuous or repeating details refined to the scale of twelve (12) inches or less within the first ten (10) feet of the building facade, measured vertically from *grade* (e.g. quoins, change in brick pattern/belt course, decorative light fixtures, trim or molding, medallions, or sign frieze).



Human Scale Design Elements

(e) Colors.

The number of colors used to create interest in the *building* architecture shall be limited to no more than three (3) discernable colors or ranges of complementary hues. The primary color shall constitute a minimum of sixty (60) percent of the façade (excluding: windows; display windows; doors; roofing; fascia or soffit materials).

(f) Texture.

Interest shall be added to a *building* façade though the use of a combination of rough, smooth, striated, or other surface textures on the primary *building material* or through the use of secondary *building materials* which vary in texture from the primary *building material*.

(g) Roof Treatment.

(i) Rooflines shall be predominantly flat and vary in height, material, treatment, direction, etc. and shall not extend in a continuous plane for more than fifty (50) feet.

(ii) All sides of parapet walls visible from public view shall be finished to match the primary façade and shall extend an appropriate depth that is proportionate with the building size.



Roofline Variation and Parapet Finish

- c. Rear façade selection of *Building Materials*.

Colors and materials shall be consistent with the primary façade(s) of the *building*.

- d. Compliance with *Building Materials*, and *Building Massing and Façade Treatment Requirements*.

In determining compliance with the above *building* design and appearance requirements:

- (1) Each design and appearance requirement selected shall be considered separate from and in addition to the other design and appearance requirements listed in Section 3.03, C., 1., b. and c., and in no event shall any area, *building*, *structure* or other element of one (1) design and appearance requirement be credited toward compliance with any other design and appearance requirements.
- (2) *Integrated Centers* – All *buildings* located in an *integrated center* shall utilize and repeat selected architectural design requirements which are in harmony with area developments and other recent developments within the Town of Holly Springs and its extraterritorial jurisdiction. A Master Architecture Plan shall be required for all *integrated centers* to promote consistency among *buildings* within a development and enhance compatibility of design and appearance requirements. A Master Architecture Plan shall be filed and approved prior to the erection, location, or placement of any *building* for such *integrated center*.
- (3) *Single Use Sites* – All *buildings* located on a *single use site* shall utilize selected design and appearance elements which are in harmony with area developments and other recent developments within the Town of Holly Springs and its extraterritorial jurisdiction.

2. *Building Orientation*.

- a. *Integrated Centers* - All *buildings* shall be oriented with a front façade toward each of the following: an *off-street parking area*; a *plaza*; a courtyard; and, the *public street frontage* of the *building*. Front facades shall be positioned so that they are parallel to all public street frontages to the greatest extent practical. In the case of a *building* with two or more *public street frontages*, a front façade treatment shall be applied to each façade oriented to a *public street frontage*. In addition, in the case of

multiple *buildings* on a site, all *buildings* shall also be oriented to each other in a similar pattern to create a unified site design and layout. [Amended Ordinance #11-07]

- b. *Single Use Sites* – All *buildings* shall be oriented with a front façade toward each of the following: an *off-street parking area*; a *plaza*; a courtyard; and, the *public street frontage* of the *building*. Front facades shall be positioned so that they are parallel to all public street frontages to the greatest extent practical. In the case of a *building* with two or more *public street frontages*, a finished façade treatment shall be applied to each façade oriented to a *public street frontage*. [Amended Ordinance #11-07]

3. *Signs.*

- a. *Integrated Centers* – all *building signs* within an *integrated center* shall use a common size, color palette, font style, location and supporting structure (i.e., individual letters, raceway mount, etc.) for each tenant. Any *freestanding sign* shall use a color palette and font style consistent and compatible with the *building signs*. [Amended Ordinance #07-03]
- b. *Single Use Sites* – all *signs* (i.e., *building signs* or *freestanding signs*) shall use a consistent and compatible color palette and font style. [Amended Ordinance #07-03]

4. *Landscaping.*

Any landscaping, whether for an *integrated center* or *single use site*, including parking lot landscaping, foundation landscaping and perimeter landscaping, shall utilize similar plant materials and planting schemes.

5. *Lighting.*

All outdoor light fixtures within a project shall be of a consistent or compatible style, pole height, mounting height, color and intensity with other outdoor light fixtures within the project.

6. *Fencing.*

All fencing shall be black *ornamental fence*. *Historic structures* shall be exempt from this requirement provided fencing is sensitive to the character of the *historic structure* and is appropriate to the architectural style and period of the *historic structure*, as certified by a historic preservation specialist or licensed architect. [Amended Ordinance #11-07, 19-03, 19-11]*

7. *Mechanical Equipment.*

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All roof mechanical equipment shall be screened from view from a *front lot line* along a *public/private street frontage, interior access drive* or a *side or rear lot line* abutting a residential *district* or *bufferyard* based upon an elevation view of the *building*.

All ground mounted mechanical equipment shall be screened from view from any *front lot line* along a *public/private street frontage, interior access drive* or a *side or rear lot line* abutting a residential *district* or *bufferyard*.

All roof mounted equipment that is visible from a *front lot line* along a *public/private street frontage, interior access drive* or a *side or rear lot line* abutting a residential *district* or *bufferyard* when the roof line is below such grade, shall be painted to match the color of the roof material to reduce the visual impact of such equipment. [Amended Ordinance #11-07]

D. Alternate Compliance with Architectural and Site Design Requirements. [Amended Ordinance #11-07]

In order to avoid undue hardship and to expedite the zoning approval process for developments within the TV *District*, alternate compliance of any of the Architectural and Site Design Requirements contained in Section 3.03, C. may be granted in connection with either: (i) a petition for zoning map change; or, (ii) as part of a *development plan* for Architectural and Site Design Review. Such request for alternate compliance shall be filed in accordance with the requirements of Section 9.09 – Decision Matrix of this UDO, provided that the determination of the request for alternate compliance shall be based upon the findings specified below.

Alternate compliance of the Architectural and Site Design Requirements of contained in Section 3.03, C., may only be granted upon making the following findings:

1. The proposed development represents the use of (*building materials*, colors, textures, *building* architecture, *building* orientation, *signs*, landscaping, lighting or pedestrian circulation and vehicular area design) which will result in a development pattern which is equivalent to or superior to that achievable under the applicable regulations;
2. The proposed development will be compatible with and will enhance the *use* or value of area properties;
3. The proposed development is consistent with the intent of the *Comprehensive Plan*; and,
4. The proposed development is consistent with the intent and purpose of this UDO.

All findings specified above for the granting of a *waiver* of the Architectural and Site Design Requirements shall be reduced to writing, signed by the *Director* and retained as a part of the permanent record of the determination.

E. Waiver of Development Standards

In order to avoid undue hardship and to expedite the zoning approval process for Residential structures in developments greater than ten (10) acres in size within the TV *District*, a *waiver* of any of the *Development Standards* contained in Section 3.03, B. may be granted in connection with either: (i) a petition for zoning map change; or, (ii) as part of a *development plan* for Architectural and Site Design Review. Such request for *waiver* shall be filed in accordance with the requirements of Section 9.09 – Decision Matrix of this UDO, provided that the determination of the request for *waiver* shall be based upon the findings specified below.

A *waiver* of the *Development Standards* contained in Section 3.03, B., may only be granted upon making the following findings:

1. The proposed *waiver* applies only to residential structures (excludes mixed-use buildings where residential uses are present);
2. The proposed development is greater than ten (10) acres in size;
3. The proposed development represents the use of 3.03 b., Development Standards (*lot width and frontage, yards and building setbacks, use of yards and bufferyards, building height, gross floor area, parking and loading, signs, outdoor operations, and landscape requirements*) which will result in a development pattern which is superior to that achievable under the applicable regulations;
4. The proposed development will be compatible with and will enhance and not adversely the *use* or value of area properties;
5. The proposed *use* will be consistent with the character of the *district*, land uses authorized therein, and the Town of Holly Springs *Comprehensive Plan*.
6. The requested *waiver* will be in harmony with the purpose and intent of the UDO and will not be injurious to neighbor or to the general welfare.
7. The carrying out of the strict letter of the UDO will result in practical difficulties in the development of the property included in the *Waiver* Petition.
8. Approval will secure public safety and welfare.
9. There is a peculiar characteristic of a proposed use which makes the application of certain development standards of the UDO, as requested in the petition for *waiver* of *development standards*, unrealistic.
10. *Access drives* or *driveways* are or will be sufficient in size and properly located to: ensure automotive and pedestrian safety and convenience, traffic flow as set forth in

Section 7.09 – Pedestrian Circulation and Vehicular Area Design; and, control and access in case of fire or other emergency.

11. *Off-street parking areas, off-street loading areas*, trash enclosures, trash pick-up and removal, and other service areas are located so as to be safe, convenient, allow for access in case of emergency, and to minimize economic, glare, odor, and other impacts on adjoining properties and properties in the general neighborhood.
12. Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the proposed use.
13. The location and arrangement of the *use* on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts.

All findings specified above for the granting of a *waiver* of the *Development Standards* shall be reduced to writing, signed by the *Director* and retained as a part of the permanent record of the determination.