

Section 3.04 OR Office, Research & Development Park District

Intent - OR *Districts* are established to promote the development of major community employment centers, including: major *office* complexes; corporate headquarters; compatible *office*-type businesses; limited public and semi-public uses; and, research facilities, testing facilities, and development laboratories which are generally compatible in physical appearance and service requirements to *office* uses. The potential for the development of high-rise *office* use or apartments (intermixed, grouped or in various combinations) is also provided. The OR *District* is intended for areas with easy access and high visibility from primary transportation routes and represents the development of a major regional focal point. [Amended Ordinance #11-08]

A. Permitted Uses.

1. *Primary Uses.*
 - a. Communications / Utilities: Telephone Exchange. [Amended Ordinance #10-11]
 - b. Educational Use: School – Commercial, Trade or Business. [Amended Ordinance #10-11]
 - c. Industrial Use: Engineering Laboratories; Research Laboratories. [Amended Ordinance #10-11]
 - d. Miscellaneous: *Artificial Lake*; Clinic – Medical, Dental or Optometrists; Crematory; Funeral Home; *Hotel*; Mortuary; Radio / Television Stations; Rehabilitation Center; Sanitarium. [Amended Ordinance #10-11, 17-09]*
 - e. Office / Professional Services: Architect; Artist; Bank Machines - Walk-up; Bank Machines - Drive-Through; Bank Machines - Free-Standing; Bank / Savings & Loan / Credit Union; Construction Companies (*office* only); Consultant; Contractors (*office* only); Corporate Headquarters (*office* only); Dentist; Design Services; Engineer; Home Remodeling Companies (*office* only); Insurance Agent; Lawyer; Manufacturers Representative; Musician; Physician; Pharmacist; Photographic Studio; *Professional Offices*; Real Estate Office; Research Laboratories; Service Organization Office; Travel Agency. [Amended Ordinance #10-11, 11-08]
 - f. Public Facilities: *Neighborhood Recycling Collection Point*; Parking Garage. [Amended Ordinance #10-11]
2. *Special Exception Uses.*
 - a. Communications / Utilities: *Telecommunications Tower*; Electricity Relay Station; Non-municipal Utility Substation; Non-municipal Pumping Station; Water Tower. [Amended Ordinance #05-01, #10-11, 15-10]

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- b. Governmental Use: Fire Station; Governmental Offices; Police Station; Post Office – with outdoor parking of delivery vehicles. [Amended Ordinance #04-13, #10-11]
 - c. Miscellaneous: Hospital [Added Ordinance #17-09]*
 - d. Industrial Use: Distribution Center; Mail Order Distribution; Warehouse. [Amended Ordinance #10-11]
 - e. Residential: *Dwelling Unit* – upper level; *Dwelling, Multifamily; Dwelling, Multifamily Townhouse*. [Amended Ordinance #10-11]
 - f. Accessory Uses: Those *accessory* uses listed in Section 3.04, A., 3., below, under the headings of Food Sales and Service, Personal Service or Retail may exceed the limitations set forth in Section 3.04, A., 3., a., below, and be approved by the grant of a *Special Exception* to occupy from twenty-five (25) percent to one-hundred (100) percent of the *net leaseable area* of the ground floor of a *building*, provided that the limit of such uses to not exceed ten (10) percent of the *gross floor area* of all *buildings* combined shall apply.
3. *Accessory Uses* – See Section 3.07, A. – Accessory Uses, Buildings and Structures.
- a. Notwithstanding any provisions of Section 3.07, A., 1., to the contrary, the following *uses* shall be permitted as *accessory uses* subject to the regulations that follow:
 - (1) Food Sales and Service: *Bar*; *Delicatessen*; *Restaurant* – drive through; *Restaurant* – fast food; *Restaurant* – sit down; *Tavern*. [Amended Ordinance #10-11]
 - (2) Industrial Uses:
 - (a) **General Industrial Uses**: *Distribution Center*; *Mail Order*; *Distribution*; *Warehouse*.
 - (b) **Assembly or Repair of previously manufactured parts, sub-assemblies or components**: *Appliances* - light, major, portable, household, electric or gas; *Clocks and Watches*; *Cloth products* (e.g. apparel) from finished cloth; *Communication equipment and assembly*; *Compact Discs*(recording); *Cosmetics*; *Detergents, Soaps and Lotions*; *Electric Hand Tools*; *Electric Neon Signs*; *Electric Materials*; *Electric Motors*; *Electrical components and sub-assemblies*; *Glass and Glass products*; *Jewelry* (including engraving); *Light Component Parts of Products*;

Medicine; Musical Instruments; Office Equipment;
Office machinery, electrical and mechanical; Optical
Goods; Pharmaceutical Products; Recording Instruments;
Sports Equipment; Toys. [Amended Ordinance #10-11]

- (3) Personal Service: Barber Shop; Beauty Shop; Health Spa or Fitness Center. [Amended Ordinance #10-11]
 - (4) Retail: Apparel Shop; Art Gallery; Camera Store; Card Shop; Computer Store; Convenience Store; Drug Store; Flower Shop; Gift Shop; Jewelry Store; Newsdealer; Shoe Store; Stationery and Book Store; Variety Store. [Amended Ordinance #10-11]
- b. Provided, however, the *net leasable area* devoted to all *accessory uses* listed in this Section shall not exceed [Supplement #9- corrected typographical error]:
- (1) *Integrated centers*:
 - (a) One *building* with multiple tenants – ten (10) percent of the *gross floor area* of the *building*; or,
 - (b) Multiple *buildings* -
 - (i) ten (10) percent of the *gross floor area* of all *buildings* combined; and,
 - (ii) twenty-five (25) percent of the *gross floor area* of any one *building* in which such *accessory uses* are located, provided that any floor area devoted to *accessory uses* in excess of ten (10) percent of the *gross floor area* of the *building* shall be located on the ground floor or below grade.
- c. *Single use sites* - up to ten (10) percent of the *gross floor area* of the *building*.
4. Temporary Uses – See Section 3.07, B. – Temporary Uses, Buildings and Structures.
 5. Home Occupations – See Section 3.07, C. – Home Occupations [Corrected Typographical Error: Supplement #14]

B. Development Standards.

1. Minimum Area:
 - a. *Integrated Center* – each *integrated center* shall have a minimum area of twenty (20) acres.
 - b. *Single Use Site* – each *single use site* shall have a minimum area of five (5) acres.
2. Minimum *Lot Width* and *Frontage* - Each *single use site, subdivision, or integrated center* shall have a minimum *frontage* on a *public street* of 200 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]

3. *Minimum Yards* and *Building Setbacks*

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

<i>Freeway</i> - NC-540 / US 1: [Amended Ordinance #14-07]*	100'
<i>Freeway</i> - NC 55 Bypass:	50'
<i>Thoroughfare</i> :	50'
<i>Collector Street</i> :	50'
<i>Local Street / Cul-de-Sac Street</i> :	50'

Provided, however, any 50' minimum *front yard* and minimum *building setback* listed above for a *thoroughfare, collector street, local street* or *cul-de-sac street* may be reduced to 30' by utilizing a minimum of two (2) of the following design features: [Amended Ordinance #13-09]

- (1) in addition to the landscaping required for *front yards* or *front bufferyards* (see Section 7.01, D.) and for *parking area* screening (see Section 7.01, H.), an undulating berm shall be installed across the front of any *parking area* located between a *front lot line* and front line of a *primary building* (see Section 7.01, J., for berm requirements); [Section Reference Modified Ordinance #14-07]*
- (2) provide *parking area* landscaping which is, at a minimum, two (2) times greater in area than the minimum in required area and which

also contains two (2) times the minimum required *plant unit value* for *parking area* landscaping;

- (3) provide *foundation landscaping* which is, at a minimum, two (2) times greater than the minimum in required *foundation landscaping area* and which also contains, at a minimum, two (2) times the minimum required *plant unit value* for the *foundation landscaping area*; or,
 - (4) no *parking areas* or *interior access drives* are located between the *front lot line* and front line of the *primary building*.
- b. Minimum *Side Yard* and *Setback* - shall be provided from the *lot line* as follows:
- (1) Minimum *Side Yard* – thirty (30) feet
 - (2) Minimum *Side Bufferyard* – thirty (30) feet
- c. Minimum *Rear Yard* and *Setback* - shall be provided from the *lot line* as follows:
- (1) Minimum *Rear Yard* – thirty (30) feet
 - (2) Minimum *Rear Bufferyard* – thirty (30) feet
- d. *Minimum Yards for Out Lots* - Within the *OR District*, all *lots* or *multi-tenant buildings* which are part of an *integrated center* shall be considered *out lots*. *Out lots* within an *integrated center* shall provide a *minimum yard* of ten (10) feet along all *lot lines* in common with other *out lots*. If any portion of an *out lot* abuts the perimeter of the *integrated center*, that portion of the *out lot* shall be required to comply with the applicable minimum *front, side* or *rear yard* requirements set forth above. If an *out lot* is for an *individual tenant space* within a *multi-tenant building*, there shall be a *minimum side yard* of zero (0) feet. [Amended Ordinance #13-09]*

Provided, however, the *minimum yards* for *out lots* along all *lot lines* in common with other *out lots* may be used for *parking areas, loading areas, interior drives* or *interior access drives* provided that:

- (1) the area of each such *minimum yard* that would have been devoted to landscaping and the amount of landscape material that would have been required to be installed in each such *minimum yard*, if not complying with the special provisions of this sub-Section, are provided elsewhere on each of the affected *out lots* as either

additional *foundation landscaping area* or additional interior *parking area* landscaping; and,

- (2) documentary assurances are provided on the *final plat* or by other legally binding instrument which binds the adjoining *lots* to be developed in compliance with the special provisions of this sub-Section allowing such *minimum yards* to be used for *parking areas, loading areas, interior drives* or *interior access drives* subject to the provision of such additional *foundation landscaping area* or additional interior *parking area* landscaping.

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

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* - 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*;
- 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* - minimum *side* and *rear yards* may include: *interior access driveways*; *walkways*; or, pedestrian ways, connecting to adjoining *lots* or developments provided that the remainder of said *yards* shall be maintained as *open space* free from *buildings* or *structures*;
- d. *Minimum Side and Rear Bufferyards* - shall be maintained as *open space* free from *buildings* or *structures*.

5. *Maximum Building Height* – seventy-five (75) feet; provided, however, that:

- a. no portion of any *building* located between thirty (30) feet and fifty (50) feet from a *front lot line* shall be in excess of thirty-five (35) feet; and,
- b. the *setback* for that portion of any *building* or *structure* which is in excess of thirty-five (35) feet shall be increased by one (1) foot for each one (1) foot of the height of the *building* or *structure* above thirty-five (35) feet until the maximum height of the *building* or *structure* is allowed.

6. Parking and Loading - See Section 7.04 – Off-Street Parking Regulations and Section 7.05 – Off-Street Loading Regulations, provided, however, no *parking area* or *loading area* shall be located between the *front lot line* and the front line of any portion of the *building* served.
7. *Signs* - See Section 7.03 – Sign Regulations.
8. Outdoor Operations - All uses and operations (except *off-street parking*, *off-street loading* and delivery, walk-up customer service windows and drive-through customer service windows) shall be conducted completely within enclosed *buildings*, except where expressly permitted below:
 - a. Outdoor seating for restaurants:
 - (1) shall not be located between a *building line* and a *bufferyard*;
 - (2) shall not be located in any required *yard* or any *street right-of-way*;
 - (3) shall be located adjacent to the business' tenant bay or storefront façade;
 - (4) 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 seating area;
 - (5) shall not exceed twenty-five (25%) percent of the *gross floor area* of the restaurant; [Amended Ordinance #14-07, 19-03]*
 - (6) shall not block the entrance to the business or *building*; [Amended Ordinance #14-07]
 - (7) 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]
 - (8) shall provide parking bumpers if the outdoor seating area is located adjacent to an *off-street parking area*. [Added Ordinance #14-07]
 - b. Walk-up or drive through customer service windows or Automated Teller Machines (ATM's), provided that such facilities shall:
 - (1) be set flush with the façade of the *building*;

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- (2) if free-standing, abut the façade of the *building* or be located within a service unit island under a drive-through canopy attached to the *building*; and,
 - (3) be located so as to not interfere or conflict with sidewalks, pedestrian ways, *parking areas*, *loading areas*, *driveways*, *interior access drives*, *interior access driveways*, perimeter landscape *yards* or foundation plantings.
 - c. Outdoor Storage - All storage of materials or products shall be located within completely enclosed *buildings*.
 - d. Outdoor *playgrounds* provided that such outdoor *playground*:
[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.
10. *Developed Recreational Open Space* Requirements.

Developed recreational open space areas equal to, at a minimum, ten (10) percent of the total area of the *integrated center* or *single use site* shall be required. *Developed recreational open space* may include, but not be limited to, such facilities as: *walkways* (not otherwise required by this UDO), trails or pedestrian/bikeway system; gazebos or other outdoor seating areas; parks; or tennis, volleyball or basketball courts, available to the occupants of the *integrated center* or *single use site*. Areas designated to comply with the total area requirements for *developed recreational open space* shall not overlap any required *minimum front yard*, *minimum side yard* or *minimum rear yards*.

If the project abuts any portion of a greenway indicated on an adopted plan of the Town of Holly Springs, a direct linkage from the *developed recreational open space* to such greenway shall be provided.

C. Architectural and Site Design Review.

All development located within the OR *district* shall be subject to the architectural and site design requirements set forth in Section 3.08 – Architectural and Site Design Requirements of this UDO.