

## Section 4.04      General Regulations for Industrial Districts

### A.      Accessory Uses, Buildings and Structures.

#### 1.      Permitted Accessory Uses, Buildings and Structures.

*Accessory uses, buildings or structures* shall be permitted in all Industrial Districts, provided, however, that the *primary use* which is supported by the *accessory use, building or structure* is a *permitted use* within the *district* to which a *lot* is zoned.

*Accessory uses, buildings or structures* shall not be permitted on a *lot, out lot, integrated center, or industrial park* prior to the erection of a *primary building* on the *lot, out lot, integrated center, or industrial park*.

By way of example only, some typical *accessory uses, buildings and structures* in the Industrial Districts are: fences, trash containers, and recycling containers.

#### 2.      Development Standards for Accessory Uses, Buildings or Structures in All Industrial Districts.

*Accessory uses, buildings or structures* shall comply with all *development standards* of the applicable *district* unless an exception is specifically provided for in this Section 4.04.

*Accessory uses, buildings or structures* shall not encroach upon any platted easements unless specifically authorized by the terms of the easement or by written consent of the agency in whose favor the easement is granted, and in the case of a Town Easement, authorized by the Director of Engineering.

#### 3.      Additional Development Standards for Accessory Uses, Buildings or Structures in any Industrial District.

*Accessory uses, buildings or structures* permitted in any BT, RT, and IT *district* shall also comply with the following additional *development standards*: [Amended Ordinance 11-03]\*

- a.      Fences (including chain link, solid, architectural screen, lattice-work or masonry):
  - (1)      shall not exceed six (6) feet in height above *grade* in a required *front yard* or if located in the *buildable area* of a *lot* located between the front line of the principal *building* and the required *front yard*;

**Section 4.04**  
**General Regulations for Industrial Districts**

---

- (2) Shall not exceed ten (10) feet in height above *grade* in a required *side yard* or a required *rear yard*; and,
  - (3) Shall comply with all Sight Distance requirements of this UDO.
  - (4) All fencing located between a *front lot line* and the front line of the *primary building* shall be *ornamental fence*. All fencing located along a *side* or *rear lot line* shall be black vinyl coated chain link or *ornamental fence*. [Added Ordinance #18-03, 19-03]\*
  - (5) All fencing for control of access along the *right of way* shall be *ornamental fence*. [Added Ordinance #18-03, 19-03]\*
- b. Trash containers - Trash containers exceeding thirty-six (36) cubic feet shall:
- (1) be screened on at least three sides by a *building* wall or a solid-walled enclosure, not less than six (6) feet in height nor more than ten (10) feet in height above *grade*, equipped with an opaque screen gate, and any solid-walled portion of the enclosure shall be provided with *foundation landscaping* as specified in Section 7.01 – Landscape Regulations;
  - (2) not be located between the front line of the *primary building* and the *front lot line*; and,
  - (3) not be located in any minimum *front yard*, minimum *side yard*, minimum *rear yard*, minimum *front bufferyard*, minimum *side bufferyard* or minimum *rear bufferyard*, unless specifically listed as an authorized Use of Minimum Yards in the applicable district.
- c. *Parking Areas* - shall comply with the regulations of Section 7.04 – Off-Street Parking Regulations of this UDO.
- d. *Loading Areas* - shall comply with the regulations of Section 7.05 – Off-Street Loading Regulations of this UDO.
- e. *Signs* - shall comply with the regulations of Section 7.03 – Sign Regulations of this UDO.
- f. Drive through facilities (single service lane or multiple service lanes):  
[Amended Ordinance 18-03]

- (1) drive through facilities shall not conflict with the safe and efficient flow of traffic into and out of required *parking spaces* or *loading spaces*. [Amended Ordinance 18-03]\*

[Removed Ordinance 18-03]\*

- (2) drive through service lane(s) shall have a minimum width of ten (10) feet measured from the furthest point of projection of a drive through facility from the *building* or *structure*. For the purposes of Section 7.04, D., 1., c. – Separation from Buildings of this UDO (i.e., the five (5) foot minimum separation for an *interior access drive* from the wall of a *building*), a drive through service lane shall not be considered an *interior access drive*. [Amended Ordinance 18-03]\*

[Removed Ordinance 18-03]\*

- (3) **Vehicle Stacking** [Amended Ordinance 18-03]\*

- (a) a minimum of one hundred and ten (110) feet shall be provided for vehicle stacking, measured from the point of entry into the drive through facility to the first occurrence of any ordering, pick-up or service facility. For multiple lane facilities, the one hundred and ten (110) feet of vehicle stacking may be divided between multiple drive through service lanes, provided that a minimum of one (1) drive through service lane contains a minimum of seventy (70) feet of vehicle stacking, measured from the point of entry into the drive through facility to the first occurrence of any ordering, pick-up or service facility; and,
- (b) a minimum of twenty (20) feet shall be provided for vehicle stacking after exiting the last pick-up or service facility.

[Removed Image Ordinance 18-03]\*

- g. **Gasoline Dispensers and Pump Island Canopies.**

Gasoline dispensers and pump island canopies shall not be located within any required *front yard*, *minimum side yard*, *minimum rear yard*, *front bufferyard*, *minimum side bufferyard* or *minimum rear bufferyard* and shall be provided with adequate on-site maneuverability so as to avoid any interference with through traffic on any public *right-of-way*. [Amended Ordinance #14-07]

**Section 4.04**  
**General Regulations for Industrial Districts**

---

h. Underground Facilities.

Underground facilities (including by way of example, septic tanks and finger systems, cisterns, cellars, basements, underground storage tanks, etc.) shall not be located in or under any minimum *front yard*, minimum *side yard*, minimum *rear yard*, *minimum front bufferyard*, *minimum side bufferyard* or *minimum rear bufferyard*. [Amended Ordinance #14-07]

i. Mailbox Kiosks. [Added Ordinance #07-04]

The design and location must be approved by the Town of Holly Springs Department of Planning and Zoning and shall be so designed that:

- (1) All mailboxes located within an integrated center must be placed in the same structure.
- (2) The structure can be built into a wall as part of the building façade, or can be freestanding and shall be constructed with at least three (3) of the following four (4) design and appearance requirements:
  - (a) Primary building material is masonry or brushed metal.
  - (b) Sets on a decorative pedestal or is fixed to two decorative posts.
  - (c) Designed as an architectural feature to create identity of the business or businesses.
  - (d) Provide foundation planting around the base of the structure in accordance with Section 7.01, F. 2 of the UDO.

**B. Temporary Uses, Buildings and Structures.**

**1. Permits Required.**

*A temporary use, building or structure which is in compliance with the provisions of this Section, shall be allowed on a lot or out lot in any Industrial district. A temporary use, structure or building which will be converted into a permanent primary or accessory use after the cessation of the temporary use shall be required to obtain a UDO permit prior the establishment of the use or the construction of any structure or building. A temporary use, structure or building which will be removed from the site upon cessation of the temporary use shall comply with the regulations contained in this Section, and shall obtain a UDO Permit from the Department of Planning and Zoning.*

**2. Permitted Temporary Uses, Buildings and Structures.**

By way of example only, permitted *temporary uses, buildings and structures* include: construction trailers and leasing offices.

**3. Duration.**

Except as specifically provided otherwise in this Section 4.04, a *temporary use, building or structure* shall be permitted for a period not to exceed one (1) year. Except as specifically provided otherwise in this Section 4.04, the *UDO permit*, if required, may be renewed one (1) or more times by the *Director*, for good cause shown, for an additional period(s) not to exceed a total of one (1) year beyond the original expiration date.

**4. Compliance with Development Standards.**

*Any temporary use, building or structure shall comply with all applicable development standards and setback requirements in the district in which the temporary use, building or structure is located. Temporary construction trailers, freestanding leasing offices, and other temporary uses which shall not be converted into a permanent primary or accessory use, shall be exempt from the requirement to provide a hard surfaced parking areas.*

**5. Cessation of Use.**

*All buildings, structures or debris associated with the temporary use shall be removed from the site immediately upon completion or cessation of the temporary use or expiration of the time period set forth above.*

**Section 4.04**  
**General Regulations for Industrial Districts**

---

**6. Additional development standards for *Temporary Construction Trailers*:** [Added Ordinance #07-04]\*

- a. Under skirting shall be installed around the entire perimeter of the *building or structure*;
- b. Shall be located on an approved *lot*, as shown on both the *preliminary plan* and *final plat* or *development plan*;
- c. Shall serve only *lots* depicted within the *preliminary plan* or *development plan*;
- d. Shall provide a off-street parking spaces in an amount required for office use based upon the square footage of the building provided, however;
  - (1) *Temporary construction trailers*, and other *temporary uses* which shall not be converted into a permanent *primary* or *accessory use*, shall be exempt from the requirement to provide a hard surfaced *parking areas* and;
  - (2) An improved apron, in conformance with the Town of Holly Springs Engineering Design and Construction Standards shall be required.

**7. Additional Development Standards for Sales Offices:** [Added Ordinance #07-04]

- a. Shall be located on an approved lot, as shown on both the *preliminary plan* and *final plat* or *development plan*;
- b. Shall serve only lots depicted within the *preliminary plan* or *development plan*;
- c. Shall provide a off-street parking spaces in an amount required for office use based upon the square footage of the building provided, however;
  - (1) freestanding *subdivision sales offices*, and other *temporary uses* which shall not be converted into a permanent *primary* or *accessory use*, shall be exempt from the requirement to provide a hard surfaced *parking areas*; however required parking for the Disabled shall be in compliance with the North Carolina Accessibility Code, Chapter 4 and;
  - (2) An improved apron, in conformance with the Town of Holly Springs Engineering Design and Construction Standards shall be required.

- d. Sales Offices shall also comply with the provisions of Section 2.08, I. Appearance and Dimensional Criteria for Manufactured Homes.

**C. Performance Standards.**

All new uses established in a BT, RT or IT *district* after the effective date of this UDO shall comply with the following performance standards. Any use in a BT, RT or IT *district* in existence prior to the effective date of this UDO shall not be altered or modified so as to conflict with the following performance standards. [Amended Ordinance 11-03]\*

**1. Vibration**

No use or activity shall cause earth vibration or concussions that are detectable beyond the *lot lines* without the aid of instruments.

**2. Pollutants or Contaminants**

No use shall discharge across *lot lines*, in the land, water or air, any noxious, toxic or corrosive matter, fumes or gases, or any other pollutants or contaminants that tend to be injurious to human health or welfare, to animal or plant life or to property, or interfering or tending to interfere with the enjoyment of life or property.

**3. Odor**

No use shall emit across *lot lines* odors in such quantities as to be readily detectable at any point along the *lot lines*.

**4. Noise**

No use shall produce noise in such a manner as to annoy, disturb, frighten or otherwise interfere with the use and quiet enjoyment of adjacent properties. Operational or production noise shall be muffled so as not to become detrimental due to intermittence, beat frequency, shrillness or vibration.

**5. Heat**

No use shall produce heat perceptible from any point beyond the *lot lines*.

**6. Glare**

No use shall produce *glare* perceptible from any point beyond the *lot lines*.

**7. Waste**

No use shall accumulate within the *lot* or discharge beyond the *lot lines* any waste matter, whether liquid or solid, in such a manner as to be detectable from any point beyond the *lot lines*.



**D. Zoning Violations in Industrial Districts.**

The following shall be deemed violations of this UDO and shall be enforceable by the Town of Holly Springs as set forth in Section 10 – Enforcement of this UDO:

1. The conduct of any activity in an Industrial *district* that is not specifically enumerated as a permitted *primary use* or *accessory use* in that *district*, and which activity has not been *legally established* by a currently valid *variance*, *special exception* or other approval grant;
2. Failure to comply with *district development standards*, including but not limited to landscaping, paving of *parking areas*, minimum *parking space* requirements, trash dumpster enclosure, fencing or screening requirements; or,
3. The failure to comply with the terms, provisions or conditions of: a grant of *variance* or *special exception*; an approval of a *development plan*; an approval of a *conditional use district*; or, other approval grant authorized by this UDO.

**E. Additional Development Standards.**

**1. Additional Front Setback Provisions.**

a. *Public Streets*

(1) In the case where the *Comprehensive Transportation Plan* does not include a *proposed right-of-way*, or where the *existing right-of-way* is greater than the *proposed right-of-way*, the *existing right-of-way* line shall be used for *setback* measurement. [Amended Ordinance #12-05]\*

(2) The *setback* provisions of this UDO are subject to the following modification:

In any *block* in any Industrial *district* contained in this UDO in which an existing *front yard setback* is established by existing, legally established *buildings* or *structures* on more than sixty percent (60%) of the total number of *lots* within the same *block face* fronting on the same *public street*, the minimum required *front yard setback* for any new *building, structure* or addition along such *block face* shall be the average of such established *front yards* if such dimension is less than the minimum *front yard setback* established by this UDO.

(3) Any development permitted within a required *front yard* shall be those specified in the "Use of Minimum *Yards*" sections of the applicable Industrial *district*.

b. *Private Streets*

The minimum *front yard* and minimum *building setback* from the *right-of-way* line of a *private street* shall be the same as for a *local public street* in the applicable Industrial *district*.

Provided, however:

(1) The *setback* provisions of this UDO are subject to the following modification:

In any *block* in any Industrial *district* contained in this UDO in which an existing *front yard setback* is established by existing, legally established *buildings* or *structures* on more than sixty percent (60%) of the total number of *lots* within the same *block face* fronting on the same *private street*, the minimum required *front yard setback* for any new *building, structure* or addition

along such *block face* shall be the average of such established *front yards* if such dimension is less than the minimum *front yard setback* established by this UDO.

- (2) Any development permitted within a required *front yard* shall be those specified in the "Use of Minimum *Yards*" sections of the applicable industrial *district*.

**2. Setback Regulations for Laterally-Supported Extensions.**

Notwithstanding any *setback* regulations of this UDO to the contrary, laterally-supported extensions, such as canopies, eaves, cornices, bay windows, or roof overhangs, may extend a maximum of three (3) feet into any minimum *front yard*, minimum *side yard* or minimum *rear yard*.

**Section 4.04**  
**General Regulations for Industrial Districts**

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**F. Requirements for Private Streets, Interior Access Driveways and Interior Access Drives.**

See Section 7.07 – Street Design and Right-of-Way Reservation, sub-Section, B., 22.

**G. Maintenance of Buffer Areas.**

Notwithstanding anything in this UDO to the contrary, if any portion of a Industrial *lot* is required by Section 7.01 – Landscape Regulations of this UDO to be a *buffer area*, the following additional regulations shall apply:

1. Any *buffer areas* located on a *lot* adjacent to a *front, side or rear lot line*, shall be maintained by the owner of the *lot* at all times. Dead or diseased trees or shrubs located in the *buffer area* shall be removed and replaced with appropriate replacement trees or shrubs, subject to the approval of the *Director*. Any removal, relocation, replacement or other alteration to the plant materials located in the *buffer area* shall be approved, in writing, by the applicable property owners association, if any, and the Town of Holly Springs prior to such removal, relocation, replacement or other alteration to the plant materials in the *buffer area*.
2. No *accessory building* or *accessory structure* of any kind (other than a *freestanding sign* authorized by Section 7.03 – Sign Regulations of this UDO) shall be permitted in the *buffer area*.