



**Mayor and Council and Planning Board Joint  
Unified Development Ordinance (UDSO) Special Workshop  
6 p.m. September 16, 2021  
Holly Springs Law Enforcement Center and Zoom**

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**MINUTES**

The Holly Springs Town Council and Planning Board held a joint workshop meeting on Thursday, September 16, 2021 at the Law Enforcement Center and via video conferencing. Mayor Sears presided, calling the meeting to order at 6:00 p.m. A quorum was established as the Mayor and five Council members were present as the meeting opened.

**Council Members Present in the room:** Mayor Sears, Mayor Pro Tem Dan Berry, Councilmen Peter Villadsen, Shaun McGrath, and Aaron Wolff, and Councilwoman Christine Kelly

**Council Members Absent:** none.

**Planning Board Members Present:** Rick Madoni; Ernie Carpico; Van Crandall; Joanna Holder;  
**Planning Board Members Absent:** Chris Deshazor; Thomas Urquhart; Courtney Patterson; Dana Rybak; and Mark Stuckey

**Staff Members Present:** Randy Harrington, Town Manager; Linda McKinney, Town Clerk (recording the minutes); Daniel Weeks, Assistant Town Manager; Scott Chase, Assistant Town Manager; John Schifano, Town Attorney; Chris Hills, Director of Development Services; Sean Ryan, Development Services; Elizabeth Goodson, Development Services.

**1. Overview:** Randy Harrington gave an overview of the meeting agenda.

**2. Unified Development Ordinance (UDO) Update**

Chris Hills, Director of Development Services, introduced Erin Perdu from Santec who was present to give an update on the UDO rewrite. Ms. Perdu said there was a four-hour open house, which had good turnout for a zoning meeting. Most of what she heard was appreciation for flexibility, and some who wished for more density or height allowed in certain areas. Also there was a desire to see workforce housing allowed in more places. She said this would be written up and shared later.

Ms. Perdu gave an overview of her presentation. She said they would talk about the major areas of change, but the entire draft has been given to the Council to read.

She said the Land Use and Character Plan (LUCP) outlined land-use related themes and established character areas for the Town of Holly Springs. The goals from the LUCP inform everything they have done in updating the ordinance. These goals include establishing mixed-use activity centers, suburban remix and retrofit, context-sensitive infill development choices; transitions; increasing housing choice; increasing diversity and affordability of housing in Holly Springs; and more transportation-land use coordination in the community. Ms. Perdu said that character areas identified in the Future Land Use map (FLU) set the stage for the UDO Council would like. All the recommendations in the LUCP have guided potential changes in the UDO.

Ms. Perdu said the goals set for the UDO revision were to condense long portions of narrative; use graphics to clarify; adjust thresholds for decision making; make greater use of conditional zoning; establish new district nomenclature; re-organize uses; include more uses by-right; merge development options and infill options into base districts; consolidate setbacks; create a performance-based system for landscaping; create walkable street cross sections; and reduce parking standards. The rewrite went through a process of reconnaissance, then drafting with input from stakeholders. The final process will be revision of drafts, more public engagement, public hearings, and adoption of the final ordinance. She showed an example of illustrating and simplifying using tables and graphics, eliminating redundancies, and simplifying language.

Ms. Perdu outlined some proposed major changes to the UDO. First, she said that zoning districts were updated to focus on character, and business districts changed to mixed use, reflecting “places to transform.” Zoning Districts would correspond to the Future Land Uses in the Comprehensive Plan and would provide clarity when making rezoning decisions. Development Options and Infill Development Options would be merged into Base Districts to simplify the process while maintaining optional development requirements for flexibility.

Council discussed the large gap in size between RR and SR districts, and the desire to have the same varied lot size option in the NR district. Council thought the gap should be narrowed by making the RR smaller, and including the mix of lot sizes in the NR as well.

Ms. Perdu said that major changes in uses are proposed due to separated uses leading to places that aren’t walkable, the need for more housing choice, and FLU Map focused policy changes. Changes would allow a wider mix of uses of appropriate scale and intensity. The uses would be presented in clear tables, with more uses being “by right” as opposed to special exception. K-12 Schools would be allowed in residential districts via a Special Use Permit only. She explained the layout of the table and how it simplifies the presentation of information. She explained that there would be more use of Conditional Zoning, requiring an extra layer of scrutiny for districts where all uses are conditional. She said that the process would change to allow the Planning Board to review in some instances, rather than requiring it go to Council. She said that housing would be allowed in mixed use districts and apartments and other attached dwellings would be allowed in Mixed Use Residential. Attached dwelling would allow for “missing middle” housing types.

There was discussion about where cemeteries would be allowed and what the additional standards were that would be required for cemeteries. Questions were raised about “animal entertainment” (like petting farms) and where they would be allowed. The definition of a transit station was discussed. Solar energy systems, small and large, were brought up, and allowing them in large apartment complexes. Town Attorney, John Schifano said that state statute does not allow municipalities to prohibit solar installations, but does allow them to require screening. There was a discussion about whether a zoning district must exist for each legally permissible use. Mr. Schifano said that if there is a zoning district for it, and a land owner could go through the rezoning process, the town is inoculating itself. There was discussion about the level of detail required in the use tables. A question was asked about when short-term rentals would be discussed. Staff said it was flagged for future discussion because they needed to do more work, but if Council had any specific concerns, this would be a good time to share them.

Ms. Perdu said that another major change is around open space. There is a need to preserve natural features, including tree canopy, and to provide access to open space and parks. The changes would establish minimum open space / conservation requirements with standards for different open space types and priorities for tree preservation. Different districts would require different types of open space, depending on character and scale. Conservation buffer areas would provide better transitions and access to natural areas. Possible open space types would be tree preservation area; active recreation area; urban civic space; conservation area; and public recreation space. She showed a table of the open space requirements for different districts, and a table of the various types of open space.

There were questions about how the flexibility is explained so that, when subcategories do not add up to the total, it is clear what needs to be done. There was discussion about whether the percentages of tree preservation were adequate. It was asked if, with the current legislation before the General Assembly, if allowing the mix would allow developers to make all the open space treeless Active Open Space. Mr. Schifano said that, the more the UDO incentivizes tree preservation, by allowing more density if trees are preserved for example, the more ability to preserve trees Council retains. The difference between overhead and underground utilities as far as being counted for open space was raised. Ms. Perdu said that, unless the easement holder allows public access, it cannot be counted as open space. It was asked if the waiver process still applies to open space requirements. Ms. Perdu said the process was the same.

Ms. Perdu said the next major changes to discuss relate to design. The issue is a need to preserve and enhance character, and have more transportation-land use coordination. Direction was received to create more walkable street cross sections, better connections between areas and uses, and an inviting public realm. She discussed the different needs of urban and rural areas, and in the public realm, the issues that matter most to residents. The need for clear connectivity requirements and the filling of sidewalk gaps was addressed. Street design should contain standards that include modes of transportation other than cars. Site design should move buildings closer to the street with active façade design, bulk, massing, and placement; natural surveillance, meaning people can see out of buildings and feel safe in the public realm. Parking design should focus on location over quantity, mitigating the negative impacts including those to landscaping and stormwater, EV parking spaces requirements, and making suburban locations different from urban ones. Landscaping design should move from a point system to a performance-based system with area and opacity regulated. This would be a simplification from the current system.

Questions were raised about how to keep the active façade standards facing the public street. Ms. Perdu said that the façade that faces the right-of-way has to meet active design standards, and there have been discussions about requiring the active façade on all sides. A comment was made about whether a “dig once” policy could be added, which would save money by putting conduit in when there are open trenches. Ms. Perdu said it could be added to Chapter 7 where utilities are discussed and they would look into it. The avoidance of cul-de-sacs was discussed, as well as how feasible they are. Ms. Perdu said that they are discouraged, not prohibited. A request was made to make bike paths more specific, whether as part of the road or part of the sidepath. Staff said that was going to be part of the CTP, and the UDO could reference the CTP for this purpose. It was asked whether the close setbacks allow enough sidewalk space for outdoor dining and retail that has been useful in the past 18 months.

Ms. Perdu said that the setbacks are from the right-of-way, not from the street, and there should be enough room for those uses.

Ms. Perdu said the next major change to discuss was changes to process. The feedback was that the current process is too complicated and has too much scrutiny for small projects with narrow impacts. The revision attempts to define and clarify review procedures, streamline the process, and focus on projects with community-level impacts. Tables will clearly lay out what kind of review is required for what kinds of applications. Roles and authority will be clarified to remove layers of review where potential impacts to the community are small, create administrative adjustment process for minor UDO deviations, and describe each decision-making body and their authority: UDO Administrator and staff; Development Review Committee; Planning Board; Board of Adjustment; and Town Council. The plan would remove layers of review where potential impacts to the community are small, create administrative adjustment process for minor UDO deviations and maintain the requirements for variances for major deviations. She said that the Development Review Committee (DRC) would be comprised of management and staff and would review things with specific size and use restrictions.

There was discussion about the differences between the current Technical Review Committee (TRC) and the proposed DRC, and what percentage of projects that come to Town fall into each of the categories. There was discussion over whether the different sized subdivisions should be treated differently, and whether Planning Board should take some of these decisions away from the Town Council. Council would like to see the decision and review matrix revised and brought back to them before they vote on the UDO. Defining which staff member makes what decisions was also something Council wanted clarified. They agreed that they wanted to move to quasi-judicial decisions being made by a non-Council group. Schools might be the exception to this change, if it is possible to do so, as they have a greater impact on the community.

Ms. Perdu outlined next steps include publishing chapter drafts online, a public comment period from tonight through October 15<sup>th</sup>; Planning Board recommendation on October 26<sup>th</sup>, and Town Council holding a Public Hearing and voting on adoption on November 16<sup>th</sup>. Council asked if there was a statutory need to vote by November 16<sup>th</sup> and Mr. Harrington said there was not, and it could be voted on at the first meeting in December.

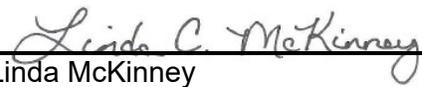
Mr. Harrington asked if Council wanted another special workshop on this topic, perhaps sometime in October. Consensus was yes.

**Closed Session:** Motion to excuse the Planning Board and to enter closed session pursuant to NCGS 143-318.11(a)(6) to discuss the Town Manager's annual evaluation was made by MPT Berry with a second by Council member McGrath and passed with a unanimous vote.

Motion to leave closed session was made by Council member Wolff, seconded by Council member McGrath, and passed with a unanimous vote.

**3. Adjournment:** There being no further business for the evening, Motion to adjourn was made by Council member Kelly second by MPT Berry and passed with a unanimous vote. The September 16, 2021 meeting of the Holly Springs Town Council was adjourned at 9:10 pm.

Respectfully Submitted on Tuesday, October 5, 2021.

  
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Linda McKinney  
Town Clerk