

ARTICLE 9: ADDITIONAL DEVELOPMENT STANDARDS**Section 9.1 Visibility at Intersections**

On a corner lot, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vision between a height of two and one-half (2 1/2) and ten (10) feet in a triangular area formed by a diagonal line between two (2) points on the curb line twenty-five (25) feet from where they intersect or where there are no curb lines, on the right-of-way lines, twenty (20) feet from where they intersect.

Section 9.2 Lots With Buildings, Structures, and Uses Must Abut Streets

9.2.1 Except as provided in Section 9.2.2 of this ordinance, no principal building, structure, or use may be erected or established on any lot which does not abut at least twenty (20) feet on one of the following:

9.2.1.1 A public street dedicated to and maintained by the Town of Rolesville or the North Carolina Department of Transportation;

9.2.1.2 A street constructed to the standards of the Town of Rolesville, or the North Carolina Department of Transportation, with a written agreement concerning maintenance of the street.

9.2.2 The Town Board may authorize, as a special use, the erection or establishment of a principal building, structure, or use on a lot not meeting these requirements if it is clear that adequate provision for access for the type and intensity of use proposed has been or will be provided, and there are special circumstances, such as the rural nature of the lot and area, which make the application of these requirements to the proposed use infeasible or undesirable.

Section 9.3 Complexes

Office centers, institutional and industrial, multi-family dwelling and similar complexes may have more than one (1) principal building on a single lot provided that the following requirements are met:

9.3.1 Uses in complexes shall be limited to those which are permitted, or special uses within the zoning district in which the project is located.

9.3.2 The overall intensity of land use shall be no higher, and the standard of open space no lower, than that permitted in the district in which the project is located, for the type of use to be established.

9.3.3 The distance of every building from the nearest property line shall meet the front yard setback and side yard requirements of the district in which the project is located or fifty (50) feet, whichever is greater.

- 9.3.4** The building heights shall not exceed the height limits permitted in the district in which the project is located.
- 9.3.5** The building shall be located so as to provide access for emergency vehicles.
- 9.3.6** The minimum spacing between buildings in a complex shall be in accordance with the yard requirements of the district in which the project is located.
- 9.3.7** If the use is a special use, all requirements for all special uses and the specific use and any conditions imposed on the use shall be met.

Section 9.4 Home Occupations

9.4.1 Home Occupations.

Home Occupations are permitted in all districts only as an incidental use and shall comply with the following regulations:

- 9.4.1.1 No person other than a resident of the dwelling shall be engaged in such occupation.
- 9.4.1.2 No more than three (3) customers, clients, or patrons shall come to the dwelling at any one (1) time nor more than ten (10) in any one (1) day.
- 9.4.1.3 No more than two (2) vehicles may be used in the conduct of the home occupation. Any such vehicle shall be parked off the street. The parking of any such vehicles on the property, other than an automobile, van, or pick-up shall be in an enclosed building as described in Section 9.4.1.4 below.
- 9.4.1.4 No more than twenty-five percent (25%) of the total actual floor area of the dwelling or five hundred (500) square feet, whichever is less, shall be used in the conduct of the home occupation. In addition, one (1) accessory building not exceeding one thousand (1,000) square feet, shall be a special use in connection with the home occupation, to house commercial vehicles and/or for storage of materials used in connection with the home occupation and/or for use as an administrative office for the home occupation. The accessory building may be used for manufacturing, processing, instruction, sales, services, or other work in connection with the home occupation. All lot coverage, dimensional, and other requirements of this ordinance must be met by such accessory building. A sketch of the proposed building and list of the materials to be used on the outside must be submitted with the application for a Special Use Permit.
- 9.4.1.5 Notwithstanding the provisions of Subsection 9.4.1.4, a home greenhouse shall be permitted provided that such greenhouse meets the requirements of Section 5.5 and that any sales in connection with such greenhouse meet the requirements of this section (Section 9.4).

- 9.4.1.6 No outdoor sales or storage shall be permitted in connection with the home occupation. This provision shall not prohibit the outdoor on-premises sale of the products of home gardens, or yard sales if otherwise in accordance with town ordinance.
- 9.4.1.7 The exterior appearance of the dwelling shall not be altered in such a manner nor shall the occupation in the residence be conducted in such a way as to cause the premises to differ from its residential character in exterior appearance.
- 9.4.1.8 The use may not emit smoke beyond that which normally occurs in the applicable zoning district, nor shall it emit dust, vibration, odor, smoke, fumes, glare, radiation, electrical interference, interference to radio and television reception or other nuisance and shall not be volatile or present a fire hazard, nor may the occupation discharge into any waterway, stream, lake, or into the ground or a septic tank any waste which will be dangerous or a nuisance to persons or animals, or which will damage plants or crops.
- 9.4.1.9 No home occupation shall involve the use of electrical or mechanical equipment that would change the fire rating of the structure in which the home occupation is conducted.
- 9.4.1.10 There shall be no more than two (2) deliveries per day to the premises of materials to be used in conjunction with the home occupation and these shall take place between the hours of seven (7:00) AM and nine (9:00) PM.
- 9.4.1.11 No customers, clients, patrons, or employees other than the residents' household may be on the premises in connection with the home occupation before seven (7:00) AM or after nine (9:00) PM.
- 9.4.1.12 The following are strictly prohibited as home occupations: car washes, commercial automotive repair garages, truck terminals, slaughterhouses, paint, petroleum and chemical plants, any occupation which involves the bulk storage of liquid petroleum, gasoline, kerosene, or other flammable liquids, funeral homes and mortuaries, massage parlors, sale of reading or viewing material of a pornographic nature, movie theaters, animal hospitals and kennels, and bottled gas sales.
- 9.4.1.13 Any home occupation not complying with these regulations shall be a special use.

Section 9.5 Group Care Homes for Infirm or Aged, Congregate Care, Life Care, Non-Protected Group Homes, Intermediate Care, and Nursing Homes

- 9.5.1** Facilities or homes for Infirm or Aged, Congregate Care, Life Care, Non-Protected Group Homes, Intermediate Care, and Nursing Homes facilities or homes shall certify that they are able to satisfy the requirements of the North Carolina Department of Human Resources.

- 9.5.2** Notwithstanding any provision to the contrary, for each person to be cared for there shall be: a) at least 25 square feet of indoor space per person, which is usable for common leisure and recreational activities of the residents, exclusive of closets, passageways, kitchens, bathrooms and bedrooms; and b) at least 500 square feet of outdoor leisure and recreation area per person, 100 square feet of which shall be in lawn and facilities as opposed to wooded area.
- 9.5.3** Outdoor leisure and recreation areas shall provide suitable screening with a type B buffer along the street right-of-way and adjacent properties in residential use. Such areas shall be on land suitable for the use intended and may include wooded and vegetated areas. Adequate leisure and recreation facilities shall be provided considering the age and disability of the residents.
- 9.5.4** Where a facility will provide care for seven or more persons, the minimum lot size shall be increased by 750 square feet for each adult in excess of six to be cared for.
- 9.5.5** New facilities covered by this subsection must be separated from existing protected group homes and facilities covered by this subsection by a distance of no less than one-half mile measured from the closest point of each lot property line in a straight line.

Section 9.6 Water and Sewer Utility Standards

The current water and sewer utility design and construction standards for the City of Raleigh are hereby included by reference in this ordinance.

9.6.1 Mandatory Connection to Public Water and Sewer Systems.

(A) Residential Properties

(1) New Construction.

Within the Town of Rolesville's jurisdiction, every residentially zoned lot being improved with a new dwelling that is within the distances set out shall be required to connect, at the expense of the owner or developer, to that public water or sewer system.

<u>Number of lots</u>	<u>Distance from system</u>
1 lot	300 feet
2 to 4 lots	1,000 feet
>5 lots (Major Subdivision)	5,280 feet

The distance in determining whether the improved property lies within the minimum distance of an existing public water or sewer system shall be measured from the closest property line of the development to the nearest existing water or sewer line. However, all water and sewer lines throughout each subdivision shall be placed within

rights-of-way and/or existing easements except for each line serving the interior of individual lots.

Residential properties developed for one single family dwelling need not connect to public utilities if they are merely replacing an existing single family home with another single family dwelling (due to a hardship of storm or fire damage, roadway improvements, etc.) or if the owner is adding onto an existing single family dwelling.

(2) Lots with Existing Well and/or Septic System

All individual lots which have failing ground absorption wastewater treatment and dispersal systems shall, upon notice from the Wake County Authorized Agent, connect to the Town of Rolesville wastewater collection system when it is determined that 300 feet or less of sewer line is required for the connection. The property owner shall be required to connect to the wastewater collection system within 90 days of the notice, unless a variance is granted by Wake County. When a facility is required to be connected to the Town of Rolesville's wastewater collection system, and the septic and/or pump tank is not being utilized as part of that connection, the septic and/or pump tank shall be properly abandoned.

All individual lots which have failing well systems shall connect to the Town of Rolesville water utility system when it is determined that 300 feet or less of water line is required for the connection. When a facility is required to be connected to the Town of Rolesville's water utility, the failing well shall be properly abandoned.

(B) Commercial Properties

All construction of water and/or sewer lines conducted in accordance with the above paragraphs to the public water and/or sewer lines of the Town shall be done in conformity with the City of Raleigh specifications for utility construction. Further, upon completion and approval of said construction of all water and/or sewer lines to, into, and within the subdivision or development, the water and sewer improvements shall be conveyed, together with access easements for maintenance, to the City of Raleigh. Thereafter, the City of Raleigh shall maintain said lines as same shall be part of its water and/or sewer system.

9.6.2 Community and Individual Water and Sewer Systems. For all community and individual water and/or sewer systems, including individual wells or septic systems in subdivisions or developments outside of the 5,280 foot distance of existing water and/or sewer systems, the materials, design, and installation shall be subject to approval by the Division of Water Quality at the N.C. Department of Environment and Natural Resources, or the Wake County Health Department.

9.6.3 Water and Sewer Utility Extensions. Extensions of any water or sanitary sewer mains are to be made to the furthest property line of the tract where necessary to serve adjoining property owners with utilities along natural drainage patterns. In all instances, plans shall show the total area in acres draining to the uppermost bounds of the tract on any established

watercourse. Additional extensions may be required if the Town of Rolesville or the City of Raleigh Public Utilities Department determines adjacent property can be served from extensions to the proposed site.

Section 9.7 Availability of Public Utilities for Industrial and Commercial Development

In order to provide for sufficient water and wastewater service for the citizens and businesses of Rolesville, and to provide for the town's long term development by insuring that adequate capacity exists for future utility customers, all applicants for commercial and industrial zoning permits shall be required to provide anticipated peak water and wastewater usage to the Zoning Administrator.

9.7.1 Uses with utility requirements in excess of the following minimum standards shall be considered special uses and must follow the requirements of Section 3.6.

9.7.2 Minimum Standards.

25,000 gallons of water per day.
25,000 gallons of wastewater per day.

9.7.3 Policy Standards

In considering the application for a special use permit, the Planning Board and the Rolesville Board of Commissioners shall review the application in accordance with the conditions listed in Article 8. In addition, the board shall consider the use according to the following principals:

- (a) Total gallons required.
- (b) Potential for expansion of proposed use.
- (c) Limitation this approval will put on future residential and other commercial or industrial growth.

9.7.4 Cancellation of Permit

The Special Use permit once issued, shall become invalid unless substantial development of the proposed use has been commenced within six (6) months of date of issue, or if any work authorized by it is suspended or abandoned for any reason for a period in excess of one (1) year.

Section 9.8 Water Towers

Water storage towers and tanks not located on a roof may be erected to a height not to exceed two hundred (200) feet, measured from the average natural ground elevation, provided that the following conditions are met:

- 9.8.1** The structure is located a minimum distance of fifty (50) per cent of its height from the nearest property line of a lot containing a dwelling, congregate care or congregate living structure, as measured from the closest point of any portion of the storage tank.
- 9.8.2** A minimum forty (40) foot natural protective buffer is provided adjacent to any lot line of a dwelling, congregate care or congregate living structure or adjacent to the lot line of any vacant lot zoned for residential use. A minimum fifteen (15) foot natural protective buffer is required for general office, commercial and industrial zoned districts.
- 9.8.3** The entire area of the water tower, including the water tank overhang, tower base supports, electrical power panels and above ground control valves must be surrounded by a security fence or wall of at least eight (8) feet in height.
- 9.8.4** Except for fence and wall entrances, all fences and walls shall be screened with plant materials so that no more than two-thirds of the surface of the wall or fence is visible within three (3) years after erection of the wall or fence. Existing vegetation may be used for the screening, along with new plantings.

Section 9.9 Auto Repair, Auto Wash, Wrecker Service, and Vehicle Storage Facilities

The development standards listed herein are in addition to all other requirements of this ordinance and shall apply to the specific permitted uses in this section.

9.9.1 Use: Automobile Repair Garage as permitted in the C-O Zone

Requirements:

- (a) A landscape buffer in conformance with Article 14 shall be required along the property line abutting residentially zoned property.
- (b) In addition to service vehicles necessary for the operation of the business, only vehicles awaiting repair may be stored on site. No inoperable vehicles may be left on site for more than fifteen (15) days. In special circumstances where this provision may pose undue hardship, the Zoning Administrator may grant an extension for vehicle storage of up to fifteen (15) days.
- (c) No partially disassembled vehicles or parts may be stored in view of a public right-of-way.

9.9.2 Use: Automobile Wash - Self Service as permitted in the C-O Zone

Requirements:

- (a) A landscape buffer in conformance with Article 14 shall be required along any property line abutting residentially zoned property.
- (b) Each wash bay shall be enclosed within a permanent structure leaving only the entrance and exit open to view.

- (c) Each approach lane shall provide space for three cars prior to entry of wash bay, plus two (2) drying spaces per bay.
- (d) Adequate waste disposal units shall be maintained on site for the use.

9.9.3 Use: Wrecker Service and Vehicle Storage as permitted in the C-O and I Districts

Requirements:

- (a) Use is acceptable only in C-O and Light Industrial districts as a Special Use.
- (b) Wrecker service and/or vehicle storage areas are to be no closer than 1,000 feet from any property zoned for Residential use and Office and Institutional (O&I) use.
- (c) Vehicle sales on the property are not allowed other than under a Mechanic's Lien.
- (d) All parking areas are to be paved with asphalt or concrete.
- (e) All stored vehicles must be parked in a secure area, behind opaque fencing that is a minimum of six (6) feet in height. The fence is to be screened from all public roadways with plant materials so that no more than one-third of the fence surface is visible within three years after emplacement of the plant materials.
- (f) Any expansion of the secure vehicle storage area shall require a separate Special Use Permit.
- (g) Vehicles stored in the vehicle storage area may not have parts removed for sale or re-use.
- (h) Repair of vehicles on-site will require approval as a separate Special Use, and if approved, must comply with provisions in Article 5 and Sections 6.1, 6.2, 7.1, 9.8, and 12.2 of this ordinance.
- (i) The above restrictions are in addition to all other requirements and restrictions stated in this ordinance.

Section 9.10 Town Inspectors

The Town of Rolesville reserves the right to require that inspectors designated by the Town be used to certify that streets, sidewalks, stormwater structures, and other required infrastructure improvements are in compliance with town regulations.

Section 9.11 Traffic Impact Study

9.11.1 Purpose

This Section is intended to help ensure that new development does not adversely affect the capacity of streets and intersections to safely and efficiently accommodate vehicular traffic. It seeks to do so by providing a standard set of analytic tools and format that can be used to identify a development's expected traffic impacts on the road system, any traffic problems associated with access to and from the development site, and any improvements or site design modifications needed to solve potential adverse traffic impacts and access problems.

9.11.2 When Required

- (A) A traffic impact analysis is required at the time of application for approval of any zoning map amendment (rezoning), special use permit, site plan, and/or preliminary subdivision plat if:
 - (1) the proposed development, or phases of development, or contiguous tracts under the same ownership, would accommodate or could be expected to generate 100 or more added vehicle trips to or from the site during the peak traffic hour (based on the proposed development or the adjacent roads and intersections); or
 - (2) the proposed development, or phases of development, or contiguous tracts under the same ownership, would accommodate or could be expected to generate 1,000 or more added vehicle trips to or from the site during a 24-hour period (based on the proposed development or the adjacent roads and intersections).
- (B) In calculating the number of added vehicle trips expected to be generated, trip generation rates must be obtained from the most recent editions of Trip Generation and Trip Generation Handbook, published by the Institute of Transportation Engineers (ITE). Only “new” vehicle trips will be counted; no pass-by or internal trip capture will be used in calculating “added vehicle trips.”
- (C) The Planning Director may waive the requirement for a traffic impact analysis when the applicant shows that the proposed development's impact on adjacent roads and intersections will be minimal and insignificant, or will be no greater than those projected by a traffic impact analysis prepared and submitted within the past two (years) for the same site under the same or similar background conditions. The Planning Director must document the reasons for any waiver.

9.11.3 Level of Service Standards

- (A) The traffic impact analysis must demonstrate that the proposed development would not cause build-out-year, peak-hour levels of service on any arterial or collector road or intersection within the study area to fall below Level of Service (LOS) “D,” as defined by the latest edition of the highway capacity manual, or, where the existing level of service is already LOS “E” that the proposed development would not cause the LOS to fall to the next lower letter grade.
- (B) If the road segment or intersection is already LOS “F,” the traffic impact analysis must demonstrate that the proposed development, with any proposed improvements, would not cause build-out year peak-hour operation to degrade more than 5% of the total delay on any intersection approach.
- (C) To the extent that application proposes specific access points, the analysis must also demonstrate that the proposed development would avoid unsafe conditions on adjacent roads.

- (D) Failure to meet these standards may serve as a basis for denying the application, or for conditioning approval of the application or application on provision of improvements or other mitigation measures needed to correct deficiencies due to the proposed development's impacts.

9.11.4 Study Area

The traffic impact analysis must address the proposed development's traffic impacts on at least:

- (A) roads and intersections within the development site, as designated by county planning staff or review consultant;
- (B) road segments and intersections abutting the development site as designated by county planning staff or review consultant; and
- (C) off-site road segments and intersections where traffic from the proposed development is expected to account for at least 10% of the road's or intersection approach leg's average daily traffic.

9.11.5 Qualifications

Traffic impact analyses must be prepared by a licensed professional engineer.

9.11.6 Study Contents

- (A) Traffic impact analyses must include charts, graphics, and narrative presenting at least the following information:
 - (1) a description of existing land uses and development intensities in the study area, the location and characteristics (functional classification, number of lanes, speed limit, signalization, etc.) of roads and intersections in the study area, and the existing traffic volumes and conditions (including levels of service) of those roads and intersections;
 - (2) a description of the location and traffic-related characteristics (land use, intensity, expected date of full build-out and occupancy, vehicular access points and characteristics, etc.) of the proposed development and other developments in the study area that are under construction, approved, or pending approval, as well as roadway and other transportation facilities and improvements in the study area that are under construction, programmed, or planned ;
 - (3) projections of future background traffic (existing traffic volumes forecasted to buildout year levels based on agreed upon traffic growth rate) plus traffic

- generated by other development in the study area that is under construction, approved, or pending approval, future site traffic and total future traffic (the sum of future background traffic and future site traffic);
- (4) future background and site traffic projections must be made for the peak hours (as identified by county planning staff or review consultant) of the adjacent road segments and intersections and for the development's expected full build-out and occupancy date, and must include trip generation, trip distribution (using preapproved distribution by county planning staff or review consultant), and traffic assignment estimates;
 - (5) analyses of the proposed development's incremental impacts on:
 - (a) road capacity during peak hours at all site access points and at road segments and intersections in the study area (including determination of the level of service for the road segments and intersections, queuing vs. existing/proposed storage); *Commentary: when a rezoning is requested, a trip generation comparison must be prepared, comparing existing vs. proposed zoning)*
 - (b) the need for signalization of intersections in the study area; and
 - (c) existing or potential high accident areas (as referenced in the adopted transportation plan or determined by county planning staff);
 - (6) a qualitative analysis/review of sight distance at access points, when required by planning staff or the review consultant;
 - (7) a description of the location, nature, and extent of site access and transportation improvements and other measures recommended to mitigate any failure to meet traffic operation standards due to the proposed development's traffic impacts, including the expected effectiveness of each mitigation measure in addressing deficiencies, the feasibility of implementing the measures, suggested allocation of responsibility for funding and implementing the measures, the measures' relationship to planned public transportation improvements, and a suggested time schedule for the implementation of the measures;
 - (8) résumés of the preparers of the analysis, demonstrating specific education, training, and professional experience in traffic-related analyses and, if the analysis involves roadway or traffic signal design, traffic engineering; and
 - (9) identification of all assumptions and data sources used in its projections, analyses, and recommendations.
- (B) When the traffic impact analysis accompanies a rezoning application, its description of the proposed development must indicate the full range of land uses and development intensities allowed by the proposed zoning and identification of the allowable land use/intensity that can be expected to have the greatest traffic impact on peak hour

traffic on adjacent roads and intersections. This highest impact land use/intensity will constitute the “proposed development” for which traffic projections are made and traffic impacts are analyzed.

Section 9.12 Infrastructure Bonding [Reserved]

Section 9.13 Mobile Vendors

9.13.1 Purpose and Intent

It is the intent of the ordinance to:

- A. serve and protect the health, safety, and welfare of the general public;
- B. to develop a system that will enhance the overall appearance and environment along public streets, pedestrian ways, and other public properties;
- C. to assist all mobile vendor businesses that exist within the town and have an investment within the community; and
- D. to establish a uniform set of rules and regulations that are fair and equitable.

9.13.2 Requirements

- A. Property owner permission – Mobile Vendors must present written permission from the owner of the property on which they operate. No Mobile Vendor can set up within the public right-of-way of any street except that Mobile Vendors selling ice cream or other goods typically sold from a moving vehicle, including ice cream vendors, may utilize the public streets provided they do not impede the reasonable flow of traffic or otherwise endanger the public safety, or where otherwise permitted by this Section.
- B. Time limits – Mobile Vendors, excluding food trucks, shall not operate between the hours of 8 p.m. to 8 a.m. No vehicle or signage for the Mobile Vendor shall be parked, stored, or left overnight.
- C. Littering – Mobile Vendors shall keep the sidewalks, roadways, and other spaces adjacent to their vending sites or locations clean and free for paper, peelings, and refuse of any kind generated from the operation of the business.
- D. Sound device – Mobile Vendors shall not sound any device that produces a loud and raucous noise or operate a loudspeaker or amplifier to attract public attention.
- E. Obstruction of traffic – The location of a Mobile Vendor on a site shall not impede the flow of traffic nor obstruct the line of site for vehicles on private or public streets.

9.13.3 Food Trucks, Food Truck Uses, Commercial Commissaries

- A. Food trucks and food truck uses must be located at least 100 feet from the main entrance to any eating establishment or similar food service business.
- B. Food trucks and food truck uses must be located at least five (5) feet from the edge of any driveway or public sidewalk, utility boxes and vaults, handicapped ramp, building

- entrance, exit or emergency access/exit way, or emergency call box and must not locate within any area that impedes, endangers, or interferes with pedestrian or vehicular traffic. Food trucks must be located a minimum distance of 15 feet in all directions of a fire hydrant.
- C. Food trucks, food truck uses, and commercial commissary uses and associated seating, if any, must not occupy parking spaces required to fulfill the minimum requirements of the principal use, unless the principal use's hours of operation do not coincide with those of the food truck business.
 - D. Food trucks and food truck uses must not occupy any handicap accessible parking space as specified in N.C. General Statute §20-37.6.
 - E. All signage associated with this use must comply with Article 11 of this ordinance.
 - F. The days and hours of operation shall be between:
 - a. Sunday through Thursday: 7:00 am to 10:00 pm.
 - b. Friday through Saturday: 7:00 am to 12:00 midnight.
 - G. The maximum number of food trucks per lot is limited to as follows:
 - a. Maximum of two (2) food trucks on lots of one-half (0.5) acre or less;
 - b. Maximum of three (3) food trucks on lots between one-half (0.5) acre and one (1) acre; and
 - c. Maximum of four (4) food trucks on lots greater than one (1) acre.
 - H. Food trucks, food truck uses, and associated outdoor seating must be removed from all permitted locations when the food truck is not in operation or associated food truck uses are not taking place.
 - I. The food truck vendor and/or commercial commissary operator is responsible for the proper disposal of waste and trash associated with the operation.
 - J. With the exception of allowable outdoor seating areas, all equipment required for the operation must be contained within, attached to, or within three (3) feet of the food truck and all food preparation, storage, and sales/distribution made in compliance with all applicable County, State, and Federal Health Department sanitary regulations.
 - K. A food truck permit must be obtained by the food truck vendor or owner of property where food trucks intend to park. The food truck permit must be accompanied by a detailed site plan showing the location of the proposed food truck, outdoor seating, and distances from objects listed above in section 8.3(a)-(b). The food truck permit must be renewed each year in order for the food truck to remain in compliance.
 - L. All applicable Wake County and Town permits and licenses must be clearly displayed on the food truck. A copy of the approved zoning permit shall be kept in the food truck during its operation.
 - M. This article and its requirements, rights or privileges shall not apply in any respect to food vending at any market, festival, or activity, arts and crafts exhibit, or similar event sanctioned by the Town through the approval of a Town special event permit, or

any such similar event occurring on public/private school property and sanctioned by that school.

- N. Food trucks and food truck uses are prohibited from locating on public streets unless the public street is closed for reasons referenced above in section §8.3(M).
- O. Commercial commissaries are allowed subject to the issuance of a Special Use Permit pursuant to Section 3.6 of this ordinance and only in those districts specified in Article 5.
- P. This subsection shall not apply to non-motorized food carts used expressly for the preparation and sale of food products, and without provisions for its operator to enter the unit to conduct such.

9.13.4 Penalties

The penalty for violating any provision of this ordinance are addressed in §10.99.

Section 9.14 Masonry Ordinance

9.14.1 Applicability

The requirement for brick exterior wall construction shall apply to any nonresidential structure that is approved after the effective date of this Ordinance.

9.14.2 All materials, colors, and architectural details used on the exterior of a building shall be compatible with each other and with the building's style.

9.14.3 Facades visible from existing or proposed public rights of way shall be brick and/or natural stone, but may contain accent elements of stucco, textured tinted concrete block, tile, native stone, columns and/or canvas canopies. The primary facade material used in construction shall compose, as a minimum, seventy five percent (75%) of the non-glass wall surface.

9.14.4 All facade colors shall be of low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors, is prohibited. High intensity whites used for the facade shall be prohibited unless low reflecting, subtle, neutral or earth tone trim is used. Building trim and accent areas may feature brighter colors, including primary colors. However, neon tubing shall not be used for building trim or accent elements. Roof colors shall be of low reflectance and non-metallic.

9.14.5 Buildings with multiple storefronts shall be unified through the use of architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures.

Section 9.15 Data Storage Boxes

(A) Generally.

Effective August 6, 2012, all commercial enterprises or industries in the Town of Rolesville which use, store or manufacture on-site hazardous materials that must be reported with regulated materials under Title III of the Federal Superfund Amendments and Reauthorization Act (SARA), 42 USC 11001 et seq., Clean Air Act Amendment 112 (r) and North Carolina General Statute 95.173, and the regulations promulgated there under, must have an approved on-site hazardous materials data storage box at each facility where hazardous materials may be found. This requirement shall ensure consistency at all facilities storing hazardous materials so that responders can quickly locate, access, and utilize information located in the data storage box.

(B) Contents, types and location.

- (1) The data storage box shall contain keys providing access to all secured areas of the facility and may also serve as the required facility key box required by state and local fire codes. The data storage box shall contain current, specific information needed to assist fire departments and hazardous materials teams responding to emergencies at the facility. This information includes but is not limited to, facility maps or plans showing the type and location of hazardous materials, Tier II forms, lists of chemicals with Chemical Abstracts Service (CAS) numbers that are required to be reported on Tier II forms, 24 hour emergency telephone numbers for essential facility employees and other persons to be contacted in case of emergencies.
- (2) The data storage box shall contain the Site Specific Hazardous Chemical Plan/Hazardous Materials Management Plan, specifically in the Wake County Fire Marshal's Office required format. This form shall be updated annually, or more often as necessary, to ensure accuracy.
- (3) The data storage box itself shall be of the type designated and approved by the Wake County Local Emergency Planning Committee and shall be located at the primary vehicular entrance, outside any security fence that may be surrounding the facility and visible and accessible to emergency responders. If the facility staffs a security control checkpoint, the data storage box may be located at the security checkpoint, but located outside any surrounding security fence and shall be visible and accessible to all emergency responders. The data storage box may be mounted to a post or other standalone structure, so long as the above criteria are met. The data storage box may be mounted to a structure that is located outside of the secured perimeter, but shall not be mounted to the exterior wall of the facility or inside the facility housing the hazardous materials.
- (4) Facilities may apply for site specific variance for the location of the Hazardous Materials Data Storage Box to Wake County Office of Emergency Management and the Town of Rolesville. It is at the discretion of Wake County Emergency Management and the Town of Rolesville whether to approve or deny the request. If approved, Wake County Emergency Management will notify First Responders as to its location.

Section 9.16 Cluster Mailbox Units (CBU's)

9.16.1 Purpose and Intent

- A. Pursuant to United States Postal Service (USPS) policy, all new subdivisions and new phases of existing subdivisions are required to provide CBU's for regular mail service delivery. Regulations and standards guiding the design of CBU's may be found in this section. The purpose of this section is to establish regulations to guide the construction and maintenance of CBU's for all residential subdivisions.
- B. The intent is to mitigate any discrepancy in the design, location, and accessibility of CBU's as mandated by the United States Postal Service.

9.16.2 Definition

- A. Cluster Mailbox Unit (CBU): a structure or shelter housing multiple mailbox units to serve each residential dwelling of the development for the express purpose of regular mail delivery provided by the United States Postal Service (USPS).

9.16.3 Standards

- A. Location: CBU's must be located on a lot or area dedicated for open space or on a public access easement obtained by the developer to be maintained by the Homeowners Association or managing entity.
- B. Parking: In addition to any requirements for parking specified in Article 10: Parking and Loading Requirements or any accessibility guidelines pertaining to the Americans with Disabilities Act, the following ratio table must be met:

Number of Mailboxes	Minimum Short-Term Parking Spaces
52 or less	2
53-78	3
79-104	4
105 or more	4 plus 1 per each additional 26 mailboxes

- C. The developer shall be responsible for confirming the logistics of regular mail delivery to CBU's with the USPS. As such, all CBU's shall be subject to final approval by the USPS.

Amendments

10/04/04 to entire document; 05/02/05 to §9.6.3 through TA05-04; 09/05/06 to §9.13 through TA06-07; 1/16/07 to §9.6 and 9.11 through TA07-01; 9/16/08 to §9.6 through TA08-06; 9/6/11 to §9.14 through TA11-04; 1/3/12 to §9.11.2 through TA11-10; 8/6/12 to §9.15 through TA12-05; 1/20/15 to §9.16 through TA14-08 (note: TA11-04, TA12-05, and TA14-08 were approved as §9.14. TA12-05

was renumbered as §9.15 and TA14-08 as §9.16 during codification); 6/21/16 to §9.6.1 through TA16-02; 06/21/16 to §9.13 through TA16-05.