



**Wake Forest Board of Commissioners Work Session
Meeting Agenda
January 6, 2026 – at 6:00 PM
All items listed are for discussion and possible action.**

Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Town of Wake Forest will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. For individuals with impaired hearing, special equipment is available for use during meetings in the Town Hall board chambers. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of Wake Forest should contact the office of ADA Coordinator [Mickey Rochelle](#) at 919-435-9455 or Town Clerk [Evelyn Wright](#) at 919-435-9432 as soon as possible, but no later than 48 hours before the scheduled event.

Cable & Online Broadcast of Board of Commissioners Meetings

All Board of Commissioners meetings are broadcast live on [WFTV 10](#) beginning at 6 p.m. Meetings are also aired online on the [Public Meetings Portal](#) on the [Town of Wake Forest website](#). Archived meeting videos are also provided and available for one year after the original air date.

Meeting Agendas

The [Board of Commissioners](#) meeting agenda is available to be viewed and downloaded by noon on the Friday prior to the third Tuesday of each month. Citizens may request copies of the agenda or submit questions concerning agenda items by calling the Deputy Town Clerk's office at 919-435-9432. Citizens may also receive a copy of each month's agenda via email by enrolling in the free [E-Notifier](#) subscription service.

Public Hearings

When an agenda item is denoted as a [Public Hearing](#), persons attending shall be permitted to address the Board of Commissioners regarding the item under consideration with those speaking in favor first and those against speaking second. Proponents and opponents shall each be given three minutes of time to speak and may choose to allow one speaker to utilize the time. In the event either proponent(s) or opponent(s) have not designated a speaker to represent the view, each speaker will be allowed three minutes each to express his/her comments, ideas, concerns, expressions, and desires. Only comments on a Public Hearing will be allowed during this time.

Public Comment

During the Public Comment period, anyone wishing to address the Board of Commissioners concerning an issue or topic that is not a public hearing item or an agenda item should complete and submit the Board of Commissioner Public Comment Form on the [Town website](#). Then, during the Public Comment portion of the meeting, Mayor Jones will recognize you and invite you to the podium at which time you will have three minutes to speak. Thank you for your cooperation.

1. Presentations

- 1.1 Discussion of Pate Property Conservation Easement
[Pate Property Talking Points.pdf](#)
[2025-02-17 Harris - Design and Land Use Commitments Exhibit.pdf](#)
[Ordinance 2025-01.pdf](#)
- 1.2 Ordinance amending Chapter 30, Article III Section 30-1, and 30-90 thru 30-92 focused on motorized scooter, electric bicycles and electric assisted bicycles, pedestrian right-of-way and requirements for helmets.
[Summary_Chapter_30_Article_III_Section_30-1_30-90_thru_30-92.pdf](#)
[Attachment_A_Ordinance_2022_XX_Chapter_30_Article_III_Section_30-90_thru_30-92.docx](#)
[Town_of_Wake_Forest_Scooter_Ordinance_Proposal.pptx](#)
[Sec._30_90.___Motorized_scooters_prohibited._revised_Final_DRAFT.docx](#)
- 1.3 Discussion of Updated Capital Improvements Plan for FY 2026-2031
[Discussion of 2026-2031 CIP Update_summary.pdf](#)
- 1.4 Ordinance amending Chapter 30, Article IV Section 30-131 focused on handicapped parking spaces.
[Attachment_B_Ordinance_2026_XX_Chapter_30_Article_IV_Section_30-131.docx](#)
[Attachment_A_Summary_Chapter_30_Article_IV_Section_30-131.pdf](#)
[Sec._30_131.___Handicapped_parking_spaces_revised_Final_DRAFT.docx](#)
- 1.5 Ordinance Amending Chapter 30; Article VI. Traffic Schedules; SEC. 30-216 Schedule XVII Of the Code of Ordinances for the Town of Wake Forest
[Attachment_A_Summary_NC98_Spd_Lmt.docx](#)
[Attachment_B_Ordinance_NC98_Spd_Lmt.docx](#)
[Attachment_C_NC-98_55_mph_Municipal_Agreement.pdf](#)
- 1.6 Introduction of 2026 Municipal Service District Extension
[Agenda Summary - Introduction of 2026 Municipal Service District Extension.pdf](#)
[2026 Municipal Service District Expansion WS Report.pdf](#)
[Attachment A - Existing and Proposed Municipal Service District Map.pdf](#)
[Attachment B - MSD Expansion Property List.pdf](#)
[Attachment C - NCGS Chapter 160A “Article 23.pdf](#)
[Attachment D - Town of WF MSD Analysis & Case Studies.pdf](#)

2. Discussion of Monthly Financial Report

- 2.1 Discussion of November Financial Summaries
[Monthly Financial Report_summary.pdf](#)
[November 30, 2025 Financial Summaries.pdf](#)

3. Review of Draft Agenda for Upcoming Regular Meeting

- 3.1 Draft Agenda for January 20, 2026
[Draft Agenda January 202620](#)

4. Other Business

- 4.1 Resolution to Adopt Board Vacancy Appointment Process
[BOC_Vacant_Seat_-_Resolution_and_Exhibit_01.06.2026.pdf](#)

5. Commissioner Reports

- 5.1 Closed Session: N.C.G.S 143-318.11(5)

6. Adjournment



BOARD OF COMMISSIONERS WORK SESSION AGENDA ITEM REPORT

Agenda Item No.: 2025-674-

Submitted by: Kip Padgett, Administration

Submitting Department: Administration

Meeting Date: January 6, 2026

Subject

Discussion of Pate Property Conservation Easement

Recommendation:

item Summary:

ATTACHMENTS:

- [Pate Property Talking Points.pdf](#)
- [2025-02-17 Harris - Design and Land Use Commitments Exhibit.pdf](#)
- [Ordinance 2025-01.pdf](#)

Pate Property – Talking Points

Overview

- Property has operational and legal considerations that require Board of Commissioners (BOC) awareness.
 - If development proceeds, the green-labeled section (map attached) must remain an undisturbed conservation easement, as required by previous BOC rezoning conditions. This requirement applies regardless of property ownership. (Ordinance attached – highlighted on fourth page)
 - The Town has been approached to consider taking ownership of the conservation area.
 - Staff has identified two potential options for handling the conservation area.
-

Option One: Town Ownership with TLC Management

Structure

- The Town takes ownership of the land.
- The Town enters into an agreement with Triangle Land Conservancy (TLC) to manage the conservation easement.

Liability & Operational Implications

- Town assumes full liability, consistent with other Town-owned properties.
- Tree management concerns:
 - Fallen trees within the easement must be left undisturbed.
 - Fallen trees outside the easement may create Town liability, requiring removal and covering any resulting damage.
 - Best practice for risk mitigation is proactive removal of unhealthy trees.
 - The site's topography poses safety risks for Town arborists performing tree work.
 - Using private vendors for tree removal costs \$3,000–\$5,000 per tree; the Town processes 10–15 unhealthy-tree work orders annually on other green/open spaces. In addition to the safety risks, the site's substantial area and acreage bordering residential parcels presents the possibility of significant additional expenses incurred to remove dangerous/unhealthy trees.

Staff-Preferred Conditions (if Board selects Option 1)

- As part of the land transfer, the current owner, developer, or HOA retains a 30 ft strip *within* the required conservation easement.
- This retained strip would:

- Create a conserved, natural-area buffer between Town-owned land and private development.
- Reduce risk of Town liability from falling trees.
- Minimize need for Town staff to proactively remove trees (Town can wait for trees to fall naturally and address only if they fall outside Town property).

Responsibility for Transfer Costs

- The owner/developer pays all costs associated with transferring land to the Town, including:
 - Environmental reports
 - Surveys
 - Closing documents
 - Title search
 - Any additional due-diligence requirements
-

Option Two: Private Ownership with Conservation Easement

Structure

- The property owner, developer, or HOA retains/obtains ownership of the land.

Requirements

- The undisturbed conservation easement must still be recorded prior to issuance of any building permits (conservation requirements remain unchanged and fully applicable).

Management

- The owner may contract with TLC or another qualified third party to manage the conservation easement.

GENERAL NOTES:

1. BOUNDARY INFORMATION IS FROM A SURVEY BY THIS OFFICE.
2. SITE TOPOGRAPHIC INFORMATION IS FROM A SURVEY BY THIS OFFICE.
3. PLANIMETRIC AND TOPOGRAPHIC INFORMATION FOR AREAS OUTSIDE OF THIS SITE ARE TAKEN FROM WAKE COUNTY GIS INFORMATION.
4. WETLAND, CHANNEL BANK AND SUBSEQUENT NEUSE RIVER BUFFER LOCATIONS BASED ON A FIELD VERIFICATION BY SOIL AND ENVIRONMENTAL CONSULTANTS, PA.
5. ALL MATERIALS AND CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE TOWN OF WAKE FOREST, CITY OF RALEIGH, NCDOT, AND NCDWR STANDARDS AND SPECIFICATIONS.
6. NO FEMA FLOOD ZONES ARE LOCATED ON THIS SITE PER THE PRELIMINARY FLOOD MODEL ON MAP 3120184200M & 3120184100K.
7. NO INFRASTRUCTURE TO BE CONSTRUCTED PRIOR TO CONSTRUCTION PLAN APPROVAL AND UTILITY PERMIT ISSUANCE BY THE TOWN OF WAKE FOREST, THE CITY OF RALEIGH PUBLIC UTILITIES, DEPARTMENT, AND NCDOT.
8. EXISTING UTILITIES SHOWN ARE APPROXIMATE. CONTRACTOR RESPONSIBLE FOR LOCATION OF ALL EXISTING ABOVE AND BELOW GROUND UTILITY FIELD LOCATION PRIOR TO ANY CONSTRUCTION.

NMX CORRIDOR FOR FUTURE CONNECTION TO WALLRIDGE DRIVE
GROSS AREA 0.73 AC

OS-CD ZONING (1)
GROSS AREA 2.03 AC

JGVW OF WAKE FOREST LLC
PIN: 1842109462
DB 118419 PG 610
HB COMMERCIAL

OFFSITE PORTION OF CONNECTION TO WALLRIDGE DRIVE
BY OTHERS AS SHOWN ON TOWN OF WAKE FOREST COMP PLAN

WALLRIDGE DRIVE
TO PUBLIC RIGHT OF WAY

0 Harris Road
Rezoning Case Number RZ-24-01

RMX-CD District

The following voluntary design and land use commitments apply to the RMX zoning district.

1. The maximum number of allowable units is 400.
2. The maximum number of allowable multifamily units that are stacked vertically, typical of apartment style buildings, is 300. The property owner shall provide 3% of the number of these apartment style multifamily units as affordable for households earning 80% of the area median income, as established by the United States Department of Housing and Urban Development for the Raleigh Metropolitan Statistical Area, for a period of 10 years from the date of issuance of a certificate of occupancy for the first multifamily unit. The property owner shall certify to the Town compliance with this zoning condition on an annual basis.
3. The maximum number of allowable townhome style units is 100 or 25% of the total units, whichever is less. These units may be developed as multi-family style units constructed to resemble townhomes and platted on one parcel instead of individual lots. These buildings will be a minimum of three side by side units constructed in a horizontal configuration and will be a minimum of two stories. If these units are developed as multi-family townhomes, they will meet the multi-family standards of the UDO.

RMX-CD District



USES IN THESE AREAS WILL BE RESTRICTED TO STORMWATER PONDS AND ROAD EXTENSIONS

NMX-CD District

The following voluntary design and land use commitments apply to the NMX zoning district.

7. A minimum of 50% of the buildings in the NMX District will be mixed use or multi-tenant buildings, however the first building in the NMX District may be a single-tenant, non-residential use. At no point as the property is developed shall the number of single-tenant buildings exceed the amount of multi-tenant buildings by more than one.

OS-CD Zoning District

The following voluntary design and land use commitments apply to the OS zoning district.

8. The Open Space (OS) zoning district(s) will be offered for donation to a conservation entity. The property owner will make the donation prior to issuance of any building permits for the property. If the conservation entity does not accept the property or portions of the property, this will not delay the issuance of building permits and the property owner's obligation to donate the property will terminate one year after issuance of the first building permits for the property. The area of Open Space (OS) zoning district that is not donated to a conservation entity and not otherwise required for construction easements, utility easements, or to meet UDO requirements, will be recorded in an Undisturbed Conservation Easement.
9. Area within the Open Space (OS) zoning district(s) may count towards unimproved open space requirements of the NMX and RMX zoning districts but may not be used to satisfy requirements for improved park space or active recreation requirements.
10. A Town of Wake Forest Type B Buffer will be provided within open space zoning district OS-CD (3) to include 2 canopy trees, 2 evergreen trees, 2 understory trees and 24 shrubs per 100 linear feet. This standard may be met with existing vegetation, new vegetation, or a combination of existing and new vegetation.
11. The property owner shall install a pedestrian crossing with a striped crosswalk and RFB across Harris Road, subject to approval by NCDOT and the Town of Wake Forest, to provide a crossing between the development and Joyner Park. The owner of this development is responsible for the connection to the existing multi-use path on Joyner Park on the southwest side of Harris Road with improvements to include the installation of two RFB's, the pedestrian ADA receiving ramp for the crosswalk, and the extension of up to 50 linear feet of multi-use path. Any other improvements on the southwest side of Harris Road required to connect to the existing multi-use path on Joyner Park are not the responsibility of the property owner of this development.

TOWN OF WAKE FOREST
FRONTAGE WIDENING
REQUIREMENT FOR HALF OF
A TYPE 3A ROADWAY (MIN
3 LANE SECTION IN 67' R/W)

MIXED USE
NMX-CD ZONING
GROSS AREA 9.10 AC

RESIDENTIAL RMX-CD ZONING
GROSS AREA 20.62 AC
AREA IN POND 1 0.87 AC
AREA IN POND 2 2.21 AC
AREA FOR DEVELOPMENT 17.54 AC

RMX-CD AREA
RESERVED FOR
SCM POND
2.21 AC

PROPOSED SEWER
EASEMENT TO OFFSITE
EXISTING SEWER IS
CONCEPTUAL AND
WILL BE FINALIZED AT
MASTER PLAN

The following voluntary design and land use commitments apply to all the RMX and NMX zoning districts.

12. In addition to complying with the stormwater regulations of the UDO, this site will provide additional peak runoff rate attenuation for the 25-year, 24-hour storm event so that it is equal to or less than the pre-development condition.
13. In an effort to create continuity for the entire project (both RMX and NMX zoned properties):
A common stone shall be provided that is used in the development. The stone shall match the style of stone used in the wall along the front of Joyner Park to provide the same context of the area. The material could be used in a variety of ways including, but not limited to: signage, entrance features, accent materials, etc. Incorporating the stone into the entry features along Harris Road shall satisfy this condition, but the developer may choose to provide this material in multiple facets. Furthermore, common brick shall also be used as building materials throughout all phases of the development. The brick could be used as primary building materials, accent building materials, or a combination between buildings to satisfy this condition.

TIA Recommendations

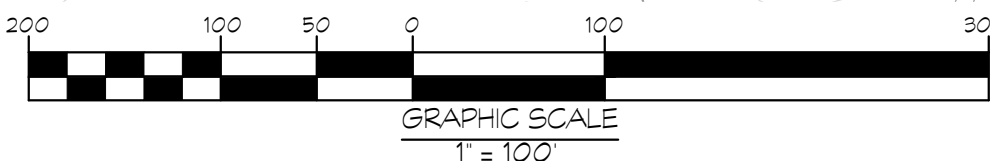
14. US 1 (Capital Boulevard) and Harris Road / Purnell Road
 - a. Construct westbound right-turn lane from Harris Road onto US 1 (Capital Boulevard) with at least 150 feet of storage, appropriate decel and taper.
15. Harris Road and Joyner Park Westernmost Access
 - a. Construct a two way left turn lane on Harris Road between Joyner Park Westernmost Access and Site Access 2 due to the widening needed to provide an exclusive left turn lane for Site Access 2.
16. Harris Road and Wall Road / W Oak Avenue
 - a. Monitor the intersection for signalization. A signal warrant analysis shall be performed at completion of phase 1 and if needed at completion of phase 2. A proportional fee in lieu is required for the developer's portion of the traffic signal if found warranted. Per the Town, the fee in lieu would include the design and construction of a metal strain pole signal; however, the fee in lieu may be used for intersection improvements.
17. Harris Road and Devon Square Boulevard / Site Access 1
 - a. Construct southbound approach of Site Access 1 with one ingress lane and two egress lanes striped as one left-turn lane and one shared through/right-turn lane.
 - b. Provide an exclusive westbound right-turn lane on Harris Road with at least 50 feet of storage, appropriate decel and taper.
 - c. Provide an exclusive eastbound left-turn lane on Harris Road with at least 100 feet of storage, appropriate decel and taper.
 - d. Provide stop control for the southbound approach.

18. Harris Road and Site Access 2

- a. Construct southbound approach of Site Access 2 with one ingress lane and one egress lane striped as a shared left-turn/right-turn lane.
- b. Provide an exclusive westbound right-turn lane on Harris Road with at least 50 feet of storage, appropriate decel and taper.
- c. Construct a two way left turn lane on Harris Road between Joyner Park Westernmost Access and Site Access 2.
- d. Provide stop-control for southbound approach.

19. Wallridge Road and Harris Road

- a. Monitor intersection for signalization. A signal warrant analysis shall be performed at completion of phase 1 and if needed at completion of phase 2. A proportional fee in lieu is required for the developer's portion of the traffic signal if found warranted. Per the Town, the fee in lieu would include the design and construction of a metal strain pole signal; however, the fee in lieu may be used for intersection improvements.



PRELIMINARY
FOR REVIEW
ONLY

HARRIS ROAD REZONING LAND USE EXHIBIT

DESIGN AND LAND USE COMMITMENTS

01/17/24	TOWN STAFF REVIEW
04/19/24	TOWN STAFF REVIEW
10/21/24	TOWN STAFF REVIEW
01/09/25	ZONING DISTRICTS UPDATE TO -CD
02/17/25	UPDATED COMMITMENTS
RELEASED FOR CONSTRUCTION DATE: (SEE COVER) ☒ NO ☐ YES	

PRIEST, CRAVEN & ASSOCIATES, INC.
LAND USE CONSULTANTS PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS
3803 - B Computer Drive, Suite 104 Raleigh, N.C. 27609 . Phone 919 / 781-0300 . Fax 919 / 782-1288 . Email PCA@PriestCraven.com / Firm #: C-0488

SHEET #
DLC-1

ORDINANCE 2025-01

ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWN OF WAKE FOREST AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF WAKE FOREST TO CHANGE THE ZONING OF APPROXIMATELY 55.93 ACRES LOCATED AT 0 HARRIS ROAD, BEING WAKE COUNTY TAX PIN 1841-39-2412 (PORTION) FROM RURAL HOLDING DISTRICT (RD) TO NEIGHBORHOOD MIXED USE CONDITIONAL DISTRICT (NMX-CD), OPEN SPACE CONDITIONAL DISTRICT (OS-CD), and RESIDENTIAL MIXED USE CONDITIONAL DISTRICT (RMX-CD).

WHEREAS, the application submitted by Church Street Company for the rezoning of land hereinafter described was duly filed with the Planning Department; and

WHEREAS, the Planning Board held public comment sessions on December 10, 2024 and January 14, 2025 and the Board of Commissioners held a public hearing on February 18, 2025; and

WHEREAS, mailed notices, property sign postings, and a newspaper notice publication were carried out for the public comment session and public hearing in accordance with to G.S. § 160D-602 and the Unified Development Ordinance; and

WHEREAS, the Planning Board submitted its recommendation to the Board of Commissioners recommending approval of said application that was generally consistent with the Comprehensive Plan and is in the best public interest for the lands hereinafter described, all in accordance with the requirements of the Town of Wake Forest Unified Development Ordinance and the provisions of Chapter 160D, Article 6, of the North Carolina General Statutes;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest:

Section 1: The lands that are the subject of the Ordinance are those certain lands described in Exhibit 1 – Legal Description, which is incorporated herein by reference, and said lands are hereafter referred to as the “Rezoned Lands.”

Section 2: The parcel identified by the Wake County Tax Parcel Identification Number 1841392412 (portion), and described in Exhibit 1, is located within the Town’s Corporate Limits.

Section 3: The Town of Wake Forest Unified Development Ordinance, including the Town of Wake Forest North Carolina Official Zoning District Map which is a part of said Ordinance, is hereby amended by changing the zoning classification of the “Rezoned

Lands" from Rural Holding District (RD) to Neighborhood Mixed Use Conditional District (NMX-CD), Open Space Conditional District (OS-CD), and Residential Mixed Use Conditional District (RMX-CD) as shown on Exhibit 1.

Section 4: The Administrator is hereby authorized and directed to cause the said Official Zoning District Map for the Town of Wake Forest, North Carolina, to be physically revised and amended to reflect the zoning changes ordained by this Ordinance.

Section 5: After reviewing all the information presented at the public hearing and the Town's plans, policies, and ordinances, the Wake Forest Board of Commissioners finds the zoning map amendment request reasonable and consistent with the 2022 Community Plan and in the interest of the public and adopted a written consistency statement, which is on file with the Wake Forest Planning Department and attached as Exhibit 2.

Section 6: The "Rezoned Lands" are subject to the following conditions, which are imposed as part of this rezoning:

RMX-CD District

The following voluntary design and land use commitments apply to the RMX zoning district.

1. The maximum number of allowable units is 400.
2. The maximum number of allowable multifamily units that are stacked vertically, typical of apartment style buildings, is 300. The property owner shall provide 3% of the number of these apartment style multifamily units as affordable for households earning 80% of the area median income, as established by the United States Department of Housing and Urban Development for the Raleigh Metropolitan Statistical Area, for a period of 10 years from the date of issuance of a certificate of occupancy for the first multifamily unit. The property owner shall certify to the Town compliance with this zoning condition on an annual basis.
3. The maximum number of allowable townhome style units is 100 or 25% of the total units, whichever is less. These units may be developed as multi-family style units constructed to resemble townhomes and platted on one parcel instead of individual lots. These buildings will be a minimum of three side by side units constructed in a horizontal configuration and will be a minimum of two stories. If these units are developed as multi-family townhomes, they will meet the multi-family standards of the UDO.
4. Townhomes are only permitted if multifamily units are constructed.
5. Residential buildings oriented towards the existing right-of-way of Harris Road are limited to 3-stories along the frontage of Harris Road and 4-stories for the portions of the buildings oriented towards OS-1 and OS-2 zoning districts as depicted on the rezoning exhibit. The intent of this commitment is to allow the bottom floor of the building to be lower on the back of the building to facilitate the

grade change from Harris Road to the interior of the site while not increasing the height of the building.

6. Access points and all other easement locations shown on the Design and Land Use Commitments Exhibit are subject to change, pending regulatory review and approval.
7. The following uses shall be allowed in the RMX District:
 - Dwelling – Multifamily
 - Dwelling Townhome
 - Residential Care Facility (more than 6 residents) (“Senior Housing” within multifamily structures intended to encompass lifestyle options for ageing persons adapted to the challenges associated with ageing and limited to 55 years and older)

NMX-CD District

The following voluntary design and land use commitments apply to the NMX zoning district.

8. A minimum of 50% of the buildings in the NMX District will be mixed use or multi-tenant buildings, however the first building in the NMX District may be a single-tenant, nonresidential use. At no point as the property is developed shall the number of single-tenant buildings exceed the amount of multi-tenant buildings by more than one.
9. The following uses shall be allowed in the NMX District:
 - Residential**
 - Dwelling Multifamily (restricted to upper floors unless the use is Residential Care Facility)
 - Dwelling Townhome
 - Residential Care Facility (more than 6 residents) (“Senior Housing” within multifamily structures intended to encompass lifestyle options for ageing persons adapted to the challenges associated with ageing and limited to 55 years and older)
 - Office/Service**
 - ATM (standalone prohibited)
 - Bank, Credit Union, Financial Services
 - Business Support Services
 - Dry Cleaning & Laundry Services
 - Medical Clinic
 - Personal Services
 - Post Office
 - Professional Services
 - Veterinary Services
 - Commercial/Entertainment**
 - Alcoholic Beverage Sales Store
 - Amusement, Indoor
 - Bar/Tavern
 - General Commercial
 - Outdoor Seating
 - Restaurant
 - Theater, Indoor Movie or Live Performance

Civic

- Civic Meeting Facility
- Community of Cultural Facility
- Public Safety Station
- Recreation Facility, Indoor
- Recreation Facility, Outdoor
- Religious Institution (only within Mixed Use buildings)

Educational/Institutional

- Child/Adult Day Care Center (more than 8 persons)
- School – Vocational/Technical
- Studio – Art, Dance, Martial Arts, Music

OS-CD District

The following voluntary design and land use commitments apply to the OS zoning district.

10. The Open Space (OS) zoning district(s) will be offered for donation to a conservation entity. The property owner will make the donation prior to issuance of any building permits for the property. If the conservation entity does not accept the property or portions of the property, this will not delay the issuance of building permits and the property owner's obligation to donate the property will terminate one year after issuance of the first building permits for the property. The area of Open Space (OS) zoning district that is not donated to a conservation entity and not otherwise required for construction easements, utility easements, or to meet UDO requirements, will be recorded in an Undisturbed Conservation Easement.
11. Area within the Open Space (OS) zoning district(s) may count towards unimproved open space requirements of the NMX and RMX zoning districts but may not be used to satisfy requirements for improved park space or active recreation requirements.
12. A Town of Wake Forest Type B Buffer will be provided within open space zoning district OS-CD (3) to include 2 canopy trees, 2 evergreen trees, 2 understory trees and 24 shrubs per 100 linear feet. This standard may be met with existing vegetation, new vegetation, or a combination of existing and new vegetation.
13. The property owner shall install a pedestrian crossing with a striped crosswalk and RRFB across Harris Road, subject to approval by NCDOT and the Town of Wake Forest, to provide a crossing between the development and Joyner Park. The property owner of this development is responsible for the connection to the existing multi-use path on Joyner Park on the southwest side of Harris Road with improvements to include the installation of two RRFB's, the pedestrian ADA receiving ramp for the crosswalk, and the extension of up to 50 linear feet of multi-use path. Any other improvements on the southwest side of Harris Road required to connect to the existing multi-use path on Joyner Park are not the responsibility of the property owner of this development.

RMX-CD and NMX-CD Districts

The following voluntary design and land use commitments apply to all the RMX and NMX zoning districts.

14. In addition to complying with the stormwater regulations of the UDO, this site will provide additional peak runoff rate attenuation for the 25-year, 24-hour storm event so that it is equal to or less than the pre-development condition.

15. In an effort to create continuity for the entire project (both RMX and NMX zoned properties):

A common stone shall be provided that is used in the development. The stone shall match the style of stone used in the wall along the front of Joyner Park to provide the same context of the area. The material could be used in a variety of ways including, but not limited to; signage, entrance features, accent materials, etc. Incorporating the stone into the entry features along Harris Road shall satisfy this condition, but the developer may choose to provide this material in multiple facets.

Furthermore, common brick shall also be used as building materials throughout all phases of the development. The brick could be used as primary building materials, accent building materials, or a combination between buildings to satisfy this condition.

TIA Recommendations

16. US 1 (Capital Boulevard) and Harris Road / Purnell Road
a. Construct westbound right-turn lane from Harris Road onto US 1 (Capital Boulevard) with at least 150 feet of storage, appropriate decel and taper.

17. Harris Road and Joyner Park Westernmost Access
a. Construct a two way left turn lane on Harris Road between Joyner Park Westernmost Access and Site Access 2 due to the widening needed to provide an exclusive left turn lane for Site Access 2.

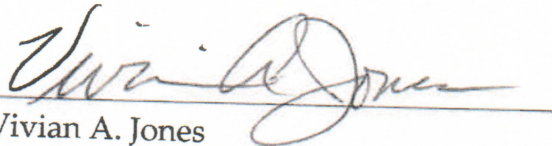
18. Harris Road and Wall Road / W Oak Avenue
a. Monitor the intersection for signalization. A signal warrant analysis shall be performed at completion of phase 1 and if needed at completion of phase 2. A proportional fee in lieu is required for the developer's portion of the traffic signal if found warranted. Per the Town, the fee in lieu would include the design and construction of a metal strain pole signal; however, the fee in lieu may be used for intersection improvements.

19. Harris Road and Devon Square Boulevard / Site Access 1
a. Construct southbound approach of Site Access 1 with one ingress lane and two egress lanes striped as one left-turn lane and one shared through/right-turn lane.
b. Provide an exclusive westbound right-turn lane on Harris Road with at least 50 feet of storage, appropriate decel and taper.
c. Provide an exclusive eastbound left-turn lane on Harris Road with at least 100 feet of storage, appropriate decel and taper.
d. Provide stop control for the southbound approach.

20. Harris Road and Site Access 2
a. Construct southbound approach of Site Access 2 with one ingress lane and one egress lane striped as a shared left-turn/right-turn lane.
b. Provide an exclusive westbound right-turn lane on Harris Road with at least 50 feet of storage, appropriate decel and taper.

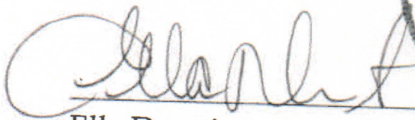
- c. Construct a two way left turn lane on Harris Road between Joyner Park Westernmost Access and Site Access 2.
 - d. Provide stop-control for southbound approach.
21. Wallridge Road and Harris Road
- a. Monitor intersection for signalization. A signal warrant analysis shall be performed at completion of phase 1 and if needed at completion of phase 2. A proportional fee in lieu is required for the developer's portion of the traffic signal if found warranted. Per the Town, the fee in lieu would include the design and construction of a metal strain pole signal; however, the fee in lieu may be used for intersection improvements.

Adopted and effective this 18th day of February 2025.



Vivian A. Jones
Mayor

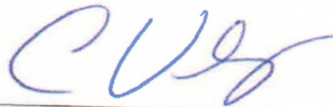
ATTEST:



Ella Dowtin
Deputy Town Clerk



APPROVED AS TO FORM:



Eric Vernon
Town Attorney

Legal Description
NMX Zoning District
0 Harris Road – PIN 1841-39-2412

Legal Description for NMX Zoning District

Being a 9.11-acre area of land located on the east side of Harris Road (NCSR 1931) and south side of Wallridge Drive in the Township of Wake Forest in Wake County North Carolina, and more particularly described as follows:

COMMENCING at an unnamed *CONCRETE MONUMENT* having coordinates of **N:820842.01, E:2141764.13**; thence with a bearing of **S 26°36'05" E** a distance of **1515.04** feet to a *COMPUTED POINT*; which is the **POINT OF BEGINNING**.

Beginning at a *COMPUTED POINT* having coordinates of **N:819487.35, E:2142442.54**; thence in a northwesterly direction with a non-tangent curve turning to the right with a radius of 924.95 feet, having a chord bearing of **N 22°49'57" W** and a chord distance of **613.57**, having a central angle of 38°44'29" and an arc length of 625.42 to a *COMPUTED POINT*; thence in a northerly direction with a non-tangent curve turning to the right with a radius of 4018.65 feet, having a chord bearing of **N 00°25'39" W** and a chord distance of **148.22**, having a central angle of 02°06'48" and an arc length of 148.23 to a *COMPUTED POINT*; thence with a bearing of **N 01°04'11" E** a distance of **7.35** feet to a *COMPUTED POINT*; thence in a northerly direction with a non-tangent curve turning to the left with a radius of 1586.94 feet, having a chord bearing of **N 01°22'48" W** and a chord distance of **153.25**, having a central angle of 05°32'07" and an arc length of 153.31 to a *COMPUTED POINT*; thence in a northerly direction with a non-tangent curve turning to the left with a radius of 617.65 feet, having a chord bearing of **N 06°31'57" W** and a chord distance of **7.36**, having a central angle of 00°40'59" and an arc length of 7.36 to a *COMPUTED POINT*; thence with a bearing of **N 58°06'54" E** a distance of **186.33** feet to a *COMPUTED POINT*; thence with a bearing of **N 17°44'06" E** a distance of **147.15** feet to a *COMPUTED POINT*; thence with a bearing of **N 42°38'49" E** a distance of **158.54** feet to a *COMPUTED POINT*; thence with a bearing of **S 72°03'50" E** a distance of **99.07** feet to a *COMPUTED POINT*; thence with a bearing of **S 42°38'49" W** a distance of **158.82** feet to a *COMPUTED POINT*; thence with a bearing of **S 15°18'38" W** a distance of **194.51** feet to a *COMPUTED POINT*; thence with a bearing of **S 56°30'55" E** a distance of **158.64** feet to a *COMPUTED POINT*; thence with a bearing of **S 56°30'55" E** a distance of **142.29** feet to a *COMPUTED POINT*; thence with a bearing of **S 06°13'57" W** a distance of **146.41** feet to a *COMPUTED POINT*; thence with a bearing of **S 21°39'59" E** a distance of **275.68** feet to a *COMPUTED POINT*; thence with a bearing of **S 45°25'19" W** a distance of **475.98** feet to the point of beginning.; containing **396,610.96** square feet or **9.105** acres, as shown on a rezoning exhibit entitled "Harris Tract Boundary Exhibit for the Town of Wake Forest" by Daniel J. Burud, Professional Land Surveyor of Priest Craven and Associates, Inc. dated December 11, 2023.

Legal Description

OS (1) Zoning District

0 Harris Road – PIN 1841-39-2412

Legal Description for OS (1) Zoning District

Being a 2.03-acre area of land located on the east side of Harris Road (NCSR 1931) and south side of Wallridge Drive in the Township of Wake Forest in Wake County North Carolina, and more particularly described as follows:

COMMENCING at an unnamed *CONCRETE MONUMENT* having coordinates of **N:820842.01, E:2141764.13**; thence with a bearing of **S 85°40'12" E** a distance of **498.88** feet to a *COMPUTED POINT (CONTROL CORNER)*; which is the **POINT OF BEGINNING**.

Beginning at a *COMPUTED POINT (CONTROL CORNER)* having coordinates of **N:820804.35, E:2142261.59**; thence with a bearing of **S 72°03'50" E** a distance of **260.48** feet to a *COMPUTED POINT*; thence with a bearing of **S 42°38'49" W** a distance of **158.54** feet to a *COMPUTED POINT*; thence with a bearing of **S 17°44'06" W** a distance of **147.15** feet to a *COMPUTED POINT*; thence with a bearing of **S 58°06'54" W** a distance of **186.33** feet to a *COMPUTED POINT*; thence in a northerly direction with a non-tangent curve turning to the left with a radius of 617.65 feet, having a chord bearing of **N 19°06'23" W** and a chord distance of **261.73**, having a central angle of **24°27'53"** and an arc length of 263.73 to a *COMPUTED POINT*; thence with a bearing of **N 38°15'11" E** a distance of **13.83** feet to a *COMPUTED POINT*; thence with a bearing of **N 38°15'11" E** a distance of **225.71** feet to a *POINT OF BEGINNING*; containing **88,315.13** square feet or **2.027** acres, , as shown on a rezoning exhibit entitled "Harris Tract Boundary Exhibit for the Town of Wake Forest" by Daniel J. Burud, Professional Land Surveyor of Priest Craven and Associates, Inc. dated December 11, 2023.

Legal Description

OS (2) Zoning District

0 Harris Road – PIN 1841-39-2412

Legal Description for OS (2) Zoning District

Being a 22.33-acre area of land located on the east side of Harris Road (NCSR 1931) and south side of Wallridge Drive in the Township of Wake Forest in Wake County North Carolina, and more particularly described as follows:

Beginning at a *COMPUTED POINT* having coordinates of N:820693.62, E:2142603.66; thence with a bearing of **S 72°03'50" E** a distance of **291.61** feet to a *COMPUTED POINT*; thence with a bearing of **S 72°05'29" E** a distance of **467.26** feet to a *COMPUTED POINT*; thence with a bearing of **S 35°11'47" E** a distance of **497.91** feet to a *COMPUTED POINT*; thence with a bearing of **S 30°27'52" E** a distance of **303.60** feet to a *COMPUTED POINT*; thence with a bearing of **S 26°21'13" E** a distance of **317.93** feet to a *COMPUTED POINT*; thence with a bearing of **S 15°17'30" E** a distance of **413.00** feet to a *COMPUTED POINT*; thence with a bearing of **S 00°18'11" W** a distance of **227.42** feet to a *COMPUTED POINT*; thence with a bearing of **S 00°06'28" W** a distance of **95.14** feet to a *COMPUTED POINT*; thence with a bearing of **S 29°40'11" W** a distance of **401.80** feet to a *COMPUTED POINT*; thence with a bearing of **N 42°02'47" W** a distance of **7.39** feet to a *COMPUTED POINT*; thence with a bearing of **N 41°50'00" W** a distance of **50.56** feet to a *COMPUTED POINT*; thence with a bearing of **N 42°22'12" W** a distance of **50.57** feet to a *COMPUTED POINT*; thence with a bearing of **N 42°58'50" W** a distance of **51.03** feet to a *COMPUTED POINT*; thence with a bearing of **N 44°55'19" W** a distance of **50.88** feet to a *COMPUTED POINT*; thence with a bearing of **N 47°05'32" W** a distance of **52.33** feet to a *COMPUTED POINT*; thence with a bearing of **N 49°42'43" W** a distance of **54.38** feet to a *COMPUTED POINT*; thence with a bearing of **N 53°07'24" W** a distance of **49.73** feet to a *COMPUTED POINT*; thence with a bearing of **N 54°20'27" W** a distance of **51.57** feet to a *COMPUTED POINT*; thence with a bearing of **N 55°49'20" W** a distance of **50.12** feet to a *COMPUTED POINT*; thence with a bearing of **N 56°41'53" W** a distance of **50.24** feet to a *COMPUTED POINT*; thence with a bearing of **N 57°12'43" W** a distance of **50.43** feet to a *COMPUTED POINT*; thence with a bearing of **N 57°02'35" W** a distance of **49.92** feet to a *COMPUTED POINT*; thence with a bearing of **N 56°49'27" W** a distance of **15.85** feet to a *COMPUTED POINT*; thence with a bearing of **N 02°49'51" E** a distance of **105.78** feet to a *COMPUTED POINT*; thence with a bearing of **S 87°10'09" E** a distance of **169.17** feet to a *COMPUTED POINT*; thence with a bearing of **N 67°13'56" E** a distance of **152.12** feet to a *COMPUTED POINT*; thence with a bearing of **N 03°26'21" W** a distance of **188.60** feet to a *COMPUTED POINT*; thence with a bearing of **N 49°49'34" W** a distance of **257.97** feet to a *COMPUTED POINT*; thence with a bearing of **N 76°08'58" E** a distance of **111.26** feet to a *COMPUTED POINT*; thence with a bearing of **N 02°18'42" E** a distance of **282.19** feet to a *COMPUTED POINT*; thence with a bearing of **N 36°21'00" W** a distance of **543.18** feet to a *COMPUTED POINT*; thence with a bearing of **N 82°09'07" W** a distance of **341.44** feet to a *COMPUTED POINT*; thence with a bearing of **N 70°44'59" W** a distance of **81.02** feet to a *COMPUTED POINT*; thence with a bearing of **N 19°15'01" E** a distance of **93.05** feet to a *COMPUTED POINT*; thence with a bearing of **N 41°43'15" W** a distance of **83.90** feet to a *COMPUTED POINT*; thence with a bearing of **N 12°27'36" W** a distance of **44.85** feet to a *COMPUTED POINT*; thence with a bearing of **N 33°25'04" E** a distance of **49.61** feet to a *COMPUTED POINT*; thence with a bearing of **N 34°04'58" W** a distance of **22.63** feet to a *COMPUTED POINT*; thence with a bearing of **S 67°58'10" W** a distance of **55.39** feet to a *COMPUTED POINT*; thence with a bearing of **S 78°55'35" W** a distance of **120.51** feet to a *COMPUTED POINT*; thence with a bearing of **S 33°29'05" W** a distance of **94.91** feet to a *COMPUTED POINT*; thence with a bearing of **N 56°30'55" W** a distance of **158.64** feet to a *COMPUTED POINT*; thence with a bearing of **N 15°18'38" E** a distance of **194.51** feet to a *COMPUTED POINT*; thence with a bearing of **N 42°38'49" E** a distance of **158.82** feet to the *POINT OF BEGINNING*; containing **972,716.96** square feet or **22.331** acres, as shown on a rezoning exhibit entitled "Harris Tract Boundary Exhibit for the Town of Wake Forest" by Daniel J. Burud, Professional Land Surveyor of Priest Craven and Associates, Inc. dated December 11, 2023.

Legal Description

OS (3) Zoning District

0 Harris Road – PIN 1841-39-2412

Legal Description for OS (3) Zoning District

Being a 1.84-acre area of land located on the east side of Harris Road (NCSR 1931) and south side of Wallridge Drive in the Township of Wake Forest in Wake County North Carolina, and more particularly described as follows:

COMMENCING at a *COMPUTED POINT (CONTROL CORNER)* having coordinates of **N:820842.01, E:2141764.13**; thence with a bearing of **S 31°29'59" E** a distance of **1603.91** feet to a *COMPUTED POINT*; which is the **POINT OF BEGINNING**.

Beginning at a *COMPUTED POINT* having coordinates of **N:819133.79, E:2143061.75**; thence with a bearing of **S 57°02'08" E** a distance of **151.09** feet to a *COMPUTED POINT*; thence with a bearing of **S 57°00'31" E** a distance of **40.68** feet to a *COMPUTED POINT*; thence with a bearing of **S 02°11'17" W** a distance of **116.45** feet to a *COMPUTED POINT*; thence with a bearing of **N 56°54'56" W** a distance of **49.97** feet to a *COMPUTED POINT*; thence with a bearing of **N 57°04'17" W** a distance of **50.35** feet to a *COMPUTED POINT*; thence with a bearing of **N 57°02'08" W** a distance of **150.02** feet to a *COMPUTED POINT*; thence in a northwesterly direction with a non-tangent curve turning to the right with a radius of 3544.60 feet, having a chord bearing of **N 53°26'40" W** and a chord distance of **587.64**, having a central angle of 09°30'35" and an arc length of 588.32 to a *COMPUTED POINT*; thence with a bearing of **N 41°18'38" E** a distance of **100.00** feet to a *COMPUTED POINT*; thence in a southeasterly direction with a non-tangent curve turning to the left with a radius of 3444.60 feet, having a chord bearing of **S 53°27'10" E** and a chord distance of **572.07**, having a central angle of 09°31'35" and an arc length of 572.73 to the **POINT OF BEGINNING**; containing **80154.93** square feet or **1.840** acres, as shown on a rezoning exhibit entitled "Harris Tract Boundary Exhibit for the Town of Wake Forest" by Daniel J. Burud, Professional Land Surveyor of Priest Craven and Associates, Inc. dated December 11, 2023.

Legal Description

RMX Zoning District

0 Harris Road – PIN 1841-39-2412

Legal Description for RMX Zoning District

Being a 20.62-acre area of land located on the east side of Harris Road (NCSR 1931) and south side of Wallridge Drive in the Township of Wake Forest in Wake County North Carolina, and more particularly described as follows:

Commencing at an unnamed *CONCRETE MONUMENT* in the right-of-way of Harris Road, having coordinates of **N:820,842.01', E:2,141,764.13'**; thence with a bearing of **S 26°36'05" E** a distance of **1515.04** feet to a *COMPUTED POINT*; which is *POINT OF BEGINNING*.

Beginning at a *COMPUTED POINT* having coordinates of **N:819487.35, E:2142442.54**; thence with a bearing of **N 45°25'19" E** a distance of **475.98** feet to a *COMPUTED POINT*; thence with a bearing of **N 21°39'59" W** a distance of **275.68** feet to a *COMPUTED POINT*; thence with a bearing of **N 06°13'57" E** a distance of **146.41** feet to a *COMPUTED POINT*; thence with a bearing of **N 56°30'55" W** a distance of **142.29** feet to a *COMPUTED POINT*; thence with a bearing of **N 33°29'05" E** a distance of **94.91** feet to a *COMPUTED POINT*; thence with a bearing of **N 78°55'35" E** a distance of **120.51** feet to a *COMPUTED POINT*; thence with a bearing of **N 67°58'10" E** a distance of **55.39** feet to a *COMPUTED POINT*; thence with a bearing of **S 34°04'58" E** a distance of **22.63** feet to a *COMPUTED POINT*; thence with a bearing of **S 33°25'04" W** a distance of **49.61** feet to a *COMPUTED POINT*; thence with a bearing of **S 12°27'36" E** a distance of **44.85** feet to a *COMPUTED POINT*; thence with a bearing of **S 41°43'15" E** a distance of **83.90** feet to a *COMPUTED POINT*; thence with a bearing of **S 19°15'01" W** a distance of **93.05** feet to a *COMPUTED POINT*; thence with a bearing of **S 70°44'59" E** a distance of **81.02** feet to a *COMPUTED POINT*; thence with a bearing of **S 82°09'07" E** a distance of **341.44** feet to a *COMPUTED POINT*; thence with a bearing of **S 36°21'00" E** a distance of **543.18** feet to a *COMPUTED POINT*; thence with a bearing of **S 02°18'42" W** a distance of **282.19** feet to a *COMPUTED POINT*; thence with a bearing of **S 76°08'58" W** a distance of **111.26** feet to a *COMPUTED POINT*; thence with a bearing of **S 49°49'34" E** a distance of **257.97** feet to a *COMPUTED POINT*; thence with a bearing of **S 03°26'21" E** a distance of **188.60** feet to a *COMPUTED POINT*; thence with a bearing of **S 67°13'56" W** a distance of **152.12** feet to a *COMPUTED POINT*; thence with a bearing of **N 87°10'09" W** a distance of **169.17** feet to a *COMPUTED POINT*; thence with a bearing of **S 02°49'51" W** a distance of **105.78** feet to a *COMPUTED POINT*; thence with a bearing of **N 56°49'27" W** a distance of **33.82** feet to a *COMPUTED POINT*; thence with a bearing of **N 56°59'56" W** a distance of **50.04** feet to a *COMPUTED POINT*; thence with a bearing of **N 57°02'21" W** a distance of **50.04** feet to a *COMPUTED POINT*; thence with a bearing of **N 02°11'17" E** a distance of **116.45** feet to a *COMPUTED POINT*; thence with a bearing of **N 57°00'31" W** a distance of **40.68** feet to a *COMPUTED POINT*; thence with a bearing of **N 57°02'08" W** a distance of **151.09** feet to a *COMPUTED POINT*; thence in a northwesterly direction with a non-tangent curve turning to the right with a radius of 3444.60 feet, having a chord bearing of **N 53°27'10" W** and a chord distance of **572.07**, having a central angle of **09°31'35"** and an arc length of **572.73** to a *COMPUTED POINT*; thence with a bearing of **S 41°18'38" W** a distance of **100.00** feet to a *COMPUTED POINT*; thence in a northwesterly direction with a non-tangent curve turning to the right with a radius of 3544.60 feet, having a chord bearing of **N 47°53'55" W** and a chord distance of **97.86**, having a central angle of **01°34'55"** and an arc length of **97.86** to a *COMPUTED POINT*; thence in a northwesterly direction with a non-tangent curve turning to the right with a radius of 924.95 feet, having a chord bearing of **N 43°09'16" W** and a chord distance of **30.71**, having a central angle of **01°54'09"** and an arc length of **30.71** to the *POINT OF BEGINNING*; containing **898,054.64** square feet or **20.616** acres, as shown on a rezoning exhibit entitled "Harris Tract Boundary Exhibit for the Town of Wake Forest" by Daniel J. Burud, Professional Land Surveyor of Priest Craven and Associates, Inc. dated December 11, 2023.

PROPERTY CORNERS

	CONC MONUMENT
	CONC MONUMENT
	PROP CORNER POST
	COMPUTED POINT
	CONTROL CORNER
	IRON PIPE SET
	IRON PIPE POUND

AND ELECTRIC
AND POWER
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UNIT	DESCRIPTION	QTY	UNIT PRICE	TOTAL
1	1" FLOW VALVE	1	1.00	1.00
2	1" BALL	1	1.00	1.00
3	1" FLORESTAL	1	1.00	1.00
4	1" VAULT	1	1.00	1.00
5	1" BASH	1	1.00	1.00
6	1" OUT	1	1.00	1.00
7	1" COMMUNICATION	1	1.00	1.00
8	1" INLET	1	1.00	1.00

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PAGE	LAND
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1894	SING
2544	SING
2286	SING
796	SING
1687	FOR
1607	FOR
1687	FOR
2019	SING

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BOARD OF COMMISSIONERS WORK SESSION AGENDA ITEM REPORT

Agenda Item No.: 2025-689-

Submitted by: David Zick, Public Safety

Submitting Department: Public Safety

Meeting Date: January 6, 2026

Subject

Ordinance amending Chapter 30, Article III Section 30-1, and 30-90 thru 30-92 focused on motorized scooter, electric bicycles and electric assisted bicycles, pedestrian right-of-way and requirements for helmets.

Recommendation:

Provide feedback on suggested changes. Voting meeting 1/6.

item Summary:

ATTACHMENTS:

- [Summary_Chapter_30_Article_III_Section_30-1_30-90_thru_30-92.pdf](#)
- [Attachment_A_Ordinance_2022_XX_Chapter_30_Article_III_Section_30-90_thru_30-92.docx](#)
- [Town_of_Wake_Forest_Scooter_Ordinance_Proposal.pptx](#)
- [Sec._30_90.____Motorized_scooters_prohibited._revised_Final_DRAFT.docx](#)

Consideration of an Ordinance Amending the Code of Ordinances Chapter 30, Article III, Section 30-1, and 30-90 thru 30-92 – Motorized Scooters, Electric Bicycles, Electric Assisted Bicycles, and Pedestrian Right-of-way on Bicycles, Electric Bicycle, Electric Assisted Bicycles, and Scooter Facilities

Item Summary:

The current Motorized Scooter Ordinance was adopted January 19, 2019. Updates will be presented to Chapter 30, Article III, Section 30-1, and 30-90 thru 30-92 – Motorized Scooters, Electric Bicycles, Electric Assisted Bicycles, and Pedestrian Right-of-way on Bicycles, Electric Bicycle, Electric Assisted Bicycles, and Scooter Facilities, of the Code of Ordinances for the Town of Wake Forest, North Carolina provide clarity, create regulations for riders, create an ordinance for electric bicycle riders, update enforcement and penalties.

Attachments:

Attachment A: Ordinance 2026- XX Chapter 30, Article III, Section 30-1, and 30-90 thru 30-92 – Motorized Scooters, Electric Bicycles, Electric Assisted Bicycles, and Pedestrian Right-of-way on Bicycles, Electric Bicycle, Electric Assisted Bicycles, and Scooter Facilities

Attachment B: Presentation Ordinance 2026-CC Chapter 30, Article III, Section 30-1 and 30-90 thru 30-92

ORDINANCE 2026-XX

ORDINANCE AMENDING CHAPTER 30, ARTICLE III, SECTION 30-90 THRU 30-92 – Motorized Scooters, Electric Bicycles and Electric Assisted Bicycles, Pedestrian Right-of-Way On Bicycle, Electric Bicycle, Electric Assisted Bicycle, and Scooter Facilities, and Requirements for Helmets. OF THE CODE OF ORDINANCES FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA

WHEREAS, the current Chapter 30 Article III was last updated in 2019 through Ordinance No. 2019-09, adopted January 19, 2019; and

WHEREAS, previous adoption occurred in 2005 through Ordinance No. 2005-53 adopted November 15, 2005; and

WHEREAS, Updates to Chapter 30, Article III Section 30-90 thru 30-92- Motorized Scooters, Electric Bicycles and Electric Assisted Bicycles, Pedestrian Right-of-Way On Bicycle, Electric Bicycle, Electric Assisted Bicycle, and Scooter Facilities, and Requirements for Helmets, of the Code of Ordinances for the Town of Wake Forest, North Carolina provide clarity, provide a new ordinance for electric bicycles and electric assisted bicycles, provide clear legal language, make enforcement for law enforcement easier and terminate Resolution 2019-09 and outline where specific motorized units can be utilized.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, to amend the Code of Ordinances as follows:

Sec. 30-90. Motorized Scooters, Electric Bicycles and Electric Assisted Bicycles.

- (a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Shared streets:

All existing public or private street rights-of-way where bicycles share the roadway with motor vehicles unless otherwise prohibited by law. Shared streets may utilize signs placed on vertical posts or markings stenciled on the pavement.

Motorized scooter:

A device with no more than three 12-inch or smaller diameter wheels that has handlebars, is designed to be stood upon or that is equipped with a seat or saddle for use by the rider, and is powered by an electric or gasoline motor that is capable of propelling the device with or without human propulsion at a speed no greater than 15 miles per hour on a paved level surface.

Electric bicycle:

A bicycle with two or three wheels that is equipped with a seat or saddle for use by the rider, no pedals for human propulsion, and an electric motor of no more than 750 watts, whose maximum speed on a level surface when powered solely by such motor is no greater than 20 miles per hour. Any electric bicycle that travels at a speed of over 20 miles per hour on level ground is defined as either a motorcycle or a moped according to N.C. General Statutes and the driver is responsible for adhering to all N.C. laws regarding the operation of same.

Electric assisted bicycle:

A bicycle with two or three wheels that is equipped with a seat or saddle for use by the rider, fully operable pedals for human propulsion, and an electric motor of no more than 750 watts, whose maximum speed on a level surface when powered solely by such motor is no greater than 20 miles per hour.

(b) Operation of motorized scooters, electric bicycles, and electric assisted bicycles.

1. All motorized scooters, electric bicycles, and electric assisted bicycles used and operated upon and across shared streets and other designated bicycle facilities within the Town of Wake Forest's jurisdiction shall be considered vehicles and the riders of such motorized scooters shall be subject to all provisions of the Town of Wake Forest Code and Chapter 20 of the North Carolina General Statutes applicable to the driver of vehicles except those which by their nature can have no application.
2. Motorized scooters, electric bicycles, and electric assisted bicycles are not permitted to operate on sidewalks. Motorized scooters may operate on shared streets, greenways, parks, multi-use paths, and bicycle lanes. The operator of a motorized scooter using parks, greenways, or multi-use paths shall comply with all traffic regulations posted along the facility shall stop or otherwise yield the right-of-way before entering or crossing a public street.
3. Motorized scooters, electric bicycles, and electric assisted bicycles use or operation in Town parks that does not comply with this ordinance or is otherwise detrimental to the health, welfare, or safety of the general public in the opinion of the Town Manager or Designee may result in a suspension from Town parks pursuant to Town Ordinance Section 22-20.
4. A motorized scooter may not operate on any road with a speed limit over 25 miles per hour.
5. No motorized scooter electric bicycle or electric assisted bicycle shall exceed a speed of 10 miles per hour while being operated on a greenway, in a park, or on a multi-use path.

Sec. 30-91. Pedestrian Right-of-Way On Bicycle, Electric Bicycle, Electric Assisted Bicycle, And Scooter Facilities.

The operator of a bicycle, electric bicycle, electric assisted bicycle, and motorized scooter shall at all times yield the right-of-way to pedestrians on and across sidewalks, parks, shared streets, greenways, bicycle lanes, and multi-use paths.

Sec. 30-92. Requirements For Helmets.

With regard to any motorized scooter, electric bicycle, or electric assisted bicycle used on a public roadway, shared street, greenway, in a park, on a multi-use path, or other public right-of-way: It shall be unlawful for any parent or legal guardian of a person below the age of 16 to knowingly permit that person to operate or be a passenger on motorized scooter, electric bicycle, or electric assisted bicycle unless at all times when the person is so engaged he or she wears a protective bicycle helmet of good fit fastened securely upon the head with the straps of the helmet.

Adopted and effective this day of 2026.

Ben Clapsaddle
Mayor

ATTEST:

APPROVED AS TO FORM:

Evelyn Wright

Town Clerk

Nathan McKinney

Town Attorney



Proposed Scooter and Electric Bicycle Ordinance

CAPTAIN DAVID ZICK – WAKE FOREST POLICE
DEPARTMENT

History of Scooters in WF



- In 2019 the Town of Wake Forest voted to ban all scooters from being operated in town limits.
- This was based upon the idea that scooters were unregulated and would create health and safety risks to the citizens.
- The popularity of scooters and electric bikes has skyrocketed over the last several years.
- Several people in town ride scooters regardless of the current ordinance.



Definitions

Scooter	Electric scooters closely resemble the regulations for “mopeds” as far as rider age, max speeds on flat surface, etc. N.C. G.S. 20-4.01.7(b)	Electric Scooters are more cost effective, but range is often limited to 10-25 miles with speeds up to 15-20mph.	Are operated by mainly children and teenagers. If the scooter travels over 20 mph it is considered a moped.
E-Bike	Electric Bikes are defined by motors BEYOND 750 watts and commonly reach speeds of up to 37mph and do not require rider assistance to power (no pedals). N.C. G.S. 20-4.01.i	Some e-bikes can travel up to speeds of 60mph.	If the e-bike travels over 30 mph it is considered a motorcycle.
Assisted E-Bike	The key aspect here is that it is still considered a bicycle as it has pedals and can be operated with assistance of an electric motor.	Most commonly up to 28mph on a battery not to exceed 750 Watts.	State law says that the battery alone cannot allow a rider to exceed 20mph without pedal assistance. N.C. G.S. 20-4.01.7(a)

Mopeds and Motorcycles

- Motorcycle drivers are required to be licensed and insured. Their bike is also required to have insurance and be registered.
- Moped drivers do not have to be licensed but must be 16 years old. Their bike is also required to have insurance and be registered.



Outreach

- The PD will partner with the town communications department to educate the public about the new ordinance.
- During the first few months of the new ordinance officers can be assigned to patrolling greenways and parks to educate the public about the ordinance.
- The PD will be responsible for enforcing the new ordinance and responding to complainants regarding these devices.



Summary

Vehicle	Motor/Pedals	Speed	Permitted On	Not Permitted On
Motorized Scooter	Electric or Gas	No more than 15 mph	Shared Streets, Designated Bicycle Facilities, Multi-Use Paths, Greenways, Parks	1. Sidewalks 2. Roads with a speed limit over 25 mph
Electric Bicycles	Electric and no more than 750 watts	No more than 20mph	Shared Streets, Designated Bicycle Facilities, Multi-Use Paths, Greenways, Parks	1. Sidewalks
Electric-Assisted Bicycles	1. Electric and no more than 750 watts 2. Fully operable Pedals	No more than 20mph when powered by motor only	Shared Streets, Designated Bicycle Facilities, Multi-Use Paths, Greenways, Parks	1. Sidewalks



Summary

- The proposed ordinance update would:
- Amend and expand 30-90 to allow motorized scooters, and add requirements around electric bicycles, and electric assisted bicycles.
- Add 30-91 to explicitly give pedestrians the right of way when encountering scooters, bicycles, electric bicycles, and electric assisted bicycles.
- Add 30-92 to add requirement for helmets for those below the age of 16.



Questions

- Do you have any questions?
- Thank you to all the town departments that contributed and assisted with developing this ordinance proposal.



Sec. 30-90. Motorized Scooters, Electric Bicycles and Electric Assisted Bicycles.

- (a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Shared streets:

All existing public or private street rights-of-way where bicycles share the roadway with motor vehicles unless otherwise prohibited by law. Shared streets may utilize signs placed on vertical posts or markings stenciled on the pavement.

Motorized scooter:

A device with no more than three 12-inch or smaller diameter wheels that has handlebars, is designed to be stood upon or that is equipped with a seat or saddle for use by the rider, and is powered by an electric or gasoline motor that is capable of propelling the device with or without human propulsion at a speed no greater than 15 miles per hour on a paved level surface.

Electric bicycle:

A bicycle with two or three wheels that is equipped with a seat or saddle for use by the rider, no pedals for human propulsion, and an electric motor of no more than 750 watts, whose maximum speed on a level surface when powered solely by such motor is no greater than 20 miles per hour. Any electric bicycle that travels at a speed of over 20 miles per hour on level ground is defined as either a motorcycle or a moped according to N.C. General Statutes and the driver is responsible for adhering to all N.C. laws regarding the operation of same.

Electric assisted bicycle:

A bicycle with two or three wheels that is equipped with a seat or saddle for use by the rider, fully operable pedals for human propulsion, and an electric motor of no more than 750 watts, whose maximum speed on a level surface when powered solely by such motor is no greater than 20 miles per hour.

- (b) Operation of motorized scooters, electric bicycles, and electric assisted bicycles.

- (1) All motorized scooters, electric bicycles, and electric assisted bicycles used and operated upon and across shared streets and other designated bicycle facilities within the Town of Wake Forest's jurisdiction shall be considered vehicles and the riders of such motorized scooters shall be subject to all provisions of the Town of Wake Forest Code and Chapter 20 of the North Carolina General Statutes applicable to the driver of vehicles except those which by their nature can have no application.
- (2) Motorized scooters, electric bicycles, and electric assisted bicycles are not permitted to operate on sidewalks. Motorized scooters may operate on shared streets, greenways, parks, multi-use paths, and bicycle lanes. The operator of a motorized scooter using parks, greenways, or multi-use paths shall comply with all traffic regulations posted along the facility shall stop or otherwise yield the right-of-way before entering or crossing a public street.
- (3) Motorized scooters, electric bicycles, and electric assisted bicycles use or operation in Town parks that does not comply with this ordinance or is otherwise detrimental to the health,

welfare, or safety of the general public in the opinion of the Town Manager or Designee may result in a suspension from Town parks pursuant to Town Ordinance Section 22-20.

- (4) A motorized scooter may not operate on any road with a speed limit over 25 miles per hour.
- (5) No motorized scooter electric bicycle or electric assisted bicycle shall exceed a speed of 10 miles per hour while being operated on a greenway, in a park, or on a multi-use path.

Sec. 30-91. Pedestrian Right-of-Way On Bicycle, Electric Bicycle, Electric Assisted Bicycle, And Scooter Facilities.

The operator of a bicycle, electric bicycle, electric assisted bicycle, and motorized scooter shall at all times yield the right-of-way to pedestrians on and across sidewalks, parks, shared streets, greenways, bicycle lanes, and multi-use paths.

Sec. 30-92. Requirements For Helmets.

With regard to any motorized scooter, electric bicycle, or electric assisted bicycle used on a public roadway, shared street, greenway, in a park, on a multi-use path, or other public right-of-way: It shall be unlawful for any parent or legal guardian of a person below the age of 16 to knowingly permit that person to operate or be a passenger on motorized scooter, electric bicycle, or electric assisted bicycle unless at all times when the person is so engaged he or she wears a protective bicycle helmet of good fit fastened securely upon the head with the straps of the helmet.



BOARD OF COMMISSIONERS WORK SESSION AGENDA ITEM REPORT

Agenda Item No.: 2025-693-

Submitted by: Aileen J. Staples, Administration

Submitting Department: Administration

Meeting Date: January 6, 2026

Subject

Discussion of Updated Capital Improvements Plan for FY 2026-2031

Recommendation:

item Summary:

ATTACHMENTS:

- [Discussion of 2026-2031 CIP Update_summary.pdf](#)

Discussion of Updated Capital Improvements Plan for FY 2026 - 2031

There will be a power point presentation summarizing overview of CIP update. Staff will be on hand to discuss and answer questions specific to the FY 2026 – 2027 funding requests and priorities.



BOARD OF COMMISSIONERS WORK SESSION AGENDA ITEM REPORT

Agenda Item No.: 2025-696-

Submitted by: David Zick, Public Safety

Submitting Department: Public Safety

Meeting Date: January 6, 2026

Subject

Ordinance amending Chapter 30, Article IV Section 30-131 focused on handicapped parking spaces.

Recommendation:

Provide feedback on suggested changes. Voting meeting 1/6.

item Summary:

ATTACHMENTS:

- [Attachment_B_Ordinance_2026_XX_Chapter_30_Article_IV_Section_30-131.docx](#)
- [Attachment_A_Summary_Chapter_30_Article_IV_Section_30-131.pdf](#)
- [Sec._30_131.____Handicapped_parking_spaces_revised_Final_DRAFT.docx](#)

ORDINANCE 2026-XX

ORDINANCE AMENDING CHAPTER 30, ARTICLE IV, SECTION 30-131 – Handicapped parking spaces. OF THE CODE OF ORDINANCES FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA

WHEREAS, Updates to Chapter 30, Article IV Section 30-131- Handicapped parking spaces, of the Code of Ordinances for the Town of Wake Forest, North Carolina provide clarity, reinstate the old ordinance wording so that civil penalties can be imposed on violators, update enforcement and penalties.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, to amend the Code of Ordinances as follows:

Sec. 30-131. - Handicapped parking spaces.

- (a) Handicapped parking spaces shall be established in the town by the use of a sign as designated by D9-6 in the Manual on Uniform Traffic Control Devices.
- (b) It shall be unlawful to park or leave standing any vehicle in a space in a designated for physically handicapped persons when such vehicle does not display the distinguishing license plate or placard as provided in G.S. 20-37.6 where appropriate aboveground signs or symbol and words giving notice thereof are erected marking the designated handicapped parking space.
- (c) It shall be unlawful for any person not qualifying for the rights and privileges extended to handicapped persons under G.S. 20-37.6 to exercise or attempt to exercise such rights or privileges by the unauthorized use of a distinguishing license plate or placard issued pursuant to the provisions of G.S. 20-37.6.
- (d) A violation of this section shall result in a fine of \$250.00. Said fine does not preclude the imposition of any other punishment permitted by law.
- (e) Violators of this section shall be guilty of a misdemeanor. The prima facie rule of evidence set forth in G.S. 20-162.1 shall apply.

Adopted and effective this day of 2026.

Ben Clapsaddle
Mayor

ATTEST:

APPROVED AS TO FORM:

Evelyn Wright
Town Clerk

Nathan McKinney
Town Attorney

**Consideration of an Ordinance Amending the Code of Ordinances Chapter 30,
Article IV, Section 30-131– Handicapped parking spaces.**

Item Summary:

The current ordinance does not allow civil parking tickets to be issued for handicapped parking violations. Updates will be presented to Chapter 30, Article IV, Section 30-131– Handicapped parking spaces, of the Code of Ordinances for the Town of Wake Forest, North Carolina provide clarity, reinstate the old ordinance wording so that civil penalties can imposed on violators, update enforcement and penalties.

Attachments:

Attachment A: Summary_Chapter_30_Article_IV_Section_30-131

Attachment_B_Ordinance_2026_XX_Chapter_30_Article_IV_Section_30-131

Sec. 30-131. - Handicapped parking spaces.

(a) Handicapped parking spaces shall be established in the town by the use of a sign as designated by D9-6 in the Manual on Uniform Traffic Control Devices.

(b) It shall be unlawful to park or leave standing any vehicle in a space in a designated for physically handicapped persons when such vehicle does not display the distinguishing license plate or placard as provided in G.S. 20-37.6 where appropriate aboveground signs or symbol and words giving notice thereof are erected marking the designated handicapped parking space.

(c) It shall be unlawful for any person not qualifying for the rights and privileges extended to handicapped persons under G.S. 20-37.6 to exercise or attempt to exercise such rights or privileges by the unauthorized use of a distinguishing license plate or placard issued pursuant to the provisions of G.S. 20-37.6.

(d) A violation of this section shall result in a fine of \$250.00. Said fine does not preclude the imposition of any other punishment permitted by law.

(e) Violators of this section shall be guilty of a misdemeanor. The prima facie rule of evidence set forth in G.S. 20-162.1 shall apply.

(Code 1985, § 18-121; Ord. No. 2012-33, 11-20-2012)



BOARD OF COMMISSIONERS WORK SESSION AGENDA ITEM REPORT

Agenda Item No.: 2025-697-

Submitted by: Timothy Watson, Engineering

Submitting Department: Engineering

Meeting Date: January 6, 2026

Subject

Ordinance Amending Chapter 30; Article VI. Traffic Schedules; SEC. 30-216 Schedule XVII Of the Code of Ordinances for the Town of Wake Forest

Recommendation:

Approve Ordinance amending the speed limit of NC 98.

item Summary:

ATTACHMENTS:

- [Attachment_A_Summary_NC98_Spd_Lmt.docx](#)
- [Attachment_B_Ordinance_NC98_Spd_Lmt.docx](#)
- [Attachment_C_NC-98_55 mph_Municipal Agreement.pdf](#)

Agenda Item: Ordinance Amending Chapter 30; Article VI. Traffic schedules; Sec. 30-216 Schedule XVII of the Code of Ordinances for the Town of Wake Forest, North Carolina.

Summary: The North Carolina Department of Transportation (NCDOT) has requested that the Town of Wake Forest adopt an ordinance establishing a speed limit of 55 mph on NC 98 (Durham Road/Dr. Calvin Jones Highway). This action is intended to align with NCDOT's municipal package and address a discrepancy between the posted speed limit and the default statutory speed limit of 35 mph within the Town's municipal boundaries.

If the ordinance is approved, the Town will need to provide two items for submission to NCDOT: a second original copy of the ordinance bearing original signatures, and a signed municipal agreement package, also with original signatures. These documents will be mailed directly to NCDOT to complete the concurrence process.

Attachments: Attachment_A_Summary_NC98_Spd_Lmt

Attachment_B_Ordinance NC98_Spd_Lmt

Attachment_C_NC-98_55 mph_Municipal Agreement

ORDINANCE 2026-XX

ORDINANCE AMENDING CHAPTER 30; ARTICLE VI. TRAFFIC SCHEDULES; SEC. 30-216 SCHEDULE XVII OF THE CODE OF ORDINANCES FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA

WHEREAS, The North Carolina Department of Transportation has determined that the speed limit on NC 98 between 0.08 miles east of SR 1923 (Thompson Mill Rd) to 0.04 miles west of SR 2053 (Jones Dairy Rd) should be designated 55 mph in order to be consistent with the posted and design speed of the roadway.

WHEREAS, the Town of Wake Forest Engineering department concurs that designating the speed limit to 55 mph on NC 98 will resolve the discrepancy between the default statutory limit and the posted speed limit.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, to amend the Code of Ordinances as follows:

Add:

The following shall be schedule XVII and may be cited as such:

55 miles per hour:

NC 98 (Durham Rd/Dr. Calvin Jones Highway) between 0.08 miles east of SR 1923 (Thompson Mill Rd) to 0.04 miles west of SR 2053 (Jones Dairy Rd)

Adopted and effective this 6th day of January 2026.

Ben Clapsaddle
Mayor

ATTEST:

APPROVED AS TO FORM:

Evelyn Wright
Town Clerk

Nathan McKinney
Town Attorney

**Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1088451

Division: 5 **County:** WAKE

Municipality WAKE FOREST

Type: Municipal Speed Zones

Road: NC 98

Car: 55 MPH

Truck: 55 MPH

Description: Between 0.08 miles east of SR 1923 (Thompson Mill Rd) to 0.04 miles west of SR 2053 (Jones Dairy Rd).

Municipal Certification

I, Evelyn Wright, Clerk of Town of Wake Forest, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the 6th day of January, 2026, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance Number: _____

In witness whereof, I have hereunto set my
hand and the municipal seal this _____ day
of _____, 20____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____



BOARD OF COMMISSIONERS WORK SESSION AGENDA ITEM REPORT

Agenda Item No.: 2025-702-
Submitted by: Patrick Reidy, Planning
Submitting Department: Planning
Meeting Date: January 6, 2026

Subject

Introduction of 2026 Municipal Service District Extension

Recommendation:

Schedule Public Hearing

item Summary:

ATTACHMENTS:

- [Agenda Summary - Introduction of 2026 Municipal Service District Extension.pdf](#)
- [2026 Municipal Service District Expansion WS Report.pdf](#)
- [Attachment A - Existing and Proposed Municipal Service District Map.pdf](#)
- [Attachment B - MSD Expansion Property List.pdf](#)
- [Attachment C - NCGS Chapter 160A "Article 23.pdf](#)
- [Attachment D - Town of WF MSD Analysis & Case Studies.pdf](#)

Agenda Item: Introduction of 2026 Municipal Service District (MSD) Extension

Summary: On November 19, 2024, the Board of Commissioners adopted the Wake Forest Downtown Plan to create a vision for downtown and help guide growth for the next 20 years. As part of the plan, Action Item 3-16 states to expand town municipal facilities and services concurrently with new Downtown growth. In conjunction with the Downtown Plan, our subconsultant Noel Consulting Group performed a Municipal Service District analysis, including the potential MSD expansion area. Staff will present the draft MSD extension report and answer any questions. Staff will then schedule a Public Hearing for the February 17, 2026 Board of Commissioners meeting.

Attachments: See Staff Report



2026 Municipal Service District Extension Report

Meeting Date	January 6, 2026
Requested Actions	Schedule Public Hearing for the requested Municipal Service District (MSD) Extension.
Case Manager	Patrick Reidy, Development Services Manager

INTRODUCTION

A Municipal Service District (MSD) is a geographically designated area where property owners pay an additional property tax to fund enhanced services beyond what a town or county generally provides. These districts are often established in downtown areas to support revitalization efforts like those used in the NC Main Street Program. The additional tax revenue is used to fund projects like improved public spaces, enhanced safety, economic development initiatives, and other services that benefit the specific district.

During the 1980's, an effort began to revitalize the downtown area of Wake Forest. The Town Board of Commissioners and the Wake Forest Chamber of Commerce spearheaded the effort by creating the Downtown Revitalization Corporation (DRC). Both organizations appointed members to the DRC. The Town provided funding and the Chamber provided administrative support. An Executive Director was employed for a three-year period to lead the revitalization effort.

In 1986, the Wake Forest Downtown Redevelopment Plan was created. The Town prepared a report to meet the requirements of Article 23, §160A-537 and subsequently adopted Resolution #88-48 establishing a Municipal Service District (MSD) on June 2, 1988. The resolution established the MSD levy at \$.10 per \$100 in valuation, established a maximum levy of up to \$.25 per \$100 in valuation and set the allocation ratio to ensure that a minimum of 50 percent of the funds would be used to create off-street parking.

General obligation bonds approved by the voters and sold in 1989 were used to construct a parking lot on the block bounded by South White and Brooks Streets and Wait and Jones Avenues. The revenue from the district retired the debt on those bonds. The revenue over and beyond the debt service requirements is in the fund balance with portions used for improvements in the Downtown area.

In 2004, the Town of Wake Forest Board of Commissioners adopted the Renaissance Plan for the Heart of Wake Forest (Renaissance Plan). The plan sought to provide policy and programmatic recommendations for the revitalization of and the encouragement of reinvestment into the historic downtown. The plan also proposed several development opportunities specifically targeted throughout the downtown Wake Forest which were aimed at creating a more vibrant community to engage all who visit, work, and live in the downtown.

In 2006, the Town of Wake Forest became a North Carolina Main Street Community and the DRC served as the Main Street Partner for the Town of Wake Forest.

During FY 2007-2008, the tax rate was set at \$.17 per \$100 of assessed value and the 50% off-street parking stipulation was eliminated.

In 2012, at the recommendation of the DRC and the Town Board of Commissioners, the existing DRC staff transitioned from the nonprofit to become permanent town employees. This change ensured continuity in staff dedicated to both downtown Wake Forest and the DRC to help meet and maintain national accreditation requirements for Main Street America.

In September 2013, the DRC changed its official name to Wake Forest Downtown, Inc. (WFD) to better reflect their mission and match the town branding. The Board of Directors, non-profit organization and plan of work remains the same, with the just the name change to reflect an update to the program. While the name of the board was changed, the organizational structure remained the same.

In 2017, The Renaissance Plan for Downtown Wake Forest was adopted, which updated the Renaissance Plan for the Heart of Wake Forest. Since that time, the Town adopted the 2022 Community Plan and the 2021 Northeast Community Plan. These plans along with development occurring in and around the downtown spurred the need for a new downtown plan.

In 2023, the Town solicited services for the Downtown Plan, immersive 3D model, parking study, and Municipal Service District (MSD) evaluation. Noell Consulting Group was the subconsultant selected for the MSD evaluation and market study. The MSD evaluation was presented to the Board of Commissioners in 2023. On November 19, 2024, the Board of Commissioners adopted the Wake Forest Downtown Plan to create a vision for downtown and help guide growth for the next 20 years. As part of the plan, Action Item 3-16 states to expand town municipal facilities and services concurrently with new Downtown growth.

The tax rate for FY 2025-2026 is \$.14 per \$100 of assessed value and the tax rate for FY 2025-2026 is expected to be the same for both existing and new properties in the district. Funds are allocated as follows: \$29,000 towards continued façade improvements downtown (includes decorative lighting), \$65,000 to offset the debt service for Downtown Streetscape improvements; \$91,800 towards Downtown Parking Study; \$35,900 for banner replacements, additional benches, and light-up pole decorations.

WFD continues to play a role in the economic development and marketing of the municipal service district. Façade improvements, wayfinding signs, special projects, festivals and events, seminars and collaboration with downtown stakeholders all serve to make the Downtown district a viable destination to live, work and play. In addition, WFD has been a nationally accredited Main Street America community since 2011.

This report has been prepared for public inspection by the Planning Department, in conjunction with the Downtown Development Department and Wake Forest Downtown Incorporated (WFD) as part of a request presented to the Town of Wake Forest Board of Commissioners to expand the existing MSD in Downtown Wake Forest. This request comes from the Board of Commissioners, as allowed in North Carolina General Statutes section 160A-538.

EXTENSION PROCEDURES

North Carolina General Statute (NCGS) 160A-538 (Extension of service district) provides that the Board of Commissioners may by resolution annex territory to any MSD upon meeting the following requirements and findings:

- a) That the area to be annexed is contiguous to the district, with at least one-eighth of the area's aggregate external boundary coincident with the existing boundary of the district and that the area to be annexed requires the services of the district.
- b) Annexation by Petition. The Board of Commissioners may also by resolution extend by annexation the boundaries of any service district when one hundred percent (100%) of the real property owners of the area to be annexed have petitioned the Board for annexation into the service district.
- c) Report. Before the public hearing required by subsection (d), the board shall cause to be prepared a report containing:
 - 1. A map of the service district and the adjacent territory, showing the present and proposed boundaries of the district;
 - 2. A statement showing that the area to be annexed meets the standards and requirements of subsections (a) or (b) and;
 - 3. A plan for extending services to the area to be annexed.

The report shall be available for public inspection in the office of the City Clerk for at least two (2) weeks before the date of the public hearing.

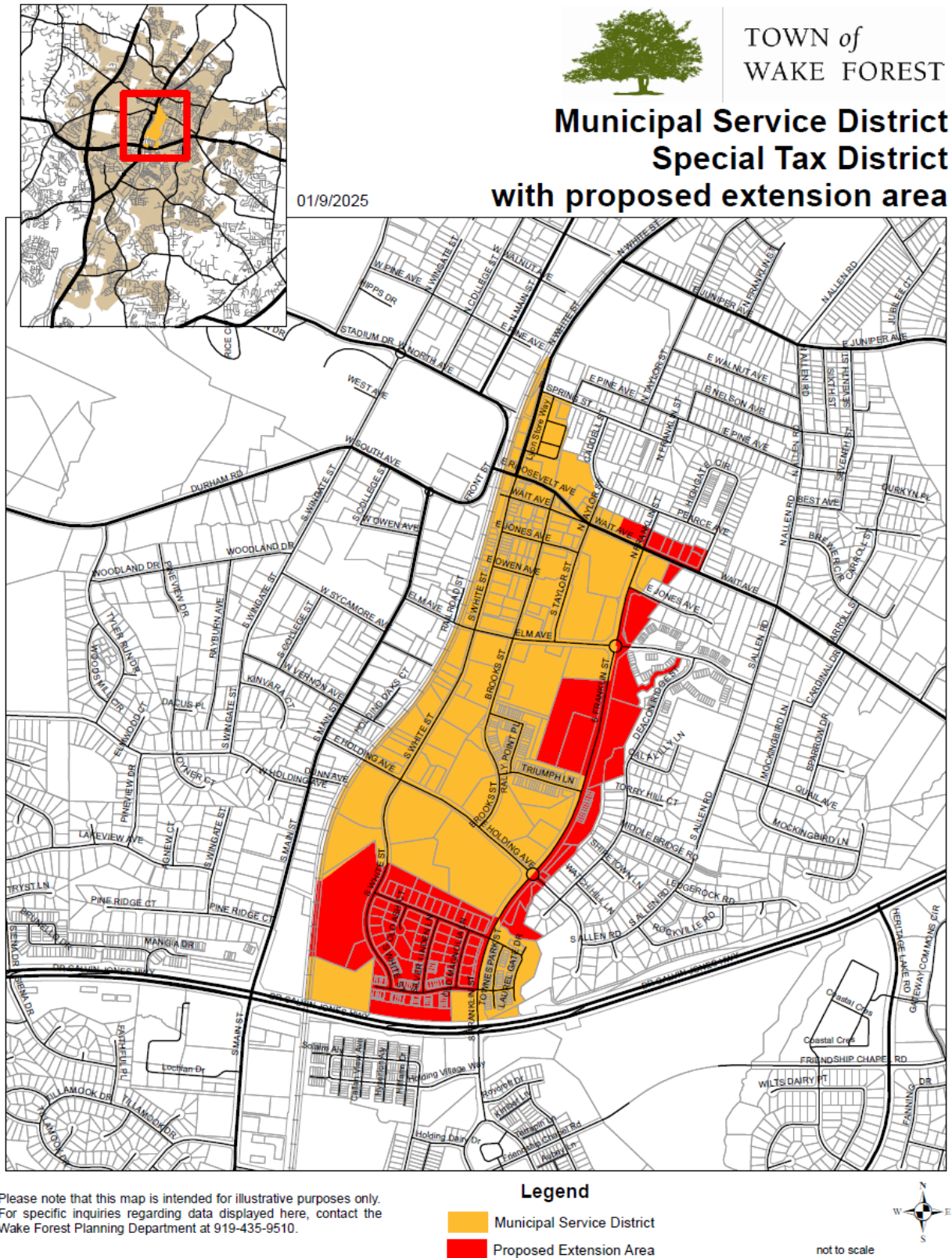
- d) Hearing and Notice. The board shall hold a public hearing before adopting any resolution extending the boundaries of a service district. Notice of the hearing shall state the date, hour and place of the hearing and its subject, and shall include a statement that the report required by subsection (c) is available for inspection in the office of the Town Clerk. The notice shall be published at least once not less than one (1) week before the date of the hearing. In addition, the notice shall be mailed at least four (4) weeks before the date of the hearing to the owners as shown by the county tax records as of the preceding January 1 of all property located within the area to be annexed. The notice may be mailed by any class of U.S. Mail which is prepaid. The person designated by the Board to mail the notice shall certify to the Board that the mailing has been completed and his certificate shall be conclusive in the absence of fraud.
- e) Effective Date. The resolution extending the boundaries of the district shall take effect at the beginning of the fiscal year commencing after its passage, as determined by the Board. Property subject to taxation in an area annexed to an existing district shall be subject to taxation by the Town as of January 1, 2026.

DOWNTOWN WAKE FOREST MSD BOUNDARIES AND MAP

The map below shows the current and proposed boundaries of the Downtown Wake Forest MSD. The area is generally bounded by E. Roosevelt Avenue/Wait Avenue to Dr. Calvin Jones Highway and S. White Street to S. Franklin Street.

The existing MSD boundary is shown in gold, and the requested MSD expansion is shown in red. and will increase the boundary to include the Heath Ridge neighborhood, the Adams property, town owned property, Forest on Franklin townhomes, Forest Ridge and Creekside apartments, Grace Baptist Church, Magnolia Square condos, and additional properties along Wait Avenue. In total, 151 properties, including 38 condos, (see Attachment A), totaling 59.73 acres, are proposed to be added to the MSD.

As is indicated on the map, the area of expansion is contiguous to the District and meets the requirement that at least one eighth of the area's aggregate external boundary is coincident to the existing district boundary, as stated in NCGS 160A-538(a)(1).



SERVICES EXTENDED AS PART OF MSD

While all services that are currently provided to benefit the existing MSD could also be provided in the annexed area, some services may not be appropriate in specific areas. Services will be decided each year as part of the annual budget process. As defined in NCGS 160A-536(b) "downtown revitalization projects are improvements, services, functions, promotions, and developmental activities intended to further the public health, safety, welfare, convenience, and economic well-being of the central city or downtown area. Exercise of the authority granted by this Article to undertake downtown revitalization projects financed by a service district do not prejudice a city's authority to undertake urban renewal projects in the same area. Examples of downtown revitalization projects include by way of illustration but not limitation to the following:

1. Improvements to water mains, sanitary sewer mains, storm sewer mains, electric power distribution lines, gas mains, street lighting, streets and sidewalks, including rights-of-way and easements.
2. Construction of pedestrian malls, bicycle paths, overhead pedestrian walkways, sidewalk canopies, and parking facilities both on-street and off-street.
3. Construction of public buildings, restrooms, docks, visitor centers, and tourism facilities.
4. Improvements to relieve traffic congestion in the central city and improve pedestrian and vehicular access to it.
5. Improvements to reduce the incidence of crime in the central city.
6. Providing city services or functions in addition to or to a greater extent than those provided or maintained for the entire city.
7. Sponsoring festivals and markets in the downtown area, promoting business investment in the downtown area, helping to coordinate public and private actions in the downtown area, and developing and issuing publications on the downtown area."

PLAN TO EXTEND SERVICES TO EXPANDED MSD

The proposed extension of the MSD will enable the Town of Wake Forest and Wake Forest Downtown, Inc. (WFD) to be able to extend downtown revitalization efforts to the district through the following services:

Downtown Revitalization

- Beautification
 - Downtown Planters
 - Landscaping
 - Trash receptacles and clean cube units on the street that are serviced regularly
- Benches
- Façade Improvement Grants
- Holiday Décor and Lighting
- Public Parking including the downtown parking deck
- Miller Park restrooms
- Downtown Traffic Study and potential infrastructure projects associated with the study
- Street and sidewalk maintenance and cleaning as needed
- Streetscape improvements
 - Includes debt services for streetscape improvements

Marketing

- Advertising of Wake Forest Downtown to include categorized business offerings.

- Examples include linked maps on Town of Wake Forest website, Social Media highlights and promotions, rack cards, QR codes on clean cubes, magazine advertising, etc.
- Branding campaigns for Wake Forest Downtown
- Street pole banners
- Wayfinding signage

Special Events

- Funding for Quality-of-Life events that bring our community together and provide exposure to downtown
- Additional services during and after special events (provision of additional trash containers, street sweeping, staffing, etc.)

SUMMARY

The expansion of the Downtown MSD to the 151 properties, including 38 condos, located in Downtown Wake Forest meets all criteria stated in NCGS 160A-538 for the extension of service districts. As detailed in this report, the property included in the expansion request is contiguous with the existing MSD, the request comes from the Board of Commissioners, and the area will benefit from services provided by both Downtown Wake Forest Downtown, Inc. and the Town of Wake Forest. The general area in the downtown and Town will benefit from the expansion of the Downtown MSD to include the stated properties, providing increased downtown revitalization efforts in the Town of Wake Forest.

ATTACHMENTS

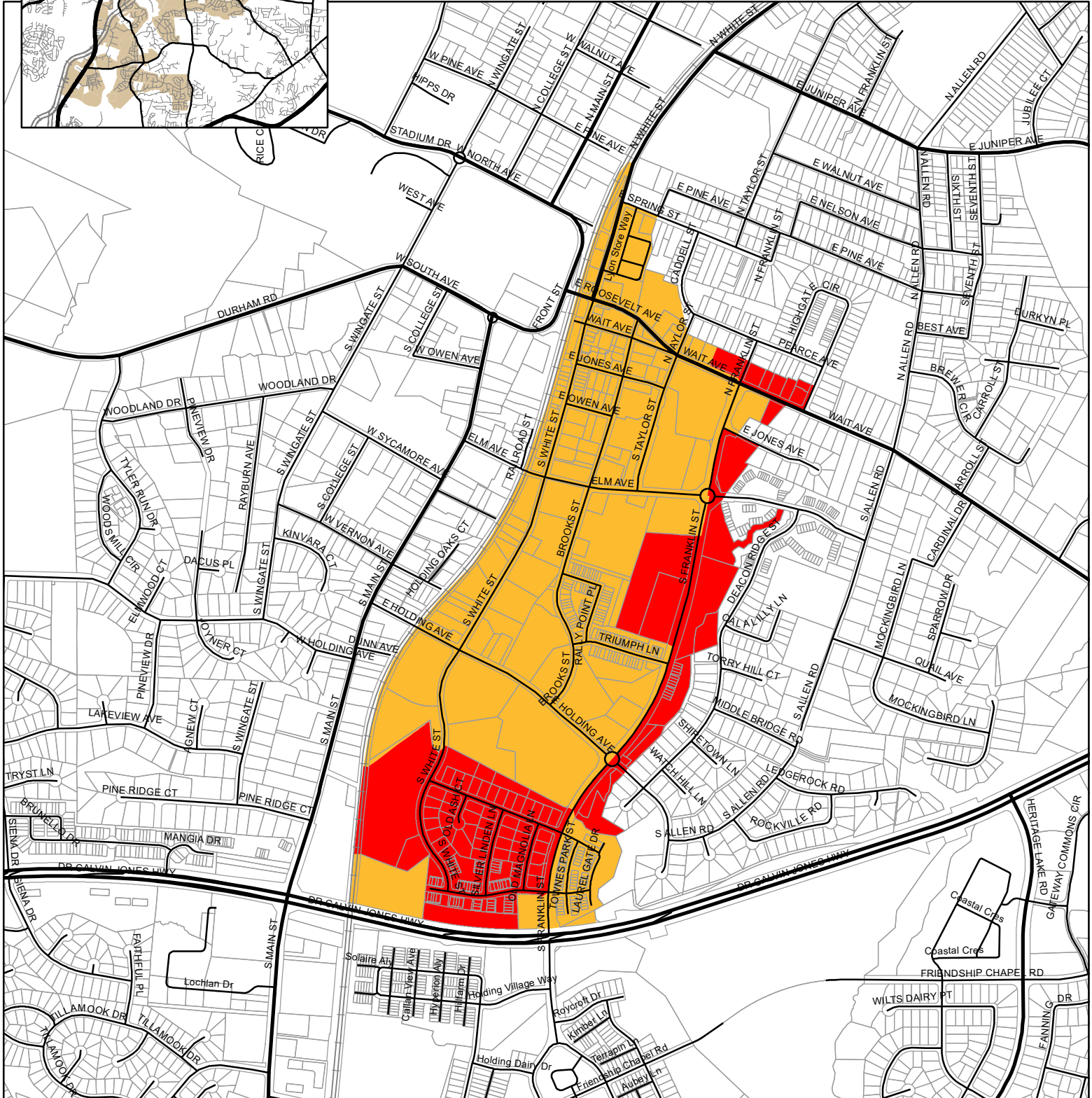
- Attachment A: Existing and Proposed Municipal Service District Map
- Attachment B: MSD Expansion Property List
- Attachment C: NCGS Chapter 160A – Article 23
- Attachment D: Town of Wake Forest MSD Analysis & Case Studies



TOWN of
WAKE FOREST

Municipal Service District Special Tax District with proposed extension area

01/9/2025



Please note that this map is intended for illustrative purposes only.
For specific inquiries regarding data displayed here, contact the
Wake Forest Planning Department at 919-435-9510.

Legend

-  Municipal Service District
-  Proposed Extension Area

not to scale



OWNER
ADAMS, JAMES M ADAMS, GAYLE W
ALEXANDER, ANN TRUSTEE TRUSTEE OF THE ANN ALEXANDER REVOCABLE TRUST
ALLEN, MARILYN
ALSTON, TAKERA
AMEND, DANIEL J AMEND, ELIZABETH A
AMERICAN IRA LLC FBO VICKI ITTEL TRAD IRA AMERICAN IRA LLC FBO ELIZABETH STANTON TRAD IRA
AMH NC PROPERTIES, LP PROPERTY TAX DEPT
AMON, DONNA
AMOS, CAROLINE ORR & JOSHUA DANIEL
ANDERSON, CARL ANDERSON, EMOKE
ATLANTIC DEVELOPMENT PARTNERS LLC
BANN, ELAINE
BANN, ELAINE YOUNG KUK
BARTHOLOMEW, GREGORY J
BERMAN, LOUIS EDWARD BERMAN, TONI M
BLEVINS, LLOYD H JR BLEVINS, SUSAN A
BOONE, JONNE ALLYSON
BRIGGS, BRENDA CORBETT
BRIONES, JACKSON ALAN
BROWN, SHAWN EUGENE GALO, MERCY CASTRO
BURTON, CRYSTAL DAWN
CAMERON, TRICIA N
CAMP, TESS E CAMP, JAMES E
CAMPBELL, TIMOTHY NEILL & LORI ANN
CHARCHAR, JOHN CHARCHAR, ALISON G
CHENEY, LORIN D CHENEY, KAREN L
COAD, STEPHEN COAD, JULIANE
COOPER, MATTHEW JAMES
CORTORREAL, ARELIS ALEXANDRA CORTORREAL, ROBERTO
CRESCENZO, RACHEL ELISABETH
CRYAN, LISA
DALLIN, JASON R DALLIN, KERRY A
DANIEL, LESLEE
DAVIDSON, MARETA KATHLEEN
DAVIS, OWEN DAVIS, JANA
DAWSON, MARYLYNN
DELANEY, MICHAEL B DELANEY, COURTNEY H
DENICOLA, STEPHANIE CARTER, JEFFERY LEE
DEPUMPO, DOMINIC J DEPUMPO, SAMANTHA P
DEWALD, MARGARET A
DLUHY, DIANE HELEN
DOUGLAS, EDWARD SCOTT DOUGLAS, JOANN MARIE
DOWNTOWN DIGS ON WAIT LLC

DOZIER, JEAN CORBETT TRUSTEE DOZIER, CLIFF TRUSTEE
DUCATTE, STEPHANIE MAURAKIS MAURAKIS, MICHAEL J
DUFFY, LISA
DUNCAN, LISA
ELDRETH, JOHNNY DANIEL
EYROLLES, DALE E EYROLLES, LISA K
EYSTER, HERBERT EUGENE
FARBER, BENJAMIN
FELTON, RANDALL
FIORINDO, GREGORY C TRUSTEE FIORINDO, LYNNE M TRUSTEE
FKH SFR PROPCO A LP RYAN LLC
FLEMMING, ROSEMARY & JAMES
FOGG, JESSE B & CASEY PRICE
FOREST ON FRANKLIN LLC
FOREST RIDGE ASSOCIATES C/O FELLERS SCHEWE SCOTT & ROBERTS INC
FOREST RIDGE II ASSOCIATES C/O FELLERS SCHEWE SCOTT & ROBERTS INC
FUHRMAN, DANIEL R FUHRMAN, KATHLEEN DEFINO
GAFFER, BETH MICHAELS & SETH ADAM
GAGLIONE, JOSEPH N JR
GILBERT, CLAIRE & RICHARD
GLACE, PATRICK REA, BRITTANEY VAN HOUTEN
GOMES, VICTOR VIANNA QUITAR, LIGEANY DIAS
GRACE BAPTIST CHURCH OF WAKE FOREST INC
HAILEY, MARK A HAILEY, PATRICIA A
HANAY, JAMES A HANAY, MARIANNE
HARGROVE, CHARLENE
HARGROVE, LISA LYN
HASKETT, STEPHANIE N
HEATH RIDGE VILLAGE HOMEOWNERS ASSN INC
HEATH RIDGE VILLAGE TOWN HOMES C/O ELITE MGMT PROFESSIONALS, INC
HECKMAN, ROBERT HECKMAN, MARY E
HEED, CATHERINE R HEED, EDWARD J
HIGGINS, JAMES R
HIRSCHHORN, HEATHER H
HITE, HERBERT E HITE, CASSONDRA
HOLT, TIMOTHY STEPHEN HOLT, MARY JENNIFER
HOWARD, JENNIFER L
HUMMEL, CHRISTOPHER W & CHELSEA L
IH6 PROPERTY NORTH CAROLINA LP C/O RYAN LLC
JENKS, TAYLOR
JEYAKARAN, HECTOR M JEYAKARAN, LEE ANN R
JOHNSON, MIA M
JOINT VENTURES ENTERPRISES LLC
JOLLEY, VIRGINIA

JONES, TIMOTHY
JONES, VIVIAN ANDERSON ANDERSON, HARRIETTE SUE
KEELER, LOUISE
KEITH REAL ESTATE INVESTMENTS LLC
KERSTETTER, KATHARINE ANN
KING, BARBARA
KLUESENER, SONJA M KLUESENER, JAMES W
KNAKAL, LUCINDA
LADD, AARON & ALLISON
LAMBERT, PETER LAMBERT, CHORPETCH
LAWRENCE, BROOKANNE
LILES, STEPHANIE LEVON
LINEBERRY, STEVEN MARK LINEBERRY, STEPHANIE J
LIU, LIANGHONG KANG, ZHENGFANG
LOEBACK, JASON I
LWW LLC INC
MAGNOLIA CLUB LLC
MCCARSON, LELA G
MCKINNEY, A'LISHA J
MCLAUGHLIN, BRYCE ALAN
MERDIAN, ERIC ALAN
MICHAEL, STEVEN SCOTT MICHAEL, JUDY CARLTON
MITCHELL, MARK MITCHELL, PAULA
MOXLEY, WILLIAM MOXLEY, LUCILLE
OBERG, KRISTEN ELIZABETH
OTTEN, WILLIAM A OTTEN, KATHERINE M
PAGE, KERRINA & ARTHUR
PALMER, REBA GAYNELL PALMER, ZACHARY R
PAQUETTE, RANDALL TRUSTEE DOYLE, MARY TRUSTEE
PEREZ, CARLOS WILLIAM
PHIPPS, KATHLEEN ELIZABETH
POANDL, JULIA
PRATHER, MICHAEL D TRUSTEE PRATHER, LISA A TRUSTEE
QUINONES, DEBORAH A MARINO, DANIEL
RALEIGH FRANKLIN LLC
RANDOLPH, CINDY A
RODRIGUEZ, JUAN CARLOS RODRIGUEZ, SONIA SUSANNA
RORICK, TYRUS LOGAN JR RORICK, CHERYL ANN
ROSEN, PAMELA J TRUSTEE TRUSTEE OF THE 1992 PAMELA J ROSEN LIVING TRUST
RUMERS LLC
RUTLEDGE, ALEXA CATHERINE BUTLER, ALEXANDER JAMESON
SHEFFIELD, JOSHUA M SHEFFIELD, AMANDA R
SHILLINGSBURG, STEVEN J
SMITH, KAREN CHASE

SMITH, PAUL
SPM RENTALS LLC
STANLEY MARTIN HOMES LLC
STEELE, NIKOL REBECCA
STERLEN, BRENDA GAIL
STERLING LEGACY CREEKSIDE LLC
STEVENSON, OLIVER JARVIS STEVENSON, BETTY R
STONE, ABIGAIL JOY
SUGAR MAPLE 21 LLC
SULTZBACH, MARIE C
SWEENEY, HOWARD J SWEENEY, JENNIFER LEE
TOWN OF WAKE FOREST
TRAVIS, MICHAEL J TRAVIS, LISA M
TULLY, SUSAN PAULETTE
TURCO, ELLEN SCHELL, MARSHALL PATRICK
TYNDALL, MURPHY WAYNE TYNDALL, SHELBY LEANNA
VALERIO, JOSE CARLOS VALERIO, JENNIFER LYNN
VUCELICH, THOMAS SR
WADE, ROY WADE, DEDDIE
WAKE FOREST TOWN OF
WALKER, JOHN F WALKER, BEVERLY G
WALLIN, MICHAEL A.
WEBER, KATHERINE E
WEHNER, KEN R & CARA D
WEINSTOCK, HARRIETT F
WHEELER, BARRY H WHEELER, LAUREN M
YACURA, CAROLYN B.
ZUPANCIC, JAMES & CHRISTOPHER

MAILING ADDRESS 1

909 S MAIN ST
616 NELSON PL
804 OLD MAGNOLIA LN
210 SUGAR MAPLE AVE
517 WALTERS DR
137 BROAD ST
23975 PARK SORRENTO FL 3
215 SUGAR MAPLE AVE
9605 CHALLEDON WAY
812 OLD ASH CT
1617 OBERLIN RD
423 200 WAIT AVE
4204 CLEARY AVE
7412 MITCHELL MILL RD
301 YELLOW POPLAR AVE
PO BOX 877
523 WAIT AVE
309 SUGAR MAPLE AVE
111 N FRANKLIN ST # 200
805 OLD MAGNOLIA LN
301 SUGAR MAPLE AVE
240 SUGAR MAPLE AVE
805 OLD ASH CT
121 N FRANKLIN ST # 100
308 YELLOW POPLAR AVE
200 YELLOW POPLAR AVE
1632 DENTON CT
820 SILVER LINDEN LN
238 SUGAR MAPLE AVE
433 WAIT AVE # 100
601 S FRANKLIN ST
217 YELLOW POPLAR AVE
833 S WHITE ST
817 SILVER LINDEN LN
813 SILVER LINDEN LN
824 SILVER LINDEN LN
809 S WHITE ST
819 SILVER LINDEN LN
831 S WHITE ST
228 YELLOW POPLAR AVE
617 S FRANKLIN ST
809 OLD MAGNOLIA LN
4030 WAKE FOREST RD STE 349

MAILING ADDRESS 2

WAKE FOREST NC 27587-9277
WESTBURY NY 11590-1417
WAKE FOREST NC 27587-2956
WAKE FOREST NC 27587-2281
WAKE FOREST NC 27587-6178
ASHEVILLE NC 28801-1901
CALABASAS CA 91302-4015
WAKE FOREST NC 27587-2280
WAKE FOREST NC 27587-9836
WAKE FOREST NC 27587-2957
RALEIGH NC 27608-2039
WAKE FOREST NC 27587-2725
METAIRIE LA 70002-3106
ZEBULON NC 27597-8429
WAKE FOREST NC 27587-2955
WAKE FOREST NC 27588-0877
WAKE FOREST NC 27587-2727
WAKE FOREST NC 27587-2297
WAKE FOREST NC 27587-2705
WAKE FOREST NC 27587-2956
WAKE FOREST NC 27587-2297
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WAKE FOREST NC 27587-2705
WAKE FOREST NC 27587-2954
WAKE FOREST NC 27587-2973
FOLSOM CA 95630-7322
WAKE FOREST NC 27587-2958
WAKE FOREST NC 27587-2281
WAKE FOREST NC 27587-2725
WAKE FOREST NC 27587-2277
WAKE FOREST NC 27587-2953
WAKE FOREST NC 27587-2975
WAKE FOREST NC 27587-2958
WAKE FOREST NC 27587-2958
WAKE FOREST NC 27587-2958
WAKE FOREST NC 27587-2962
WAKE FOREST NC 27587-2958
WAKE FOREST NC 27587-2962
WAKE FOREST NC 27587-2952
WAKE FOREST NC 27587-2277
WAKE FOREST NC 27587-2956
RALEIGH NC 27609-0010

613 S FRANKLIN ST	WAKE FOREST NC 27587-2277
211 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2280
130 MAPLE AVE	OLD SAYBROOK CT 06475-2451
569 BROOKS ST	WAKE FOREST NC 27587-2977
429 200 WAIT AVE	WAKE FOREST NC 27587-2725
3678 CREEKBEND DR	WAKE FOREST NC 27587-6022
213 YELLOW POPLAR AVE	WAKE FOREST NC 27587-2953
435 WAIT AVE # 200	WAKE FOREST NC 27587-2725
1501 BEAVER TAN CT	WAKE FOREST NC 27587-9248
1112 SANDERS DR	MORAGA CA 94556-1919
600 GALLERIA PKWY SE STE 300	ATLANTA GA 30339-8146
109 N FRANKLIN ST # 200	WAKE FOREST NC 27587-2705
121 200 N FRANKLIN ST	WAKE FOREST NC 27587
307 S SALEM ST STE 200	APEX NC 27502-1845
PO BOX 450233	ATLANTA GA 31145-0233
PO BOX 450233	ATLANTA GA 31145-0233
2644 RIDGEWELL CT	RALEIGH NC 27613-1660
421 100 WAIT AVE	WAKE FOREST NC 27587
818 OLD MAGNOLIA LN	WAKE FOREST NC 27587-2956
46 OXER DR	YOUNGSVILLE NC 27596-7890
623 S FRANKLIN ST	WAKE FOREST NC 27587-2277
1508 CAVALCADE DR	CARY NC 27519-6737
500 E JONES AVE	WAKE FOREST NC 27587-2714
822 SILVER LINDEN LN	WAKE FOREST NC 27587-2958
813 OLD MAGNOLIA LN	WAKE FOREST NC 27587-2956
805 SILVER LINDEN LN	WAKE FOREST NC 27587-2958
235 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2280
221 YELLOW POPLAR AVE	WAKE FOREST NC 27587-2953
PO BOX 20969	RALEIGH NC 27619-0969
4112 BLUE RIDGE RD STE 100	RALEIGH NC 27612-4652
233 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2280
239 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2280
220 YELLOW POPLAR AVE	WAKE FOREST NC 27587-2952
421 WAIT AVE # 200	WAKE FOREST NC 27587-2725
216 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2281
605 S FRANKLIN ST	WAKE FOREST NC 27587-2277
817 S WHITE ST	WAKE FOREST NC 27587-2962
1129 COPPER BEECH LN	WAKE FOREST NC 27587-3365
PO BOX 4900	SCOTTSDALE AZ 85261-4900
115 N FRANKLIN ST UNIT 100	WAKE FOREST NC 27587-2705
825 S WHITE ST	WAKE FOREST NC 27587-2962
237 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2280
7436 HEARTLAND DR	WAKE FOREST NC 27587-9734
324 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2296

212 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2281
224 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2281
921 FLASH DR	ROLESVILLE NC 27571-8205
1616 FORESTVILLE RD	WAKE FOREST NC 27587-9362
229 YELLOW POPLAR AVE	WAKE FOREST NC 27587-2953
821 S WHITE ST	WAKE FOREST NC 27587-2962
4109 ROSS RD	BETHLEHEM PA 18020-7685
241 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2280
417 200 WAIT AVE	WAKE FOREST NC 27587
205 YELLOW POPLAR AVE	WAKE FOREST NC 27587-2953
213 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2280
317 YELLOW POPLAR AVE	WAKE FOREST NC 27587-2955
812 OLD MAGNOLIA LN	WAKE FOREST NC 27587-2956
2105 WILD WATERS DR	RALEIGH NC 27614-7654
304 YELLOW POPLAR AVE	WAKE FOREST NC 27587-2954
30 N GOULD ST STE R	SHERIDAN WY 82801-6317
1135 KILDAIRE FARM RD STE 321	CARY NC 27511-4587
816 OLD MAGNOLIA LN	WAKE FOREST NC 27587-2956
417 100 WAIT AVE	WAKE FOREST NC 27587-2725
111 N FRANKLIN ST # 100	WAKE FOREST NC 27587-2705
117 200 N FRANKLIN ST	WAKE FOREST NC 27587-2705
625 S FRANKLIN ST	WAKE FOREST NC 27587-2277
816 SILVER LINDEN LN	WAKE FOREST NC 27587-2958
804 OLD ASH CT	WAKE FOREST NC 27587-2957
425 200 WAIT AVE	WAKE FOREST NC 27587-2725
603 S FRANKLIN ST	WAKE FOREST NC 27587-2277
119 200 N FRANKLIN ST	WAKE FOREST NC 27587-2705
809 SILVER LINDEN LN	WAKE FOREST NC 27587-2958
313 YELLOW POPLAR AVE	WAKE FOREST NC 27587-2955
429 WAIT AVE # 100	WAKE FOREST NC 27587-2725
230 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2281
820 OLD MAGNOLIA LN	WAKE FOREST NC 27587-2956
1213 BROADWING BEND LN	WAKE FOREST NC 27587-1744
320 YELLOW POPLAR AVE	WAKE FOREST NC 27587-2974
1720 REDI RD	CUMMING GA 30040-9740
607 S FRANKLIN ST	WAKE FOREST NC 27587-2277
217 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2280
615 S FRANKLIN ST	WAKE FOREST NC 27587-2277
611 S FRANKLIN ST	WAKE FOREST NC 27587-2277
1135 KILDAIRE FARM RD STE 321	CARY NC 27511-4587
214 SUGAR MAPLE AVE	WAKE FOREST NC 27587-2281
305 YELLOW POPLAR AVE	WAKE FOREST NC 27587-2955
419 200 WAIT AVE	WAKE FOREST NC 27587-2725
835 S WHITE ST	WAKE FOREST NC 27587-2975

808 OLD MAGNOLIA LN
11316 CENTAUR RD
11710 PLAZA AMERICA DR STE 1100
431 WAIT AVE # 200
524 WAIT AVE
PO BOX 1423
800 OLD ASH CT
117 100 N FRANKLIN ST
3525 KEMBLE RIDGE DR
321 YELLOW POPLAR AVE
812 SILVER LINDEN LN
401 ELM AVE
616 WALTERS DR
231 SUGAR MAPLE AVE
224 MOCKINGBIRD LN
813 OLD ASH CT
437 WAIT AVE # 200
107 JOANNE CT
829 S WHITE ST
301 BROOKS ST
813 S WHITE ST
8008 DEBENHAM DR
311 SUGAR MAPLE AVE
439 WAIT AVE # 200
314 SUGAR MAPLE AVE
12205 THE GATES DR
431 100 WAIT AVE
415 200 WAIT AVE

WAKE FOREST NC 27587-2956
WAKE FOREST NC 27587-9146
RESTON VA 20190-4771
WAKE FOREST NC 27587-2725
WAKE FOREST NC 27587-2728
STOWE VT 05672-1423
WAKE FOREST NC 27587-2957
WAKE FOREST NC 27587-2705
WAKE FOREST NC 27587-4852
WAKE FOREST NC 27587-2955
WAKE FOREST NC 27587-2958
WAKE FOREST NC 27587-2932
WAKE FOREST NC 27587-6179
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EVANS CITY PA 16033-7959
WAKE FOREST NC 27587-2962
WAKE FOREST NC 27587-2901
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WAKE FOREST NC 27587-5389
WAKE FOREST NC 27587-2297
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RALEIGH NC 27614-7321
WAKE FOREST NC 27587-2725
WAKE FOREST NC 27587

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Article 23.

Municipal Service Districts.

§ 160A-535. Title; effective date.

This Article may be cited as "The Municipal Service District Act of 1973," and is enacted pursuant to Article V, Sec. 2(4) of the Constitution of North Carolina, effective July 1, 1973. (1973, c. 655, s. 1.)

§ 160A-536. Purposes for which districts may be established.

(a) Purposes. - The city council of any city may define any number of service districts in order to finance, provide, or maintain for the districts one or more of the following services, facilities, or functions in addition to or to a greater extent than those financed, provided or maintained for the entire city:

- (1) Beach erosion control and flood and hurricane protection works.
- (1a) **(For applicability see note)** Any service, facility, or function which the municipality may by law provide in the city, and including but not limited to placement of utility wiring underground, placement of period street lighting, placement of specially designed street signs and street furniture, landscaping, specialized street and sidewalk paving, and other appropriate improvements to the rights-of-way that generally preserve the character of an historic district; provided that this subdivision only applies to a service district which, at the time of its creation, had the same boundaries as an historic district created under Part 3A of Article 19 of this Chapter.
- (2) Downtown revitalization projects.
- (2a) Urban area revitalization projects.
- (2b) Transit-oriented development projects.
- (3) Drainage projects.
- (3a) Sewage collection and disposal systems of all types, including septic tank systems or other on-site collection or disposal facilities or systems.
- (3b) **(For applicability see note)** Lighting at interstate highway interchange ramps.
- (4) Off-street parking facilities.
- (5) Watershed improvement projects, including but not limited to watershed improvement projects as defined in General Statutes Chapter 139; drainage projects, including but not limited to the drainage projects provided for by General Statutes Chapter 156; and water resources development projects, including but not limited to the federal water resources development projects provided for by General Statutes Chapter 143, Article 21.
- (6) Conversion of private residential streets to public streets as provided in subsection (e) of this section.

(b) Downtown Revitalization Defined. - As used in this section "downtown revitalization projects" are improvements, services, functions, promotions, and developmental activities intended to further the public health, safety, welfare, convenience, and economic well-being of the central city or downtown area. Exercise of the authority granted by this Article to undertake downtown revitalization projects financed by a service district do not prejudice a city's authority to undertake urban renewal projects in the same area. Examples of downtown revitalization projects include by way of illustration but not limitation all of the following:

- (1) Improvements to water mains, sanitary sewer mains, storm sewer mains, electric power distribution lines, gas mains, street lighting, streets and sidewalks, including rights-of-way and easements.
- (2) Construction of pedestrian malls, bicycle paths, overhead pedestrian walkways, sidewalk canopies, and parking facilities both on-street and off-street.
- (3) Construction of public buildings, restrooms, docks, visitor centers, and tourism facilities.
- (4) Improvements to relieve traffic congestion in the central city and improve pedestrian and vehicular access to it.
- (5) Improvements to reduce the incidence of crime in the central city.
- (6) Providing city services or functions in addition to or to a greater extent than those provided or maintained for the entire city.
- (7) Sponsoring festivals and markets in the downtown area, promoting business investment in the downtown area, helping to coordinate public and private actions in the downtown area, and developing and issuing publications on the downtown area.

(c) Urban Area Revitalization Defined. - As used in this section, the term "urban area revitalization projects" includes the provision within an urban area of any service or facility that may be provided in a downtown area as a downtown revitalization project under subdivision (a)(2) and subsection (b) of this section. As used in this section, the term "urban area" means an area that (i) is located within a city and (ii) meets one or more of the following conditions:

- (1) It is the central business district of the city.
- (2) It consists primarily of existing or redeveloping concentrations of industrial, retail, wholesale, office, or significant employment-generating uses, or any combination of these uses.
- (3) It is located in or along a major transportation corridor and does not include any residential parcels that are not, at their closest point, within 150 feet of the major transportation corridor right-of-way or any nonresidentially zoned parcels that are not, at their closest point, within 1,500 feet of the major transportation corridor right-of-way.
- (4) It has as its center and focus a major concentration of public or institutional uses, such as airports, seaports, colleges or universities, hospitals and health care facilities, or governmental facilities.

(c1) Transit-Oriented Development Defined. - As used in this section, the term "transit-oriented development" includes the provision within a public transit area of any service or facility listed in this subsection. A public transit area is an area within a one-fourth mile radius of any passenger stop or station located on a mass transit line. A mass transit line is a rail line along which a public transportation service operates or a busway or guideway dedicated to public transportation service. A busway is not a mass transit line if a majority of its length is also generally open to passenger cars and other private vehicles more than two days a week.

The following services and facilities are included in the definition of "transit-oriented development" if they are provided within a transit area:

- (1) Any service or facility that may be provided in a downtown area as a downtown revitalization project under subdivision (a)(2) and subsection (b) of this section.
- (2) Passenger stops and stations on a mass transit line.
- (3) Parking facilities and structures associated with passenger stops and stations on a mass transit line.
- (4) Any other service or facility, whether public or public-private, that the city may by law provide or participate in within the city, including retail, residential, and commercial facilities.

(d) Contracts. - A city may provide services, facilities, functions, or promotional and developmental activities in a service district with its own forces, through a contract with another governmental agency, through a contract with a private agency, or by any combination thereof. Any contracts entered into pursuant to this subsection shall comply with all of the following criteria:

- (1) The contract shall specify the purposes for which city moneys are to be used for that service district.
- (2) The contract shall require an appropriate accounting for those moneys at the end of each fiscal year or other appropriate period. For contracts entered into on or after June 1, 2016, the appropriate accounting shall include the name, location, purpose, and amount paid to any person or persons with whom the private agency contracted to perform or complete any purpose for which the city moneys were used for that service district.

(d1) Additional Requirements for Certain Contracts. - In addition to the requirements of subsection (d) of this section, if the city enters into a contract with a private agency for a service district under subdivision (a)(1a), (2), or (2a) of this section, the city shall comply with all of the following:

- (1) The city shall solicit input from the residents and property owners as to the needs of the service district prior to entering into the contract.
- (2) Prior to entering into, or the renewal of, any contract under this section, the city shall use a bid process to determine which private agency is best suited to achieve the needs of the service district. The city shall determine criteria for selection of the private agency and shall select a private agency in accordance with those criteria. If the city determines that a multiyear contract with a private

agency is in the best interest of the city and the service district, the city may enter into a multiyear contract not to exceed five years in length.

- (3) The city shall hold a public hearing prior to entering into the contract, which shall be noticed by publication in a newspaper of general circulation, for at least two successive weeks prior to the public hearing, in the service district.
- (4) The city shall require the private agency to report annually to the city, by presentation in a city council meeting and in written report, regarding the needs of the service district, completed projects, and pending projects. Prior to the annual report, the private agency shall seek input of the property owners and residents of the service district regarding needs for the upcoming year.
- (5) The contract shall specify the scope of services to be provided by the private agency. Any changes to the scope of services shall be approved by the city council.

(e) Converting Private Residential Streets to Public Streets. - A city may establish a municipal service district for the purpose of converting private residential streets to public streets if the conditions of this subsection are met. The property tax levied in a municipal service district created for this purpose may be used only to pay the costs related to the transfer of ownership of the streets, evaluation of the condition of the private streets, and the design and construction costs related to improving the private streets to meet public street standards as approved by the governing board. Notwithstanding G.S. 160A-542, the property tax rate in a district created for this purpose may not be in excess of thirty percent (30%) of the ad valorem tax rate in effect in the city in the fiscal year prior to the establishment of the district. After the private streets have been upgraded to meet public street standards and all costs have been recovered from the tax in the district, no further tax may be levied in the district, and the city council must abolish the municipal service district as provided by G.S. 160A-541.

Notwithstanding G.S. 160A-299, if a city abandons the streets and associated rights-of-way acquired pursuant to this subsection, the street-related common elements must be returned to the owners' association from which the city acquired them in a manner that makes the owners' association's holdings in common elements as they were prior to the establishment of the municipal service district.

For a city to create a municipal service district for the purpose of converting private residential streets to public streets, all of the following conditions must be met:

- (1) The private residential road must be nongated.
- (2) The city must receive a petition signed by at least sixty percent (60%) of the lot owners of the owners' association requesting the city to establish a municipal service district for the purpose of paying the costs related to converting private residential streets to public streets. The executive board of an owners' association for which the city has received a petition under this subsection may transfer street-related common elements to the city, notwithstanding the provisions of either the North Carolina Planned Community Act in Chapter 47F of the General Statutes or the North Carolina Condominium Act in Chapter 47C of the General Statutes, or related articles of declaration, deed covenants, or any other similar document recorded with the Register of Deeds.
- (3) The city must agree to accept the converted streets for perpetual public maintenance.
- (4) The city must meet one of the following requirements:
 - a. Located primarily in a county that has a population of 750,000 or more according to the most recent decennial federal census, and also located in an adjacent county with a population of 250,000 or more according to the most recent decennial federal census.
 - b. Located primarily in a county with a population of 250,000 or more according to the most recent decennial federal census, and also located in an adjacent county with a population of 750,000 or more according to the most recent decennial federal census. (1973, c. 655, s. 1; 1977, c. 775, ss. 1, 2; 1979, c. 595, s. 2; 1985, c. 580; 1987, c. 621, s. 1; 1999-224, s. 1; 1999-388, s. 1; 2004-151, s. 1; 2004-203, s. 5(m); 2009-385, s. 1; 2011-72, ss. 1, 2; 2011-322, s. 1; 2012-79, s. 1.11; 2015-241, s. 15.16B(a); 2016-8, s. 1; 2017-102, s. 31.1.)

§ 160A-537. Definition of service districts.

(a) Standards. - The city council of any city may by ordinance define a service district upon finding that a proposed district is in need of one or more of the services, facilities, or functions listed in G.S. 160A-536 to a demonstrably greater extent than the remainder of the city.

(a1) Petition to Define District. - The city council may also by ordinance define a service district if a petition submitted by a majority of the owners of real property in a defined area of the city establishes that the area is in need of one or more of the services, facilities, or functions listed in G.S. 160A-536 to a demonstrably greater extent than the remainder of the city. The petition shall contain the names, addresses, and signatures of the real property owners within the proposed district, describe the proposed district boundaries, and state in detail the services, facilities, or functions listed in G.S. 160A-536 which would serve as the basis for establishing the proposed district. The city council may establish a policy to hear all petitions submitted under this subsection at regular intervals, but no less than once per year.

(b) Report. - Before the public hearing required by subsection (c), the city council shall cause to be prepared a report containing:

- (1) A map of the proposed district, showing its proposed boundaries;
- (2) A statement showing that the proposed district meets the standards set out in subsection (a); and
- (3) A plan for providing in the district one or more of the services listed in G.S. 160A-536.

The report shall be available for public inspection in the office of the city clerk for at least four weeks before the date of the public hearing.

(c) Hearing and Notice. - The city council shall hold a public hearing before adopting any ordinance defining a new service district under this section. Notice of the hearing shall state the date, hour, and place of the hearing and its subject, and shall include a map of the proposed district and a statement that the report required by subsection (b) is available for public inspection in the office of the city clerk. The notice shall be published at least once not less than one week before the date of the hearing. In addition, it shall be mailed at least four weeks before the date of the hearing by any class of U.S. mail which is fully prepaid to the owners as shown by the county tax records as of the preceding January 1 (and at the address shown thereon) of all property located within the proposed district. The person designated by the council to mail the notice shall certify to the council that the mailing has been completed and his certificate is conclusive in the absence of fraud.

(c1) Exclusion From District. - An owner of a tract or parcel of land located within the proposed district may, at the public hearing or no later than five days after the date of the public hearing required by subsection (c) of this section, submit a written request to the city council for the exclusion of the tract or parcel from the proposed district. The owner shall specify the tract or parcel, state with particularity the reasons why the tract or parcel is not in need of the services, facilities, or functions of the proposed district to a demonstrably greater extent than the remainder of the city, and provide any other additional information the owner deems relevant. If the city council finds that the tract or parcel is not in need of the services, facilities, or functions of the proposed district to a demonstrably greater extent than the remainder of the city, the city council may exclude the tract or parcel from the proposed district.

(d) Effective Date. - Except as otherwise provided in this subsection, the ordinance defining a service district shall take effect at the beginning of a fiscal year commencing after its passage, as determined by the city council. If the governing body in the ordinance states that general obligation bonds or special obligation bonds are anticipated to be authorized for the project, it may make the ordinance effective immediately upon its adoption or as otherwise provided in the ordinance. However, no ad valorem tax may be levied for a partial fiscal year.

(e) Repealed by Session Laws 2016-8, s. 2, effective June 1, 2016.

(f) Passage of Ordinance. - No ordinance defining a service district as provided for in this section shall be finally adopted until it has been passed at two meetings of the city council by majority vote of the voting members present, and no service district shall be defined except by ordinance. (1973, c. 655, s. 1; 1981, c. 53, s. 1; c. 733, s. 1; 2006-162, s. 25; 2012-156, s. 4; 2016-8, s. 2.)

§ 160A-538. Extension of service districts.

(a) Standards. - The city council may by ordinance annex territory to any service district upon finding that:

- (1) The area to be annexed is contiguous to the district, with at least one eighth of the area's aggregate external boundary coincident with the existing boundary of the district;
- (2) That the area to be annexed requires the services of the district.

(b) Annexation by Petition. - The city council may also by ordinance extend by annexation the boundaries of any service district when one hundred percent (100%) of the real property owners of the area to be annexed have petitioned the council for annexation to the service district.

(c) Report. - Before the public hearing required by subsection (d), the council shall cause to be prepared a report containing:

- (1) A map of the service district and the adjacent territory, showing the present and proposed boundaries of the district;

- (2) A statement showing that the area to be annexed meets the standards and requirements of subsections (a) or (b); and
- (3) A plan for extending services to the area to be annexed.

The report shall be available for public inspection in the office of the city clerk for at least two weeks before the date of the public hearing.

(d) Hearing and Notice. - The council shall hold a public hearing before adopting any ordinance extending the boundaries of a service district. Notice of the hearing shall state the date, hour and place of the hearing and its subject, and shall include a statement that the report required by subsection (c) is available for inspection in the office of the city clerk. The notice shall be published at least once not less than one week before the date of the hearing. In addition, the notice shall be mailed at least four weeks before the date of the hearing to the owners as shown by the county tax records as of the preceding January 1 of all property located within the area to be annexed. The notice may be mailed by any class of U.S. mail which is fully prepaid. The person designated by the council to mail the notice shall certify to the council that the mailing has been completed, and his certificate shall be conclusive in the absence of fraud.

(e) Effective Date. - The ordinance extending the boundaries of the district shall take effect at the beginning of a fiscal year commencing after its passage, as determined by the council.

(e1) Passage of Ordinance. - No ordinance annexing territory to a service district as provided for in this section shall be finally adopted until it has been passed at two meetings of the city council by majority vote of the voting members present, and no territory shall be annexed to a service district except by ordinance.

(f) Historic District Boundaries Extension. - A service district which at the time of its creation had the same boundaries as an historic district created under Part 3A of Article 19 of this Chapter may only have its boundaries extended to include territory which has been added to the historic district. (1973, c. 655, s. 1; 1981, c. 53, s. 2; 1987, c. 621, s. 2; 2016-8, s. 3.)

§ 160A-538.1. Reduction of service districts.

(a) Reduction by City Council. - Upon finding that there is no longer a need to include within a particular service district any certain tract or parcel of land, the city council may by ordinance redefine a service district by removing therefrom any tract or parcel of land which it has determined need no longer be included in said district. The city council shall hold a public hearing before adopting an ordinance removing any tract or parcel of land from a district. Notice of the hearing shall state the date, hour and place of the hearing, and its subject, and shall be published at least once not less than one week before the date of the hearing.

(a1) Request for Reduction by Owner. - A property owner may submit a written request to the city council to remove the owner's tract or parcel of land from a service district. The owner shall specify the tract or parcel, state with particularity the reasons why the tract or parcel is not in need of the services, facilities, or functions of the proposed district to a demonstrably greater extent than the remainder of the city, and provide any other additional information the owner deems relevant. Upon receipt of the request, the city council shall hold a public hearing as required by subsection (a) of this section. If the city council finds that the tract or parcel is not in need of the services, facilities, or functions of the district to a demonstrably greater extent than the remainder of the city, the city council may, by ordinance, redefine the service district by removing therefrom the tract or parcel.

(b) Effective Date. - The removal of any tract or parcel of land from any service district shall take effect at the end of a fiscal year following passage of the ordinance, as determined by the city council.

(b1) Passage of Ordinance. - No ordinance reducing a service district as provided for in this section shall be finally adopted until it has been passed at two meetings of the city council by majority vote of the voting members present, and no service district shall be reduced except by ordinance.

(c) Historic District Boundaries Reduction. - A service district which at the time of its creation had the same boundaries as an historic district created under Part 3A of Article 19 of this Chapter may only have its boundaries reduced to exclude territory which has been removed from the historic district. (1977, c. 775, s. 3; 1987, c. 621, s. 3; 2016-8, s. 4.)

§ 160A-539. Consolidation of service districts.

(a) The city council may by ordinance consolidate two or more service districts upon finding that:

- (1) The districts are contiguous or are in a continuous boundary; and
- (2) The services provided in each of the districts are substantially the same; or
- (3) If the services provided are lower for one of the districts, there is a need to increase those services for that district to the level of that enjoyed by the other districts.

(b) Report. - Before the public hearing required by subsection (c), the city council shall cause to be prepared a report containing:

- (1) A map of the districts to be consolidated;
- (2) A statement showing the proposed consolidation meets the standards of subsection (a); and
- (3) If necessary, a plan for increasing the services for one or more of the districts so that they are substantially the same throughout the consolidated district.

The report shall be available in the office of the city clerk for at least two weeks before the public hearing.

(c) Hearing and Notice. - The city council shall hold a public hearing before adopting any ordinance consolidating service districts. Notice of the hearing shall state the date, hour, and place of the hearing and its subject, and shall include a statement that the report required by subsection (b) is available for inspection in the office of the city clerk. The notice shall be published at least once not less than one week before the date of the hearing. In addition, the notice shall be mailed at least four weeks before the hearing to the owners as shown by the county tax records as of the preceding January 1 of all property located within the consolidated district. The notice may be mailed by any class of U.S. mail which is fully prepaid. The person designated by the council to mail the notice shall certify to the council that the mailing has been completed, and his certificate shall be conclusive in the absence of fraud.

(d) Effective Date. - The consolidation of service districts shall take effect at the beginning of a fiscal year commencing after passage of the ordinance of consolidation, as determined by the council.

(e) Passage of Ordinance. - No ordinance consolidating two or more service districts as provided for in subsection (a) of this section shall be finally adopted until it has been passed at two meetings of the city council by majority vote of the voting members present, and no service districts shall be consolidated except by ordinance. (1973, c. 655, s. 1; 1981, c. 53, s. 2; 2016-8, s. 5.)

§ 160A-540. Required provision or maintenance of services.

(a) New District. - When a city defines a new service district, it shall provide, maintain, or let contracts for the services for which the residents of the district are being taxed within a reasonable time, not to exceed one year, after the effective date of the definition of the district.

(b) Extended District. - When a city annexes territory for a service district, it shall provide, maintain, or let contracts for the services provided or maintained throughout the district to the residents of the area annexed to the district within a reasonable time, not to exceed one year, after the effective date of the annexation.

(c) Consolidated District. - When a city consolidates two or more service districts, one of which has had provided or maintained a lower level of services, it shall increase the services within that district (or let contracts therefor) to a level comparable to those provided or maintained elsewhere in the consolidated district within a reasonable time, not to exceed one year, after the effective date of the consolidation. (1973, c. 655, s. 1.)

§ 160A-541. Abolition of service districts.

Upon finding that there is no longer a need for a particular service district, the city council may by ordinance abolish that district. The council shall hold a public hearing before adopting an ordinance abolishing a district. Notice of the hearing shall state the date, hour and place of the hearing, and its subject, and shall be published at least once not less than one week before the date of the hearing. The abolition of any service district shall take effect at the end of a fiscal year following passage of the ordinance, as determined by the council. (1973, c. 655, s. 1; 2016-8, s. 6.)

§ 160A-542. Taxes authorized; rate limitation.

(a) A city may levy property taxes within defined service districts in addition to those levied throughout the city, in order to finance, provide or maintain for the district services provided therein in addition to or to a greater extent than those financed, provided or maintained for the entire city. In addition, a city may allocate to a service district any other revenues whose use is not otherwise restricted by law.

- (b) Property subject to taxation in a newly established district or in an area annexed to an existing district is that subject to taxation by the city as of the preceding January 1.
- (c) Property taxes may not be levied within any district established pursuant to this Article in excess of a rate on each one hundred dollar (\$100.00) value of property subject to taxation which, when added to the rate levied city wide for purposes subject to the rate limitation, would exceed the rate limitation established in G.S. 160A-209(d), unless that portion of the rate in excess of this limitation is submitted to and approved by a majority of the qualified voters residing within the district. Any referendum held pursuant to this subsection shall be held and conducted as provided in G.S. 160A-209.
- (d) In setting the tax rate, the city council shall consider the current needs, as well as the long-range plans and goals for the service district. The city council shall set the tax rate so that there is no accumulation of excess funds beyond that necessary to meet current needs, fund long-range plans and goals, and maintain a reasonable fund balance. Moneys collected shall be used only for meeting the needs of the service district, as those needs are determined by the city council.
- (e) This Article does not impair the authority of a city to levy special assessments pursuant to Article 10 of this Chapter for works authorized by G.S. 160A-491, and may be used in addition to that authority. (1973, c. 655, s. 1; 2015-241, s. 15.16B(b).)

§ 160A-543. Bonds authorized.

A city may incur debt under general law to finance services, facilities or functions provided within a service district. If a proposed general obligation bond issue is required by law to be submitted to and approved by the voters of the city, and if the proceeds of the proposed bond issue are to be used in connection with a service that is or, if the bond issue is approved, will be provided only for one or more service districts or at a higher level in service districts than city wide, the proposed bond issue must be approved concurrently by a majority of those voting throughout the entire city and by a majority of the total of those voting in all of the affected or to be affected service districts. (1973, c. 655, s. 1; 2004-151, s. 4.)

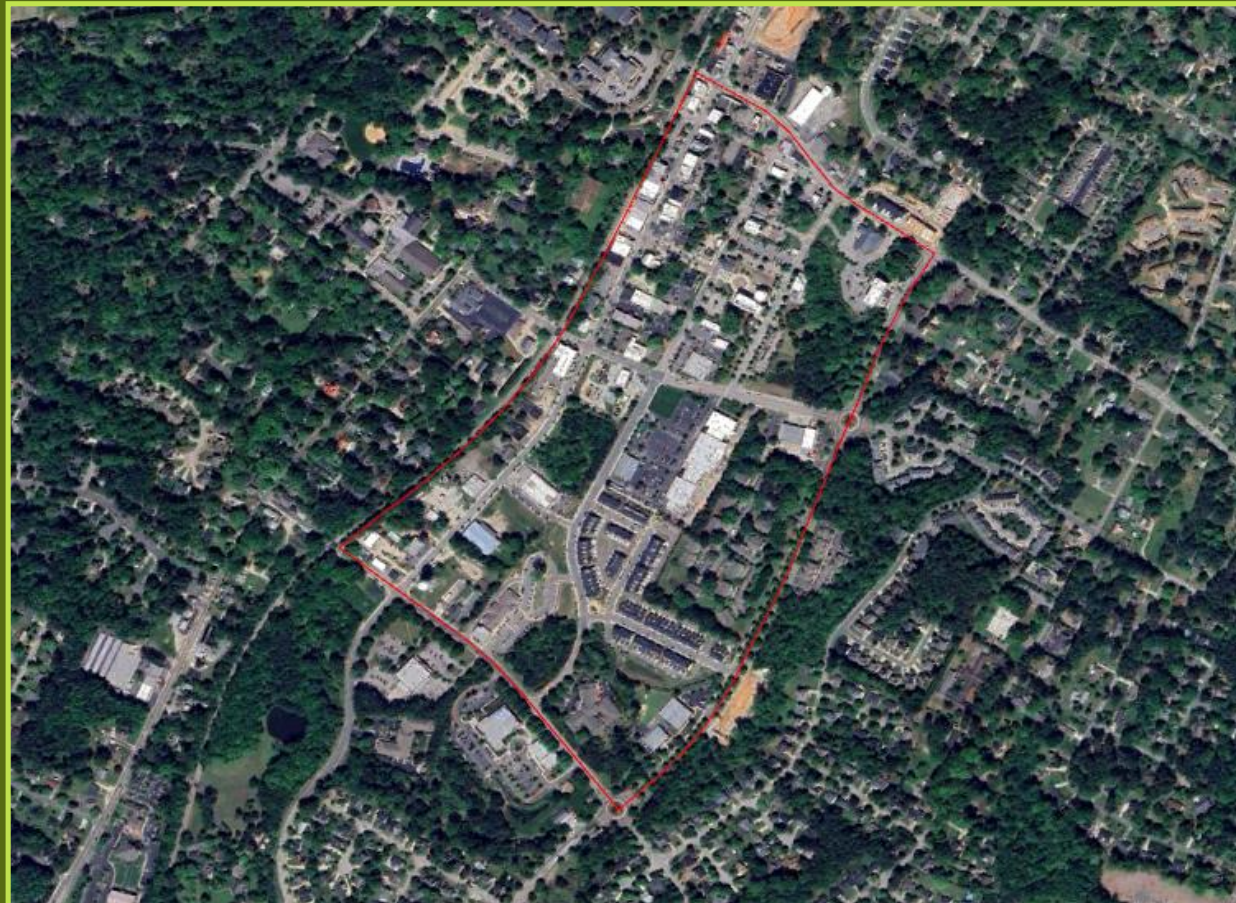
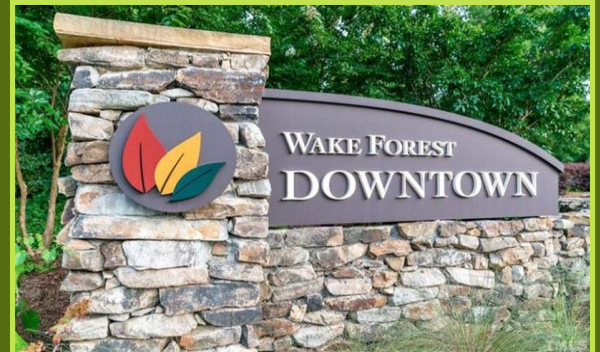
§ 160A-544. Exclusion of personal property of public service corporations.

There shall be excluded from any service district and the provisions of this Article shall not apply to the personal property of any public service corporation as defined in G.S. 160A-243(c); provided that this section shall not apply to any service district in existence on January 1, 1977. (1977, c. 775, s. 4.)

§§ 160A-545 through 160A-549. Reserved for future codification purposes.



TOWN of
WAKE FOREST



WAKE FOREST, NC MSD PROJECTIONS AND CASE STUDIES

TOWN OF WAKE FOREST
SEPTEMBER 2023

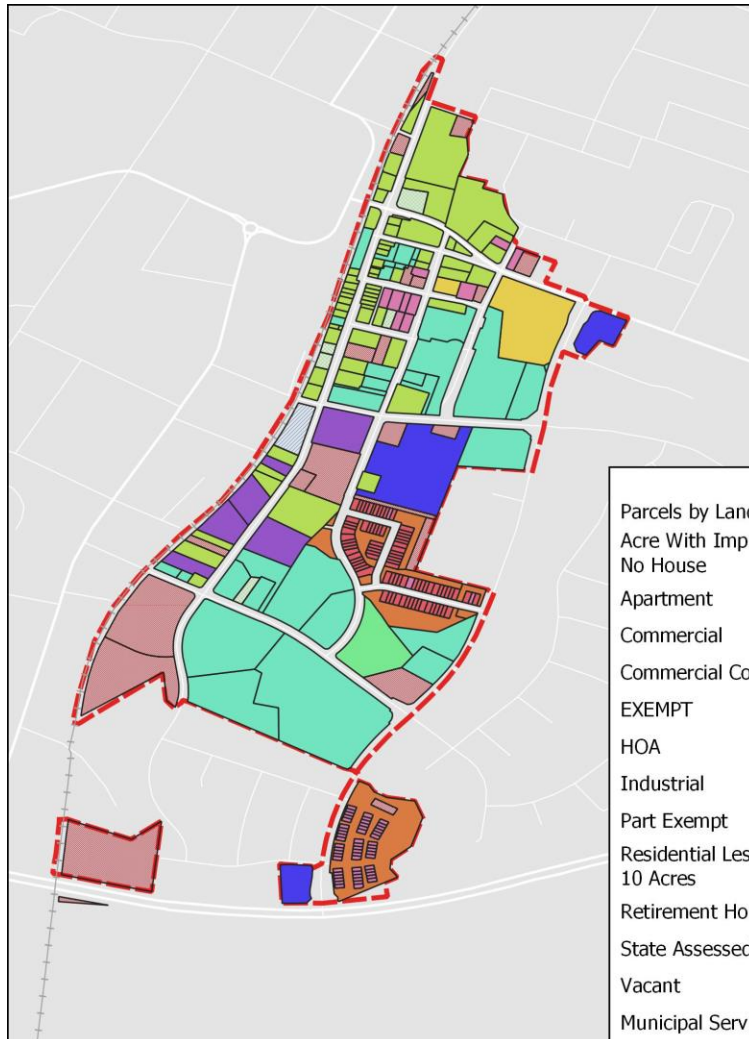
www.NoellConsulting.com

CONTACT | 404.681.0006

TOWN OF WAKE FOREST - DOWNTOWN MASTER PLAN

MSD PROJECTIONS AND CASE STUDIES

Exhibit 1
Municipal Service District Snapshot



Parcels by Land Use Code

Acre With Improvement, No House	Light Green
Apartment	Light Blue
Commercial	Yellow
Commercial Condos	Dark Blue
EXEMPT	Light Green
HOA	Orange
Industrial	Purple
Part Exempt	Red
Residential Less Than 10 Acres	Pink
Retirement Home	Light Green
State Assessed	Yellow
Vacant	Light Green
Municipal Service District	Red Dashed Line

The Wake Forest Municipal Service District (MSD) is a special taxation district covering Downtown Wake Forest, including the Study Area. Real and personal property within the MSD is assessed additional property taxes, with the revenue from this additional tax funding additional municipal spending within the MSD.

The MSD currently covers 329 real properties within the MSD with a combined Assessed Value of \$147 million as of 2023. At the current 0.14% tax rate, these properties generate \$124,254 in MSD taxes according to the 2023 Wake County property tax digest. Commercial property types make up half of the property tax base, with owner occupied housing making up 37%. At present, there are only two rental housing properties within the MSD, contributing only 8% of the tax base. (Note: "Part Exempt" land uses represent a recent townhome development utilizing a brownfield remediation tax incentive by the original developer.)

Exempt land use categories make up almost 40% of the MSD acreage. These properties include Town Hall and public parks, as well as town-owned properties slated for redevelopment (e.g. the Suntrust bank site). It also includes properties that fit other exempt categories, such as Masonic property, educational facilities, and religious property.

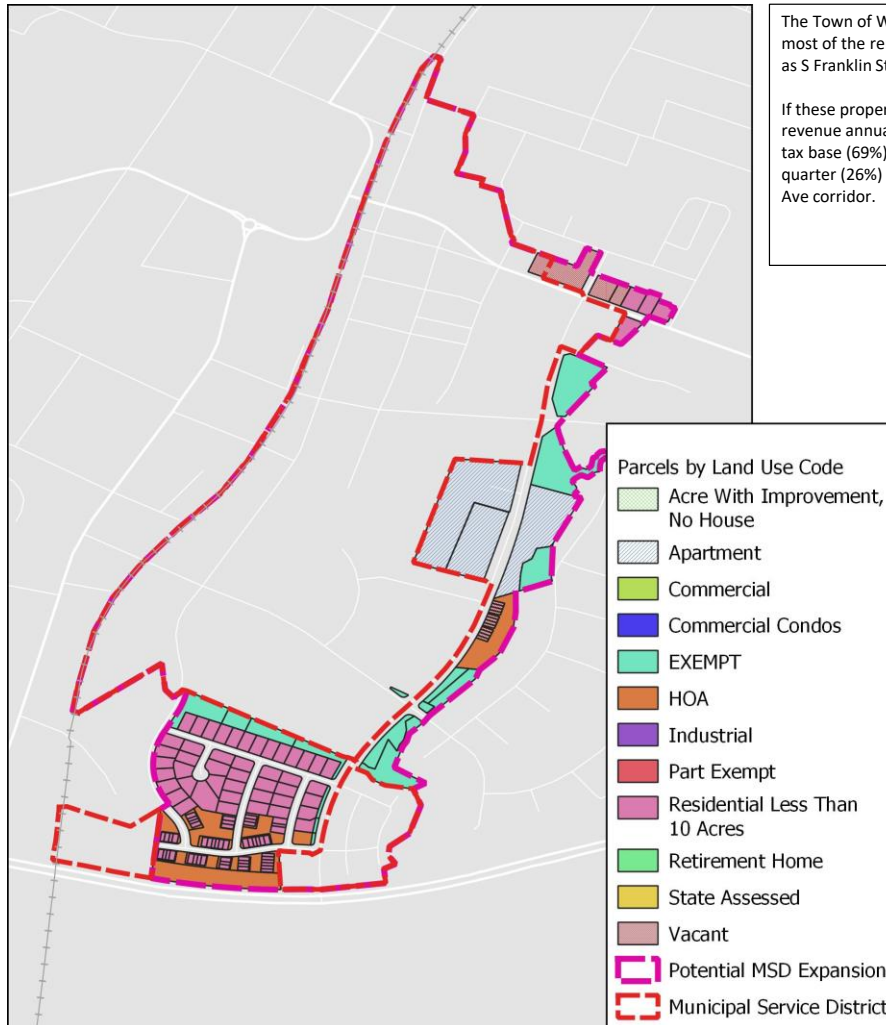
Land Use Type/County Land Use Category	Parcels	Assessed Value	Acres	MSD Tax Revenue (2023)	MSD Tax (Share)
Commercial	110	\$44,794,075	37.55	\$62,570	50%
Acre With Improvement, No House	5	\$563,984	1.33	\$790	1%
Commercial	63	\$34,285,318	21.15	\$47,860	39%
Condo Complex	36	\$6,894,571	8.29	\$9,652	8%
Industrial	6	\$3,050,202	6.78	\$4,269	3%
Rental Housing	2	\$7,058,920	3.98	\$9,882	8%
Apartment	1	\$4,160,521	1.09	\$5,825	5%
Retirement Home	1	\$2,898,399	2.89	\$4,058	3%
For Sale Housing	161	\$39,842,091	16.82	\$46,097	37%
HOA	11	\$0	9.04	\$0	0%
Residential Less Than 10 Acres	68	\$16,024,697	3.70	\$20,963	17%
Part Exempt	82	\$23,817,394	4.08	\$25,135	20%
Land	21	\$3,690,130	21.22	\$5,166	4%
Vacant	21	\$3,690,130	21.22	\$5,166	4%
Exempt	35	\$51,396,769	49.96	\$538	0%
Exempt	33	\$44,895,947	44.86	\$538	0%
State Assessed	2	\$6,500,822	5.10	\$0	0%
Grand Total	329	\$146,781,985	129.53	\$124,254	100%

*Includes real property only, taxable personal property unavailable.

SOURCE: Noell Consulting Group

TOWN OF WAKE FOREST - DOWNTOWN MASTER PLAN MSD PROJECTIONS AND CASE STUDIES

Exhibit 2 Municipal Service - Potential Expansion Profile



The Town of Wake Forest has considered expanding the MSD to include the parcels shown at left, which make up most of the remaining commercial and historical Downtown core as far south as Dr. Calvin Jones Hwy and as far east as S Franklin Street. These 147 parcels have a combined Assessed Value as of 2023 of \$31 million.

If these properties were taxed at the current MSD tax rate (0.14%), they would generate an additional \$41,519 in revenue annually. This amount would represent a 33% increase in the current MSD tax base. The majority of this tax base (69%) consists of the owner-occupied residential district south of Kiwanis Park Greenway. Roughly a quarter (26%) of this potential tax base is along the S. Franklin St. Corridor, and the remaining 5% is along the Wait Ave corridor.

Land Use Type/County Land Use Category	Parcels	Assessed Value	Acres	Potential MSD Tax Revenue (2023)	MSD Tax (Share)
Rental Housing	3	\$7,032,751	11.41	\$9,846	24%
Apartment	3	\$7,032,751	11.41	\$9,846	24%
For Sale Housing	115	\$21,114,132	23.85	\$29,560	71%
HOA	16	\$1	9.08	\$0	0%
Residential Less Than 10 Acres	99	\$21,114,131	14.77	\$29,560	71%
Land	15	\$1,509,800	2.68	\$2,114	5%
Vacant	15	\$1,509,800	2.68	\$2,114	5%
Exempt	14	\$1,072,130	11	\$0	0%
Exempt	14	\$1,072,130	11.00	\$0	0%
Total	147	\$30,728,813	48.94	\$41,519	100%

Geography	Parcels	Assessed Value	Acres	(2023)	(Share)
South Residential Core	110	\$20,444,600	20.77	\$28,622	69%
S. Franklin Corridor	16	\$7,716,750	13.55	\$10,803	26%
Wait Ave Corridor	7	\$1,495,330	3.62	\$2,093	5%
Exempt	14	\$1,072,133	11	\$0	0%

SOURCE: Noell Consulting Group

TOWN OF WAKE FOREST - DOWNTOWN MASTER PLAN MSD PROJECTIONS AND CASE STUDIES

Exhibit 3 Municipal Service District Base Case Projections

Wake County assesses real property every four years, with the last reassessment occurring in 2020. Noell Consulting Group (NCG) has estimated a base-case for MSD taxable value and tax revenue assuming the current MSD tax rate (0.14%) for the upcoming 2024 and 2028 county appraisals.

We have projected 2024 and 2028 assessed values based on the projected growth rates in the Raleigh metro area utilizing Costar's projected price/SF and price/unit for commercial and rental housing types, and a House Price Index published by the Federal Housing Finance Agency for the Wake Forest ZIP code and the Raleigh metro.

This base case does not assume any change in MSD boundaries, land use, or new development, only price appreciation of existing real properties.

Raleigh Metro Property Values	2020 Value	2024 Proj. Value	2028 Proj. Value	2020-2024 Annual Rate	2024-2028 Annual Rate
Office Price/SF (Costar)	\$218	\$191	\$197	-3.3%	0.8%
Retail Price/SF (Costar)	\$202	\$221	\$260	2.2%	4.2%
Industrial Price/SF (Costar)	\$97	\$127	\$165	6.8%	6.8%
Multifamily Rental Price/Unit (Costar)	\$197,642	\$223,876	\$302,086	3.2%	7.8%
For Sale Housing Price Index (FHFA)	226.45	308.08	374.48	8.0%	5.0%

* NCG has utilized Costar's historical 2020-2023 metro Raleigh sale values for office, retail, industrial, and multifamily properties, and the Federal Home Finance Agency's Housing Price Index for For Sale property values. We have utilized Costar's projected 2024 and 2028 values and NCG's projections of for sale price appreciation.

Land Use Type/County Land Use Category	Assessed Value (2020)	2020 to 2024			2024 to 2028		
		MSD Tax Revenue (2023)	Ann. Growth Rate	Projected Assessed Value (2024)	Projected MSD Tax Revenue (2024)	Ann. Growth Rate	Projected Assessed Value (2028)
Commercial	\$44,794,075	\$62,570		\$47,823,912	\$66,953		\$55,977,082
Acre With Improvement, No House	\$563,984	\$790	2.0%	\$610,474	\$855	4.0%	\$714,169
Commercial	\$34,285,318	\$47,860	2.0%	\$37,111,531	\$51,956	4.0%	\$43,415,242
Condo Complex	\$6,894,571	\$9,652	-3.0%	\$6,103,714	\$8,545	2.0%	\$6,606,856
Industrial	\$3,050,202	\$4,269	7.0%	\$3,998,193	\$5,597	7.0%	\$5,240,815
Rental Housing	\$7,058,920	\$9,882		\$7,944,877	\$11,123		\$10,808,917
Apartment	\$4,160,521	\$5,825	3.0%	\$4,682,703	\$6,556	8.0%	\$6,370,766
Retirement Home	\$2,898,399	\$4,058	3.0%	\$3,262,174	\$4,567	8.0%	\$4,438,151
For Sale Housing	\$39,842,091	\$46,097		\$54,204,725	\$62,715		\$65,886,182
HOA	\$0	\$0		\$0	\$0		\$0
Residential Less Than 10 Acres	\$16,024,697	\$20,963	8.0%	\$21,801,423	\$28,519	5.0%	\$26,499,766
Part Exempt	\$23,817,394	\$25,135	8.0%	\$32,403,302	\$34,195	5.0%	\$39,386,416
Land	\$3,690,130	\$5,166		\$3,994,315	\$5,592		\$4,672,784
Vacant	\$3,690,130	\$5,166	2.0%	\$3,994,315	\$5,592	4.0%	\$4,672,784
Exempt	\$51,396,769	\$538		\$55,633,516	\$0		\$65,083,345
Exempt	\$44,895,947	\$538	2.0%	\$48,596,817	\$0	4.0%	\$56,851,402
State Assessed	\$6,500,822	\$0	2.0%	\$7,036,699	\$0	4.0%	\$8,231,942
Grand Total	\$146,781,985	\$124,254	3.7%	\$169,601,345	\$146,383	4.5%	\$202,428,310

SOURCE: Noell Consulting Group

TOWN OF WAKE FOREST - DOWNTOWN MASTER PLAN

MSD PROJECTIONS AND CASE STUDIES

Exhibit 4 Municipal Service District Expansion and Millage Rate

NCG evaluated the potential current MSD revenue and projected revenues in 2024 and 2028 for the proposed expansion area using the same methodology and price appreciation rates as for our analysis of the existing MSD. The proposed expansion area could generate \$41,519 at current assessed values and up to \$66,635 in 2028. The majority of this revenue would come from residential owners, especially given the strong home value appreciation from 2020 to 2024. We project strong growth from 2024 to 2028 for rental housing, as well.

Land Use Type/County Land Use Category	Assessed Value (2020)	MSD Tax Revenue (2023)	2020 to 2024 Ann. Growth Rate	Projected Assessed Value (2024)	Projected MSD Tax Revenue (2024)	2024 to 2028 Ann. Growth Rate	Projected Assessed Value (2028)	Projected MSD Tax Revenue (2028)
Rental Housing	\$7,032,751	\$9,846		\$7,915,423	\$11,082		\$10,768,846	\$15,076
Apartment	\$7,032,751	\$9,846	3.0%	\$7,915,423	\$11,082	8.0%	\$10,768,846	\$15,076
For Sale Housing	\$21,114,132	\$29,560		\$28,725,543	\$40,216		\$34,916,077	\$48,883
HOA	\$1	\$0		\$1	\$0		\$1	\$0
Residential Less Than 10 Acres	\$21,114,131	\$29,560	8.0%	\$28,725,542	\$40,216	5.0%	\$34,916,076	\$48,883
Land	\$1,509,800	\$2,114		\$1,634,256	\$2,288		\$1,911,848	\$2,677
Vacant	\$1,509,800	\$2,114	2.0%	\$1,634,256	\$2,288	4.0%	\$1,911,848	\$2,677
Exempt	\$1,072,130	\$0		\$1,160,508	\$0		\$1,357,630	\$0
Exempt	\$1,072,130	\$0	2.0%	\$1,160,508	\$0	4.0%	\$1,357,630	\$0
Grand Total	\$30,728,813	\$41,519	6.4%	\$39,435,730	\$53,585	5.6%	\$48,954,402	\$66,635

Current MSD Taxable Value \$95,385,216 \$113,967,829 \$137,344,965

Tax Rate	MSD Revenue (2023)	MSD Revenue (2024)	MSD Revenue (2028)
Revenue-neutral Rate		0.12%	0.10%
0.14%	\$124,254	\$146,383	\$176,273
0.15%	\$133,793	\$157,780	\$190,007
0.16%	\$143,331	\$169,177	\$203,742
Revenue per .01%	\$9,539	\$11,397	\$13,734

Incremental Revenue with Expansion			
0.14%	\$41,519	\$53,585	\$66,635
0.15%	\$44,485	\$57,413	\$71,395
0.16%	\$47,451	\$61,240	\$76,155
Revenue per .01%	\$2,966	\$3,828	\$4,760

Combined MSD Revenue

Tax Rate	MSD Revenue (2023)	MSD Revenue (2024)	MSD Revenue (2028)
0.14%	\$165,774	\$199,969	\$242,908
0.15%	\$178,278	\$215,193	\$261,402
0.16%	\$190,782	\$230,417	\$279,897
Revenue per .01%	\$12,504	\$15,224	\$18,494

At left NCG has evaluated the potential MSD revenue for both the existing MSD and the proposed expansion area for the current millage rate (0.14%), a revenue-neutral rate for our projected 2024 and 2028 values, and for incremental increases in the millage rate for 2024 and 2028 valuations.

The MSD could increase its tax revenues by slightly almost 8% for each year by increasing its millage rate 0.01%. This translates into \$9,539 additional revenue today and up to \$13,734 by 2028. This \$13,734 amount is the value of a 0.01% tax increase based on to our estimation of the 2028 property value, not the current value or MSD revenue.

The expansion area is much smaller, and a 0.01% increase in for that geography would raise between a little under \$2,966 in 2023 and and \$4,760 in 2028. The revenue-neutral rate from the current MSD would drop to 12% in 2024 and 10% in 2028.

If the town increased the MSD millage rate and also expanded, it could increase MSD revenue by 10%, or between \$12,500 and \$18,500 between now and 2028.

The value of the a 0.01% millage rate increase is roughly half of what NCG projects the MSD revenue to increase each re-evaluation period. Given that the millage rate is already among the higher MSD rates we have examined, we do not recommend an increase in the millage rate today. However, if future appraised value comes in lower than anticipated then a future millage rate increase could be a helpful way to supplement revenue to make debt service payments or meet other obligations.

SOURCE: Noell Consulting Group

TOWN OF WAKE FOREST - DOWNTOWN MASTER PLAN

MSD PROJECTIONS AND CASE STUDIES

Exhibit 5

Summary of MSD Case Studies and Best Practices

NCG examined three Municipal Service Districts in North Carolina to identify successful strategies MSDs have used to improve small downtown commercial cores. We examined New Bern, where officials have focused on physical improvements; Cary, where the MSD focuses on development incentives; and Wilmington, which focuses on providing services. None of these MSDs have a tax rate as high as Wake Forest's \$0.14 per \$100 (although New Bern is close). New Bern and Cary have comparably sized MSDs, while Wilmington's MSD is considerably larger.

City	Size	Tax Rate	Revenue	Summary of MSD Activities
New Bern	243 parcels 83 acres	\$0.1375 per \$100	\$195,000	Primarily focused on physical improvements to the MSD area, such as streetscaping, lighting, parking lots, and public parks.
Key Lessons: New Bern is a good example of how an MSD can be used to help create a strong sense of place and activate retail uses. The city's funding of Bear Plaza created additional retail frontage for commercial use. Summary of MSD Strategy: Use MSD funds on <u>physical infrastructure</u> to improve the district and increase demand for Downtown use (e.g. increase rents, make development more feasible).				

City	Size	Tax Rate	Revenue	Summary of MSD Activities
Cary	224 parcels 121 acres	None	None	Payment of private 3rd party development fees to incentivize development, and financing of physical infrastructure (e.g. parking garages) to help reduce cost of private development.
Key Lessons: Cary has explored ways to use the MSD structure to finance private development. This use has been somewhat controversial as it seemingly runs counter to the intent of NC MSD law, but Cary believes they have found a mechanism that is legal. Summary of MSD Strategy: Use MSD structure to <u>incentivize private development</u>, either by reducing costs/fees paid by developers or by helping to finance parking garages/physical costs of development. This is more of a supply-side approach to Downtown economic development.				

City	Size	Tax Rate	Revenue	Summary of MSD Activities
Wilmington	70 blocks	\$0.07 per \$100	\$445,000	Provision of Ambassador program and other services like street cleaning, graffiti clean up, and social service referrals. Some façade improvements.
Key Lessons: Wilmington has focused on services rather than physical infrastructure or development finance. The city attributes these services with an increase in leased commercial space and higher rent levels. Summary of MSD Strategy: Use MSD structure to improve the <u>downtown experience</u> by creating a safer, cleaner, and more attractive district. Similar to the physical infrastructure example above, this strategy should increase demand for downtown real estate use.				

SOURCE: Noell Consulting Group

TOWN OF WAKE FOREST - DOWNTOWN MASTER PLAN

MSD PROJECTIONS AND CASE STUDIES

Exhibit 6

Case Study - New Bern, NC



New Bern, North Carolina

Population (2022): 31,539
Current MSD Tax Rate: \$0.1375 per \$100 in value
Annual Revenue: Average of \$195,000 annually, with \$1.6 Million in reserves available for project use.
MSD Funding Base: Approximately 30% residential and 70% commercial property.
MSD Funded Projects:

- 12 blocks of major streetscape improvements
- New streetlights
- Landscaping
- Street furniture
- Multiple parking lots
- Two mid-block pedestrian parks
- Creation of New Bern Masterplan and district design guidelines

Key Lessons Learned

- New Bern has successfully **funded Downtown revitalization projects** like streetscaping, lighting, and facade grants through its MSD which has allowed for infrastructure to support new development in response to Downtown improvements.
- In 2007, New Bern discussed including all properties, residential, commercial, and vacant land since the **value of all property within the MSD had increased substantially, many by 700%-900%**, since its creation in 1986.

SOURCE: Noell Consulting Group

TOWN OF WAKE FOREST - DOWNTOWN MASTER PLAN

MSD PROJECTIONS AND CASE STUDIES

Exhibit 7

Case Study - Cary, NC



SOURCE: Noell Consulting Group, Commute times based on typical 8am departure, Chatham Street Commercial, Town of Cary

TOWN OF WAKE FOREST - DOWNTOWN MASTER PLAN MSD PROJECTIONS AND CASE STUDIES

Exhibit 8

MSD Case Study: Wilmington

Wilmington, NC voted to adopt a Municipal Services District in 2016. This ordinance went into effect as of July 1, 2017. The Wilmington MSD consists of an approximately 70 block area fronting the Cape Fear River, pictured below. Property owners within the MSD boundaries pay an **additional tax of 7 cents for every \$100 of property valuation, annually** (millage rate of .7), leading to estimated additional revenue of over \$375,000 per year, reaching as high as \$445,000 in 2021.



These additional funds provide services in the MSD, including:

- Ambassadors for additional safety and security
- Supplemental cleaning
- Amenities for enhanced beautification
- Enhanced economic development
- Targeted marketing and branding

These services have manifested in several ways such as the Ambassador Program, where multiple downtown ambassadors handle myriad tasks from graffiti removal, safety escorts, light outage reporting, and connecting the unhoused population to relevant services. Facade improvement grants, where applicants could receive up to a \$2,500 match for repair and beautification of their building facades, or a similar landscaping grant, providing up to a matched \$1,500.



While some MSDs focus on placemaking, Downtown Wilmington has focused on providing services. For example, in the 2019-2020 fiscal year alone, the MSD helped more than 100 people through the vehicle escort safety program, pressure washed over 3 linear miles of downtown walkways, picked up more than 7 tons of trash, removed more than 310 incidents of graffiti and nearly 600 stickers from city property, generated more than 170 referrals to social service agencies, and worked with the Wilmington Police Department to resolve 19 emergencies. Additionally, the ambassadors program dedicated about 13,000 hours to downtown in the fiscal year. While it can be hard to measure the quantitative impact of beautification or other community enhancement programs, in the five year period (2018-2022) following the adoption of the Wilmington MSD it experienced:

A 1.8% annualized increase in total retail SF relative to -0.02% in the previous 5 year period. Average retail vacancy of 1.3% relative to 4.2% previously. NNN direct retail rent growth of 12.9% relative to 10.2% over the previous 5 year period.

Additionally, office vacancy dropped to an annualized 3.8% relative to the previous 8.4%, though office direct rents increased relatively slower than previously (1.3% vs. 4.6%) driven largely by the COVID 19 pandemic and related office market effects.

Rent growth increased at a rate of 3.1% in the 5 year period following the MSD adoption versus 1.8% prior, while rental unit inventory increased significantly with an additional 638 units, while only 392 units had been added in the years prior. Annualized 5-year absorption additionally increased to 85 units per year from a much lower 26.

SOURCE: Noell Consulting Group, Google Earth

TOWN OF WAKE FOREST - DOWNTOWN MASTER PLAN

MSD PROJECTIONS AND CASE STUDIES

Exhibit 9

Barriers and Potential Solutions to Development At Scale

While Downtown Wake Forest is already appealing, the type of development and revitalization that could be brought to the area with a properly executed and operated MSD could be catalytic. However, the Downtown area faces some key barriers to realizing these opportunities. Presented below are some possible barriers and methods for their elimination in order to maximize the MSD's potential for success.

Legacy Land Owners: Many of the properties located in Downtown are historic, and have been privately owned by the same family, or even individual, for generations. These owners likely have an emotional attachment to their properties, or inflated expectations as to what the property is worth. At the same time, they likely have less financial and organizational capacity for the changes required to truly revitalize these underutilized buildings.

Solution: Consider exploring JV or ground-lease ownership agreements with property owners seeking to maintain longer-term upside, while still freeing up land for redevelopment. Alternately, consider exploring taxes or fees on underdeveloped property (e.g. vacant lots or surface parking) to increase holding costs and push more property into development. The town could also work with existing legacy businesses/owners on relocation - there may be property elsewhere in Wake Forest well-suited for lower-intensity uses while freeing up Downtown property for higher-intensity use. This may require incentives but simply helping identify space may be enough.



Fractured Parcel Ownership: Much of the Downtown area consists of small parcels with various owners. This may make it difficult, or expensive, to combine enough parcels to create truly catalytic change. Additionally, a large-scale regional or national developer will want enough land to achieve economies of scale in order to make new development (or redevelopment) economically feasible.

Solution: In addition to the Town's history assembling and acquiring land for redevelopment, the town could consider forming a public/private partnership with a Social Impact type real estate fund to assemble then sell land using private funds with below-market return expectations.

Parking Amount: In order to support increasingly dense development, a significant amount of parking is required. The amount of surface parking currently existing Downtown is likely not enough to support new or redeveloped land uses at a truly catalytic density. Parking construction cost, particularly for structured parking, is expensive, and often enough to preclude deals that would otherwise be feasible

Solution: In order to "unlock" certain sites Downtown for redevelopment and/or revitalization, the town should consider sharing the cost of decked parking, or even creating parking structures itself. Alternately, the town could explore how to more efficiently utilize existing parking, perhaps by requiring all parking be publicly accessible and paid. This would encourage businesses to share lots or to make lots available during their non-peak use times.



Lack of Regional Interconnectivity: Raleigh is overwhelmingly the employment and entertainment hub of the semi-local area, while Wake Forest is viewed as less of a destination. Because of this, new offices, apartments and retail in the area tend to be clustered around US-1/Capital Blvd. and Hwy 98.

Solution: While the planned S-line regional rail stop in Downtown could have a dramatic impact on local land use, parking needs, and the connectedness of Downtown Wake Forest, the most near-term challenge is the lack of direct vehicular access to Downtown from US-1/Capital Blvd. and S. Main Street.

SOURCE: Noell Consulting Group, Google Earth



BOARD OF COMMISSIONERS WORK SESSION AGENDA ITEM REPORT

Agenda Item No.: 2025-694-

Submitted by: Aileen J. Staples, Administration

Submitting Department: Administration

Meeting Date: January 6, 2026

Subject

Discussion of November Financial Summaries

Recommendation:

item Summary:

ATTACHMENTS:

- [Monthly Financial Report_summary.pdf](#)
- [November 30, 2025 Financial Summaries.pdf](#)

Agenda Item: Monthly Financial Report

Summary: Staff prepares monthly financial reports for each of the respective operating funds for which an annual budget is authorized by the Board of Commissioners. The reports are accompanied by highlights during respective month for each fund.

Attachments: Financial summaries

Town of Wake Forest

November 30, 2025

OVERALL HIGHLIGHTS:

- Ad valorem taxes represent over 50% of the general fund revenues – they are due September. Penalties and interest do not accrue until January 2026. Majority of this revenue source comes in towards the end of December and before January 6.
- Net increase YTD (increase in fund balance) is \$6.9 million
 - Increased collections in current year ad valorem taxes - \$23.4 million for the month
- Guidelines for spending is 42%. Total year-to-date expenditures are at 43.5% of appropriations (including encumbrances). Departments that exceed threshold are attributed to blanket purchase orders issued in July/August and other expenditures paid early in the fiscal year (i.e. workers compensation, property and liability insurance in Risk Management).
- Encumbrances (purchase orders from FY 25, but items not received) have been carried forward and are reflected in the summaries. Respective budgets have been amended.
- Purchase for resale – power for November (\$954,492) is paid in December and not reflected in the attached. Rate adjustment went into effect September 1 – 3% increase in residential energy charge.
- American Rescue Plan Act (ARPA) is a “life to date” (LTD) fund and everything reported is cumulative from the beginning – July 2021.

GENERAL FUND
November 30, 2025

Monthly Target Percentage

42.00%

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
REVENUES						
Ad Valorem Taxes	\$ 51,065,310	\$ 32,722,375	-	\$ 18,342,935	64.08%	\$ 31,532,627
Other Taxes	72,500	27,619	-	44,881	38.09%	22,436
Unrestricted Intergovernmental	20,816,945	3,143,283	-	17,673,662	15.10%	3,133,382
Restricted Governmental	3,403,535	1,565,094	-	1,838,441	45.98%	1,050,087
Permits and Fees	2,615,000	1,014,334	-	1,600,666	38.79%	1,065,568
Other Revenue	3,234,635	970,148	-	2,264,488	29.99%	678,878
Sales and Services	5,898,535	1,634,088	-	4,264,447	27.70%	1,469,283
Investment Earnings	985,500	303,683	-	681,817	30.82%	530,099
Other Financing Sources	7,413,359	-	-	7,413,359	0.00%	-
General Fund Total	\$ 95,505,319	41,380,623	-	54,124,696	43.33%	\$ 39,482,360

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
EXPENDITURES						
410 Board of Commissioners	\$ 409,250	\$ 100,608	\$ -	\$ 308,642	24.58%	\$ 228,470
412 Legal Services	489,630	177,214	-	312,416	36.19%	107,787
420 Town Manager's Office	1,069,335	412,780	23,419	633,136	40.79%	400,869
421 Town Clerk	299,600	108,877	-	190,724	36.34%	102,127
422 Organizational Performance	745,350	271,905	8,000	465,445	37.55%	216,089
423 Budget Management	507,600	202,772	-	304,828	39.95%	127,277
425 Communications	1,450,765	576,025	84,364	790,377	45.52%	488,223
430 Human Resources	1,291,105	522,482	7,967	760,655	41.08%	504,511
431 Risk Management	1,205,650	1,100,937	-	104,713	91.31%	421,507
435 Downtown Development	587,200	229,576	-	357,624	39.10%	199,637
440 Financial Services	1,674,505	729,979	2,798	941,728	43.76%	648,318
445 Information Technology	2,381,430	1,092,344	208,566	1,080,519	54.63%	1,266,806
480 Inspections	2,367,660	895,547	92,849	1,379,265	41.75%	843,973
490 Planning	5,573,396	1,380,897	1,559,562	2,632,937	52.76%	1,254,452
500 Public Facilities	3,495,450	1,119,671	1,170,024	1,205,755	65.51%	1,330,214
510 Police	19,396,634	7,000,231	1,219,937	11,176,466	42.38%	6,941,156
520 Fire	14,267,530	5,731,333	981,823	7,554,374	47.05%	5,480,502
530 Public Works Administration	329,535	122,627	-	206,908	37.21%	113,785
535 Urban Forestry	745,495	249,223	-	496,272	33.43%	176,443
540 Engineering	2,297,981	927,330	118,054	1,252,597	45.49%	628,776
550 Fleet Maintenance	727,290	246,752	11,233	469,305	35.47%	245,607
560 Streets	5,089,139	1,149,290	1,013,291	2,926,558	42.49%	1,292,713
580 Solid Waste	6,923,154	1,882,885	255,985	4,784,284	30.89%	2,047,209
620 Parks and Recreation	6,940,425	2,394,156	400,495	4,145,774	40.27%	2,157,957
630 Center for Active Aging	761,905	209,855	7,000	545,050	28.46%	-
999 Transfers	14,478,305	5,548,044	-	8,930,261	38.32%	5,472,385
General Fund Total	\$ 95,505,319	34,383,340	7,165,365	53,956,613	43.50%	\$ 32,696,791

General Fund - Net Gain (Loss)

\$ 6,997,283

\$ 6,785,569

Debt Service Fund
November 30, 2025

Monthly Target Percentage

42.00%

Department	Amended Budget	YTD Actual	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
REVENUES					
Restricted Governmental	\$ 1,805,715	908,536	897,179	50.31%	859,892
Permits and Fees	637,500	224,218	413,283	35.17%	288,214
Investment Earnings	106,350	56,608	49,742	53.23%	45,183
Other Financing Sources	8,854,850	3,662,438	5,192,413	41.36%	3,729,506
General Fund Total	\$ 11,404,415	4,851,799	6,552,616	42.54%	\$ 4,922,796

Department	Amended Budget	YTD Actual	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
EXPENDITURES					
440 Financial Services	\$ 12,820	\$ 768	\$ 12,052	5.99%	\$ 1,536
445 Information Technology	615,455	188,259	427,196	30.59%	320,882
480 Building Inspections	13,530	6,762	6,768	49.97%	6,762
490 Planning	396,910	249,859	147,051	62.95%	6,762
500 Public Facilities	1,103,515	195,065	908,450	17.68%	194,975
510 Police	425,790	199,592	226,198	46.88%	378,606
520 Fire	1,199,465	134,543	1,064,922	11.22%	134,543
535 Urban Forestry	-	-	-	0.00%	4,273
540 Engineering	9,310	4,654	4,656	49.99%	4,654
550 Fleet Maintenance	12,050	-	12,050	0.00%	4,273
560 Streets	1,733,785	267,001	1,466,784	15.40%	228,193
570 Powell Bill	2,823,460	1,111,021	1,712,439	39.35%	570,776
580 Solid Waste	255,875	64,711	191,164	25.29%	91,070
620 Parks and Recreation	2,802,450	1,096,611	1,705,839	39.13%	183,992
General Fund Total	\$ 11,404,415	3,518,846	7,885,569	30.86%	\$ 2,131,296

Debt Service Fund - Net Gain (Loss)

\$ 1,332,953

\$ 2,791,499

DMSD Special Revenue Fund
November 30, 2025

Monthly Target Percentage

42.00%

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
REVENUES						
Ad Valorem Taxes	\$ 209,200	\$ 112,856	-	\$ 96,344	53.95%	\$ 110,129
Investment Earnings	12,500	6,404	-	6,096	51.23%	8,619
Other Financing Sources	-	-	-	-	0.00%	-
DMSD Special Revenue Fund Total	\$ 221,700	119,260	-	102,440	53.79%	\$ 118,747

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
EXPENDITURES						
Transfers In (Out)	\$ 221,700	\$ -	\$ -	\$ 221,700	0.00%	\$ -
DMSD Special Revenue Fund Total	\$ 221,700	-	-	221,700	0.00%	\$ -

Downtown District - Net Gain (Loss)

119,260

118,747

Wake Forest Renaissance Centre
November 30, 2025

Monthly Target Percentage

42.00%

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
REVENUES						
Sales and Services	\$ 322,700	\$ 37,746	\$ -	\$ 284,954	11.70%	\$ 43,378
Other Revenue	184,825	65,886	-	118,939	35.65%	71,102
Other Financing Sources	996,625	386,094	-	610,531	38.74%	332,313
WFRC Fund Total	\$ 1,504,150	489,725	-	1,014,425	32.56%	\$ 446,792

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
EXPENDITURES						
626 Wake Forest Renaissance Centre	\$ 1,504,150	\$ 581,824	\$ 113,828	\$ 808,498	46.25%	\$ 563,375
WFRC Fund Total	\$ 1,504,150	581,824	113,828	808,498	46.25%	\$ 563,375

WFRC Fund - Net Gain (Loss) **\$ (92,099)** **\$ (116,583)**

Wake Forest Business and Industry Partnership Fund (BIP)
November 30, 2025

Monthly Target Percentage

42.00%

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
REVENUES						
Sales and Services	\$ -	\$ -	\$ -	\$ -	0.00%	\$ -
Other Revenue	15,500	4,708	-	10,792	30.38%	7,433
Other Financing Sources	567,355	236,606	-	330,749	41.70%	207,500
WFRC Fund Total	\$ 582,855	241,314	-	341,541	41.40%	\$ 214,933

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
EXPENDITURES						
415 Economic Development	\$ 582,855	\$ 196,354	\$ -	\$ 386,501	33.69%	\$ 184,965
WFRC Fund Total	\$ 582,855	196,354	-	386,501	33.69%	\$ 184,965

WFBIP Fund - Net Gain (Loss) **\$ 44,960** **\$ 29,968**

WAKE FOREST POWER (ELECTRIC FUND)
November 30, 2025

Monthly Target Percentage

42.00%

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
REVENUES						
Charges for Services	\$ 26,006,750	\$ 11,377,957	-	\$ 14,628,793	43.75%	\$ 11,120,537
Sales Tax - Utility	1,771,610	785,902	-	985,708	44.36%	773,835
Other Revenue	422,640	256,287	-	166,353	60.64%	400,292
Investment Earnings	40,000	33,455	-	6,545	83.64%	18,960
Electric Fund Total	\$ 28,241,000	12,453,601	-	15,787,399	44.10%	\$ 12,313,624

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
EXPENDITURES						
840 Electric - Billing & Collections	\$ 872,860	\$ 291,441	\$ -	\$ 581,419	33.39%	\$ 339,170
850 Electric - Operations	\$ 26,837,655	9,510,718	793,859	16,533,078	38.40%	11,731,531
860 Electric - Tree Trimming	530,485	151,919	97,236	281,331	46.97%	139,362
Electric Fund Total	\$ 28,241,000	9,954,077	891,094	17,395,828	38.40%	\$ 12,210,064

Electric Fund - Net Gain (Loss)

2,499,524

103,559

STORMWATER UTILITY FUND
November 30, 2025

Monthly Target Percentage

42.00%

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
REVENUES						
Charges for Services	\$ 3,610,510	\$ 2,745,848	-	\$ 864,662	76.05%	\$ 1,945,458
Investment Earnings	25,000	10,376	-	14,624	41.50%	-
Other Financing Sources	-	-	-	-	0.00%	-
Stormwater Utility Fund	\$ 3,635,510	2,756,223	-	879,287	75.81%	\$ 1,945,458

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
EXPENDITURES						
545 - Stormwater Management	\$ 3,635,510	\$ 431,014	\$ 993,146	\$ 2,211,351	39.17%	\$ 170,765
Stormwater Utility Fund	\$ 3,635,510	431,014	993,146	2,211,351	39.17%	\$ 170,765

Stormwater Utility Fund - Net Gain/(Loss)

2,325,209

1,774,693

AMERICAN RESCUE PLAN ACT (ARPA)
11/30/2025 (Cumulative - Life to Date)

Monthly Target Percentage

N/A

							N/A
Department	Amended Budget	LTD Actual	Encumbrances	Remaining Budget	% Budget Used	PY YTD Actuals	
REVENUES							
Restricted Governmental	\$ 14,541,000	14,541,846	-	(846)	100.01%	-	
Investment Earnings	1,169,850	1,172,006	-	(2,156)	0.00%	-	
Other Financing Sources	-	-	-	-	0.00%	-	
General Fund Total	\$ 15,710,850	15,713,852	-	(3,002)	100.02%	\$ -	
Department	Amended Budget	LTD Actual	Encumbrances	Remaining Budget	% Budget Used	PY YTD Actuals	
EXPENDITURES							
445 Information Technology	\$ 825,000	\$ 803,732	\$ -	\$ 21,268	97.42%	\$ -	
525 Public Safety (ARPA)	3,220,840	1,566,831	1,654,000	9	100.00%	-	
540 Engineering	7,416,320	4,389,967	2,868,041	158,312	97.87%	-	
638 Other Improvements	4,248,690	4,032,332	215,703	655	99.98%	-	
General Fund Total	\$ 15,710,850	10,792,862	4,737,744	180,244	98.85%	\$ -	
ARPA Fund - Net Gain (Loss)		\$ 4,920,990					
						\$ -	



BOARD OF COMMISSIONERS WORK SESSION AGENDA ITEM REPORT

Agenda Item No.: 2025-698-
Submitted by: Evelyn Wright
Submitting Department:
Meeting Date: January 6, 2026

Subject

Draft Agenda for January 20, 2026

Recommendation:

item Summary:

ATTACHMENTS:

- [Draft Agenda January 202620](#)



**Wake Forest Board of Commissioners
Meeting Agenda
January 20, 2026 – at 6:00 PM
All items listed are for discussion and possible action.**

Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Town of Wake Forest will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. For individuals with impaired hearing, special equipment is available for use during meetings in the Town Hall board chambers. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of Wake Forest should contact the office of ADA Coordinator [Mickey Rochelle](#) at 919-435-9455 or Town Clerk [Evelyn Wright](#) at 919-435-9432 as soon as possible, but no later than 48 hours before the scheduled event.

Cable & Online Broadcast of Board of Commissioners Meetings

All Board of Commissioners meetings are broadcast live on [WFTV 10](#) beginning at 6 p.m. Meetings are also aired online on the [Public Meetings Portal](#) on the [Town of Wake Forest website](#). Archived meeting videos are also provided and available for one year after the original air date.

Meeting Agendas

The [Board of Commissioners](#) meeting agenda is available to be viewed and downloaded by noon on the Friday prior to the third Tuesday of each month. Citizens may request copies of the agenda or submit questions concerning agenda items by calling the Deputy Town Clerk's office at 919-435-9432. Citizens may also receive a copy of each month's agenda via email by enrolling in the free [E-Notifier](#) subscription service.

Public Hearings

When an agenda item is denoted as a [Public Hearing](#), persons attending shall be permitted to address the Board of Commissioners regarding the item under consideration with those speaking in favor first and those against speaking second. Proponents and opponents shall each be given three minutes of time to speak and may choose to allow one speaker to utilize the time. In the event either proponent(s) or opponent(s) have not designated a speaker to represent the view, each speaker will be allowed three minutes each to express his/her comments, ideas, concerns, expressions, and desires. Only comments on a Public Hearing will be allowed during this time.

Public Comment

During the Public Comment period, anyone wishing to address the Board of Commissioners concerning an issue or topic that is not a public hearing item or an agenda item should complete and submit the Board of Commissioner Public Comment Form on the [Town website](#). Then, during the Public Comment portion of the meeting, Mayor Jones will recognize you and invite you to the podium at which time you will have three minutes to speak. Thank you for your cooperation.

Call to Order

Pledge of Allegiance

1. Approval of Agenda

2. Approval of Minutes

3. Presentations

3.A JustServe Town Award Presentation

4. Public hearings / Public Comment

4.A Public Comment: If anyone would like to address the Board of Commissioners on an item other than a public hearing item during the time of public comment, please sign up with the Town Clerk prior to the meeting. Each speaker is asked to limit comments to 3 minutes. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on subject matter brought up during the Public Comment segment. Topics requiring further investigation will be referred to the appropriate Town Staff and may be scheduled for a future agenda. Thank you for your consideration of the Board of Commissioners, staff and other speakers.

5. Consent Agenda

(A Consent Agenda is a group of items passed with a single motion and vote. These matters are of a generally routine nature. No debate is allowable on any item included on the Consent Agenda. If a Commissioner or any citizen of Wake Forest or its ETJ wants separate consideration of any item, it may be removed from the Consent Agenda by request.)

5.A Approval of a resolution to schedule the public hearing and certify the sufficiency for a petition requesting contiguous annexation submitted by Bowman North Carolina Ltd. on behalf of property owner The Villas at Wake Forest Crossing LLC, located at 12737 Wake Union Church Road and 12739 Wake Union Church Road being Wake County PINs 1831869237 and 1831868329 being approximately 2.36 acres.

[01202026 Agenda Summary.pdf](#)

[Attachment A Legal Description AN-25-05.pdf](#)

[Attachment B Annexation Map AN-25-05.pdf](#)

[Attachment C Annexation Petition AN-25-05.pdf](#)

[CERTIFICATE OF SUFFICIENCY .docx](#)

[DRAFT PUBLIC HEARING RESOLUTION.docx](#)

6. Legislative Items

7. Planning Items

8. Administration and Financial Items

- 8.A Consideration of Approval of Resolution Authorizing the Filing of an Application for Approval of a Financing Agreement Authorized by North Carolina General Statute 160-20 (Construction of Fire Station 6)

9. Public Services Items

10.Parks and Recreation Items

11.Public Safety Items

12.Other Business

12.A Department Monthly Reports

12.B Election of a Mayor Pro-tem

12.C BOC Appointments 2026-2027

[Resolution2025-XX_2025-2026_BOC_Appointments_Jan202620.doc](#)

12.D Commissioners Report

13.Adjournment



BOARD OF COMMISSIONERS WORK SESSION AGENDA ITEM REPORT

Agenda Item No.: 2025-703-

Submitted by: Nathan McKinney, Administration

Submitting Department: Administration

Meeting Date: January 6, 2026

Subject

Resolution to Adopt Board Vacancy Appointment Process

Recommendation:

Motions and votes to: 1) Adopt, edit, or deny the General Process for Filling a Vacant Board Seat and its Exhibit A (see Agenda Attachment(s)). 2) Motion to approve total number of "finalists" who will participate in in-person interviews. 3) Motion to set and properly notice a special meeting on January 22,, 2026, for the purpose of conducting in-person interviews and either 1) setting a second round of interviews, or 2) proceeding to fill the board vacancy via the nomination and ballot method.

item Summary:

ATTACHMENTS:

- [BOC_Vacant_Seat_-_Resolution_and_Exhibit_01.06.2026.pdf](#)

Resolution 2026 –
Adoption of a General Process for Filling a Vacant Board Seat
and an Exhibit Particular to the Current Vacancy

WHEREAS, there is currently one vacant seat on the Town of Wake Forest Board of Commissioners; and

WHEREAS, pursuant to law, authority, and good town governance, the Board desires to fill said vacancy in a manner that is transparent, equitable, and resulting in the selection and appointment of a qualified individual to serve the Town of Wake Forest as a Board Commissioner; and

WHEREAS, there may arise other vacancies on the Board from time to time, and the Board also desires to fill said vacancies in a manner that is transparent, equitable, and resulting in the selection and appointment of a qualified individual to serve the Town of Wake Forest as a Board Commissioner; and

WHEREAS, the Board desires to fill the current vacancy by implementation and execution of the general process attached hereto.

NOW THEREFORE, BE IT RESOLVED that the governing body of the Town of Wake Forest, hereby adopts the following General Process for Filling a Vacant Board Seat (along with “Exhibit A” with regards to the current vacancy).

Adopted and effective this the 6th day of January, 2026.

Ben Clapsaddle, Mayor

Attest:

Approved as to form:

Evelyn Wright, Town Clerk

Nathan L. McKinney, Town Attorney

General Process for Filling a Vacant Board Seat

1. Application window. Applications for appointment shall be accepted by the Clerk during the application window, using the standard application form approved by the Board. The application window shall begin at 8:00am on a Town Hall business day and end at 5:00pm on a Town Hall business day. All applications are public records and all applicants are notified as such on the application form.
2. Eligibility screening. Upon receipt, Town staff will review applications for statutory and charter eligibility requirements, including age and residency within the Town of Wake Forest. Applications determined to be ineligible will not move forward in the process, and the fact and basis of ineligibility will be documented as a public record.
3. Distribution of eligible applications. All eligible applications will be compiled and distributed by the Clerk to each Commissioner after the close of the application window.
4. Ranking procedure (preliminary only). Each Commissioner will independently review all eligible applications and, on a standard ranking form provided by the Clerk, will identify and rank candidates in order to determine which candidates will qualify for an in-person interview.. Rankings will be completed and returned to the Clerk in writing for tabulation and will be public records. These rankings are an individual, preliminary evaluation method used solely to identify interviewees; they are not a vote, are not a straw poll, and do not bind any Commissioner's subsequent deliberations or votes.
5. Tabulation and selection of interviewees. The Clerk will total the points assigned by all Commissioners for each candidate and will provide a ranked list to the Board at a duly noticed meeting. The candidates with the highest total scores, up to a maximum of the number of in-person interview slots determined by the Board prior to any Board member's review of any applications (and including any candidates tied for the last position), will be invited to participate in in-person interviews as finalists. The use of rankings in this step is limited to the identification of interviewees. The ranking will otherwise not be relevant to subsequent decision-making.
6. Open-meeting requirements.
 - a. All Board discussions, interviews, and deliberations concerning the vacancy, including the tabulation review and selection of the appointee, shall occur in open session at a properly noticed regular or special meeting. No serial communications, polling, or closed sessions will be used to consider or decide among candidates.
 - b. If a Commissioner or the entire Board receives outside communications (regarding a candidate from the candidate or anyone else), the Commissioner or Board's consideration of such input is in their discretion. Electronic and other documented input regarding a candidate is public record (subject to

confidentiality of personal identifying information and other confidentiality protections within North Carolina law).

7. As required and permitted by Public Comment procedures and guidelines, Public Comment may be made regarding candidates during the Public Comment section of a Regular Session. More than two commenters for – or two commenters against – any particular candidate in a single session will be considered duplicative and will not be permitted.
8. Outside communications: the Board will not interview or communicate with applicants outside regular or special meetings of the Board. Regarding written communications such as emails, voice mails, and other communications from applicants or supporters: a commissioner may review information sent to that particular commissioner. The Board will not share or disseminate such information to other Board members. The Board will not discuss such information sent to them regarding candidates, with the exception of credible information that would indicate a candidate should be disqualified from consideration. Should such information arise, the Board may discuss the information and the disqualification by motion and majority vote.
9. Interviews. The Board will conduct in-person interviews of the finalists at a regular or special meeting on a date and time determined by the Board. Each finalist will be allotted the same amount of interview time, as set by the Board in advance, and will be asked substantially similar core questions to promote fairness. Reasonably related and applicable follow-up questions and requests for clarification may be asked by any Board member in their discretion.
10. Final appointment vote. After completion of interviews and any open-session discussion, the Board will proceed to appoint a candidate to fill the vacancy by majority vote of the remaining Commissioners in open session, consistent with applicable statutes and any other rules and procedures. The Board is not obligated to appoint the highest-ranked finalist and retains full discretion to appoint any eligible finalist.
11. Oath of office. The individual selected by majority vote will be administered the oath of office by the appropriate official at a subsequent meeting or at such other time as approved by the Board, and will thereupon assume the duties of office.
12. Exhibit A. The more detailed written procedures attached as “Exhibit A – Vacancy Appointment Procedure” are approved as an administrative guideline consistent with this motion, and may be updated administratively to reflect future appointment timelines, meeting dates, and similar logistics so long as the core steps in this motion remain in effect.

Exhibit A – Vacancy Appointment Procedure (Vacancy resulting from 2025 Elections)

Purpose and scope

This procedure implements the Board’s adopted process for filling the current vacancy on the Board. It is intended to provide a transparent, content-neutral framework for receiving and evaluating applications, identifying finalists, conducting interviews in open session, and enabling the Board to appoint a qualified applicant by majority vote while retaining full discretion at the final decision stage.

Application window and form

1. Applications for appointment will be accepted by the Town Clerk beginning at 8:00 a.m. on December 22, 2025 and ending at 4:00 p.m. on January 16, 2026. Said applications may be submitted online at any time, or in-person by delivery to Town Hall during its regular business hours.
2. Applications must be submitted on the Town’s standard board/committee application form (paper or online), as approved by the Board from time to time.
3. Completed applications will be date- and time-stamped by the Clerk and maintained as public records.

Eligibility screening

1. Upon receipt, the Clerk or designee will review each application for compliance with statutory, charter, and ordinance-based eligibility requirements, including but not limited to:
 - Legal age to hold office.
 - Residency within the Town, and any applicable district residency requirement.
 - Any other objective, job related, and consistently applied screening criteria expressly adopted in advance by the Board, which do not conflict with constitutional or statutory qualifications or with federal or state nondiscrimination laws.
2. Applications determined to be ineligible will not move forward in the process. The Clerk will document the determination of ineligibility, including the date and specific reason, and will retain that documentation as a public record.
3. The Clerk will notify ineligible applicants of the determination and the general reason (e.g., non-residency, age, etc.).

Compilation and distribution of eligible applications

1. After the close of the application window and completion of eligibility screening, the Clerk will compile all eligible applications into a packet (electronic and/or paper).

2. The Clerk will distribute the full packet of eligible applications to each Commissioner on or before a date set by the Board (for example, one week prior to the first meeting at which rankings are due).
3. The packet of eligible applications will be available for public inspection in accordance with public-records requirements.

Preliminary ranking procedure (identification of interviewees only)

1. Each Commissioner will independently review all eligible applications and will provide a written ranking of that Commissioner's top candidates.
2. For purposes of the written ranking, each Commissioner will:
 - Identify that Commissioner's top candidates in a total as determined by the Board prior to application reviews.
 - Assign each selected applicant a unique score from 1 to the total number of in-person interviews as pre-determined by the Board. (Example: if 5 in-person interviews will be conducted, scoring would be from 1 to 5 with 5 indicating the highest preference and 1 the lowest among that Commissioner's selected candidates.
 - The Clerk or other Town staff may create a "ranking form" that includes all of the required written elements and provide such form to each Commissioner.
3. Commissioners will return their written ranking to the Clerk by the deadline established by the Board. Ranking must be in writing and signed (electronic submission via Town email account and/or e-signature is permitted) and will be retained as public records.
4. The rankings are an individual, preliminary evaluation method used solely to identify interviewees. They are not a vote, are not a straw poll, and do not bind any Commissioner's subsequent deliberations or votes during the appointment process.

Tabulation and selection of first-round interviewees

1. After the ranking deadline, the Clerk will total the scores assigned by all Commissioners to each applicant and will prepare a tabulation sheet showing the total points for each applicant.
2. At a properly noticed regular or special meeting held in open session, the Clerk will present the tabulation sheet to the Board.
3. The applicants with the highest total scores, up to a maximum pre-determined by the Board prior to Board application reviews, and including any applicants tied for the final position, will be identified as "first-round interviewees."
4. If the Board wishes to narrow the number of interviewees further due to extensive ties or an unusually large group, the Board may, in open session, adopt a motion describing an

additional, limited ranking step or other neutral criteria to reduce the field, consistent with the Board's adopted policy and applicable law.

First-round interviews (required)

1. The Board will conduct first-round interviews of all identified first-round interviewees at a regular or special meeting held in open session.
2. The Board will determine in advance:
 - The interview date and start time.
 - The order of interviews (alphabetical by last name unless otherwise decided, or unless otherwise necessary due to the schedule/availability of candidates).
 - The time limit for each interview (20 minutes per candidate unless otherwise decided by the Board).
 - There is no minimum interview time. If all core questions have been asked and answered the interview may end at that time.
3. Each interviewee will be allotted the same amount of interview time.
4. With the assistance of Town Staff and with Board approval, a written set of "core questions" will be produced. These shall be substantially similar questions to be asked of each interviewee to promote fairness and consistency, while allowing for reasonable follow-up questions as needed.
5. All questions, answers, and discussion will occur in open session; no closed session will be used to discuss the qualifications or character of the applicants for the Board vacancy.

Optional second-round interviews

1. After the conclusion of first-round interviews, the Board may, in open session, decide whether to conduct a second round of interviews for a smaller group of finalists.
2. If the Board elects to conduct a second round, it will adopt a motion in open session specifying:
 - The number of candidates to advance (for example, the top three finalists).
 - The criteria or method for selecting those finalists (which may, but need not, consider the earlier preliminary rankings and first-round interviews).
 - The date, time, and format of the second-round interviews.
3. Second-round interviews, if used, will follow the same open-meeting and fairness principles as the first-round interviews, including equal time limits and substantially similar core questions for all second-round candidates.

4. The option to hold a second round does not limit the Board's authority to proceed directly to a final appointment vote after the first-round interviews if the Board so chooses.
5. If the Board attempts to deliberate and make a final appointment but is not successful, the Board may, in its discretion, then decide to implement the option to conduct second-round interviews.

Final deliberation and appointment vote

1. Following the completion of interviews (whether one or two rounds), the Board will deliberate and consider the candidates in open session.
2. The Board will proceed to appoint a candidate by majority vote of all then-current Commissioners using the "nomination and ballot" method, described below. In its discretion, the Board may vote to instead utilize a different method.
 - **Nomination and Ballot Method.** Each Commissioner votes for the person that Commissioner would have fill the vacancy. A person who receives a majority of the votes would be selected to fill the vacancy. If no one receives a majority, then those who receive the fewest votes will be dropped from consideration, so that the voting is between the front-runners. In using the nomination-and-ballot method, the lowest vote-getters will be removed for subsequent rounds of voting, if necessary. After the first round of votes, all candidates who receive zero votes would be removed. After the second round, if necessary, all candidates but two will be dropped so that the third round is between the two highest vote-getters. In the event of a 2-2 tie (or 2-1-1 result), the Board may discuss the nominees, and may continue to nominate and vote, may continue the nomination process to subsequent meetings, may conduct further rounds of interviews, or may utilize any other lawful method by which it may reach a majority vote for an applicant.
3. The Board is not obligated to appoint the highest-ranked applicant or the highest-scoring interviewee. The Board retains full discretion to appoint – by its majority vote – any eligible applicant who was interviewed as a finalist.
4. If the Board is unable to reach a majority on any candidate after one or more rounds of voting, it may:
 - Recess and reconvene the meeting, or
 - Schedule a subsequent regular or special meeting to continue deliberations and voting, so long as all deliberations and votes remain in open session.

Oath of office and seating

1. Upon selection by majority vote, the appointee will be notified by the Clerk and scheduled to take the oath of office at the earliest practical time and before undertaking

any duties of the office, either at the same meeting (if feasible), at a subsequent regular or special meeting, or in the Clerk's Office during regular Town Hall business hours.

2. Once the oath of office is administered, the appointee will assume the duties of office and may participate fully as a Commissioner in accordance with law, Town ordinances, Board rules, and any other applicable regulations.

Administrative updates

1. The Clerk, in consultation with the Town Attorney and Town Manager as appropriate, may update dates, deadlines, and minor logistical details (such as delivery methods or form formats) for future vacancy processes without further Board action, so long as the core steps established in the Board's motion and this Exhibit A remain in effect.
2. Any substantive changes to the ranking, interview, or voting framework must be approved by the Board in open session.



BOARD OF COMMISSIONERS WORK SESSION AGENDA ITEM REPORT

Agenda Item No.: 2025-701-

Submitted by: Kip Padgett, Administration

Submitting Department: Administration

Meeting Date: January 6, 2026

Subject

Closed Session: N.C.G.S 143-318.11(5)

Recommendation:

item Summary:

ATTACHMENTS: