



TOWN *of* WAKE FOREST

Planning Board Meeting Agenda January 31, 2022 at 6:00 PM

Notice

In accordance with the requirements of Title II of the Americans with Disability 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 the Town of Wake Forest should contact the office of ADA Coordinator [Mickey Rochelle](#) at 919-435-9455 or Deputy Town Clerk [Terry Savary](#) at 919-435-9432 as soon as possible, but no later than 48 hours before the scheduled event.

Cable & Online Broadcast of Planning Board Meetings

All Planning Board meetings are broadcast live on [WFTV 10](#) beginning at 6:00 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

[Planning Board](#) meeting agendas are typically available to be viewed and downloaded by noon on the Friday prior to the second Tuesday of each month. Citizens may also receive a copy of each month's agenda via email by enrolling in the Town's free [E-Notifier](#) subscription service.

Public Comment

Those wishing to speak must first register to speak no later than noon the day of the meeting. In lieu of speaking in person, written comments can be provided via the public comment portal. Written comments received less than 24 hours before the scheduled meeting may not be included in the record. The forms to register to speak and provide written comments are available at <https://www.wakeforestnc.gov/ph>.

At the appropriate time, the Planning Board Chair will acknowledge those persons who have registered to speak. They will be called upon in the order registered. Speakers will address the Board as a whole, from the podium at the front of the room, and begin their remarks by stating their

name and address. At the end of public comment, the Chair may summarize the discussion from the public comment. While not required, the Chair may ask staff or the applicant to respond. Speakers needing additional information or questions answered will be contacted by the Deputy Town Clerk and provided contact information for the appropriate staff person.

Unless otherwise indicated by the Chair, individual comments shall be limited to three minutes. Groups are encouraged to designate a lead speaker on their behalf, and when addressing the Board, the speaker must first identify the group they are representing and will be given no more than ten minutes to give comments. Once comments have been made, speakers cannot speak again, unless specifically called upon by the Chair. The Chair may, at his/her discretion, interrupt public comment and elect to continue it to another meeting due to, among other reasons, the lateness of the hour or to allow consideration of other items on the agenda.

When public comment sessions are continued from previous meetings, previous individuals that have spoken, either representing themselves or a group, cannot speak at a continued public comment session, unless specifically called upon by the Chair. Additionally, speakers cannot both represent themselves individually and speak on behalf of a group throughout public comment periods, even if held over multiple sessions.

1.Call to Order

2.Adoption of Agenda

2.A. Adoption of Agenda

3.Approval of Minutes

3.A. Approval of Minutes

[Draft January 11, 2022 PB Meeting Minutes.pdf](#)

4.Presentations

5.Old Business with Public Comment

6.Old Business

7.New Business with Public Comment

7.A. Consideration of and Public Comment Session on CPA-22-01, Draft Town of Wake Forest Community Plan and Land Use Map

[CPA-22-01 Staff Report.pdf](#)

[Attachment A-CPA-22-01 Application.pdf](#)

- 7.B. Consideration of and Public Comment on LEGISLATIVE ITEM TA-22-01 Text Amendment to the Unified Development Ordinance

[TA-22-01 Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Exhibit 1](#)

[Exhibit 2](#)

[Exhibit 3](#)

[Exhibit 4](#)

8.New Business

9.Staff Comments

- 9.A. Community Plan Open House on Tuesday, Feb. 1
11 am-1 pm and 6:30-8:30 pm
Flaherty Park Community Center, 1226 N. White St.

10.Planning Board Comments

11.Adjournment



Agenda Item Report

Agenda Item No.: 2021-493-
Submitted by: Terry Savary
Submitting Department: Planning
Meeting Date: January 31, 2022

SUBJECT

Adoption of Agenda

Recommendation:

Item Summary:

ATTACHMENTS

-



Agenda Item Report

Agenda Item No.: 2021-492-
Submitted by: Terry Savary
Submitting Department: Planning
Meeting Date: January 31, 2022

SUBJECT

Approval of Minutes

Recommendation:

Item Summary:

ATTACHMENTS

- [Draft January 11, 2022 PB Meeting Minutes.pdf](#)



Wake Forest Planning Board Minutes

The Wake Forest Planning Board met on **Tuesday, January 11, 2022**, at **6:00 p.m.** in the Board Room at Wake Forest Town Hall, 301 S. Brooks Street.

Planning Board Members present: Joe Kimray, Karin Kuropas, Thomas Ballman, Christopher Joyner, Michael Siderio, Michael Hickey, and Sheila Bishop

Planning Board Members absent: None.

Staff Members present: Assistant Planning Director Jennifer Currin, Senior Planner Kari Grace, Deputy Town Clerk Terry Savary, Interim Town Clerk Sherry Scoggins, Town Attorney Sam Slater, and Town Attorney Hassan Kingsberry

1. Call to Order

Chair Kimray called the meeting to order at 6:00 p.m.

Chair Kimray welcomed newest Planning Board member Sheila Bishop.

2. Adoption of Agenda

ACTION:

Mover: Karin Kuropas moved to adopt the agenda as presented.

Second: Chris Joyner.

Vote: Motion carried 7-0.

3. Approval of Minutes

ACTION:

Mover: Karin Kuropas moved to approve the minutes as presented.

Second: Michael Hickey.

Vote: Motion carried 7-0.

4. Presentations

No Presentations.

5. Old Business with Public Comment
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No Old Business with Public Comment presented.

6. Old Business

No Old Business presented.

7. New Business with Public Comment
--

7.A. Consideration of a rezoning filed by St. John's Episcopal Church to rezone 5.07± acres located at 834 Durham Road, being Wake County Tax PIN 1831721164, from General Residential 3 (GR3) to Highway Business (HB).

Senior Planner Kari Grace presented the staff report for Case RZ-21-13, a rezoning for St. John's Episcopal Church located at 834 Durham Rd. Ms. Grace remarked there is no development plan associated or attached to the request. Ms. Grace stated they don't have any future development plans at the moment, but the applicant is seeking more signage options and the current zoning is limited in what it offers.

Applicant Bob Hill, a resident at 1017 Wilts Dairy Point, Wake Forest, NC, was in attendance on behalf of St. John's Episcopal Church. Mr. Hill stated the request is based on something very simple as indicated by Ms. Grace. Mr. Hill remarked the sole purpose is to install a new sign that would be larger than what currently exists. He stated they have no plans in selling or developing the property.

B.H. Powell, a resident of 855 Durham Rd., Wake Forest, NC, stated he is in support of the rezoning request by St. John's Episcopal Church. He believes it's an appropriate request.

No other comments or questions heard.

Chair Kimray closed the public comment session at 6:12 p.m.

DISCUSSION:

Chair Kimray stated he appreciates the church coming forward with the request in the proper manner and following the Town's Unified Development Ordinance (UDO).

ACTION:

Mover: Chris Joyner moved to approve Case RZ-21-13: St. John's Episcopal Church.

Seconded: Michael Hickey.

Vote: Motion carried 7-0.

8. New Business

No new business.

9. Staff Comments

9.A. Upcoming Public Comment & Hearings

Assistant Planning Director Jennifer Currin reminded the Board there's still a potential for one more quasi-judicial hearing that would be forthcoming through a special called meeting for the Planning Board and Board of Commissioners. Ms. Currin reminded the Board not to engage in conversation with anyone regarding quasi-judicial processes.

9.B. Community Plan Update - Upcoming Meetings

Assistant Planning Director Jennifer Currin informed the Board there would be an upcoming open house on Tuesday, February 1, 2022 from 11:00 a.m. to 1:00 p.m. and 6:30 p.m. to 8:30 p.m. Both sessions will be drop-in style with no formal presentation. The same information will be provided at both sessions. Ms. Currin said, as the Planning Board, it's imperative to try and attend one of the sessions. She reminded the Board the item will come before them, for discussion, at the Monday, January 31, 2022 Planning Board meeting. Ms. Currin stated the open house would be held at the Flaherty Park Community Center.

10. Planning Board Comments

Chair Kimray thanked those who attended the Public Information Session for the Town of Wake Forest SunTrust Site Redevelopment on Monday, January 10, 2022.

Chair Kimray reminded everyone the February Planning Board meeting would take place on Monday, January 31, 2022 at 6:00 p.m.

Assistant Planning Director Jennifer Currin welcomed and introduced newly hired in-house Town Attorney Hassan Kingsberry.

11. Adjournment

ACTION:

Mover: Karin Kuropas moved to adjourn at 6:17 p.m.

Seconder: Chris Joyner.

Vote: Motion carried 7-0.

Duly approved in open session this 31st day of January 2022.

Joe Kimray
Planning Board Chair

Courtney Tanner
Planning Director



Agenda Item Report

Agenda Item No.: 2021-494-
Submitted by: Jennifer Currin
Submitting Department: Planning
Meeting Date: January 31, 2022

SUBJECT

Consideration of and Public Comment Session on CPA-22-01, Draft Town of Wake Forest Community Plan and Land Use Map

Recommendation:

Item Summary:

ATTACHMENTS

- [CPA-22-01 Staff Report.pdf](#)
- [Attachment A-CPA-22-01 Application.pdf](#)



Staff Report

Case CPA-22-01: Community Plan and Land Use Map

Meeting Date	January 31, 2022
Requested Actions	Consideration of the Community Plan Update and Land Use Map
Case Manager	Jennifer Currin, Assistant Planning Director

PUBLIC MEETINGS

Public Comment Session	Open House Workshops	Public Hearing (Tentative)
January 31, 2022	February 1, 2022	March 15, 2022

CASE INFORMATION

Applicant	Town of Wake Forest 301 S. Brooks Street Wake Forest, NC
<i>See Attachment A for a copy of the application.</i>	

CASE SUMMARY

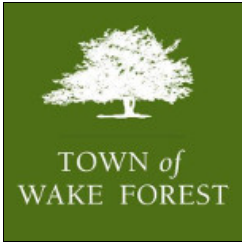
In July 2020, the Town contracted with Houseal Lavigne to update the Wake Forest Community Plan, which was adopted in 2009. The draft Plan establishes a cohesive vision for the Town and how growth should occur over the next 10-20 years. The foundation of the Plan is rooted in community input and data analysis, which was obtained during the initial project phases and included activities such as key stakeholder meetings, community questionnaire, creation of the existing conditions memo, and visioning workshops. Several key themes emerged during the community engagement process and are the 9 proposed Plan goals: Support Strategic Growth; Balance the Mix of Uses; Maintain the Historic Small-Town Charm; Provide Diverse Housing Opportunities; Support a Pedestrian-/Bicycle-Friendly Community; Establish Safe & Connected Public Transit Options; Support Unique, Thriving Businesses; Encourage Growth & Activity in Downtown; and Enhance & Maintain Wake Forest's Green Spaces. An action matrix with the action item, relevant goal and timeline is included to provide step-by-step guidance for the Town and the community.

STAFF RECOMMENDATION

Staff recommends approval or approval with modifications of the proposed Community Plan and Land Use Map as drafted.

ATTACHMENTS

Attachment A: Application
Attachment B (Link): [Draft Community Plan and Land Use Map](#)



Comprehensive Plan Amendment

Comp Plan Amendment

Town of Wake Forest, NC

301 S. Brooks St.

Wake Forest, NC 27587-2932

TEL (919) 435-9510 | FAX (919) 435-9539

Project Overview

#693789

Project Title: Town of Wake Forest Community Plan and Land Use Map

Jurisdiction: Town of Wake Forest (Wake County)

Application Type: Comprehensive Plan Amendment

State: NC

Workflow: Comp Plan Amendment

County: Wake

Checklist - Comprehensive Plan & UDO Amendment

A submittal checklist is available to view additional documents which are required to be submitted with this application. After answering the application questions, you will be asked to upload the required documents.

[VIEW COMPREHENSIVE PLAN & UDO AMENDMENT
SUBMITTAL CHECKLIST](#)

Missing items will result in the application being declined and returned to the applicant to resubmit. A revised and complete application including all missing items must be received or the application will be not be deemed complete and routed for review.

Please confirm you have reviewed the associated submitted checklist for this permit and confirm you will submit all documents required on the submittal checklist: Yes

Pre-Application Meeting

Has a pre-application conference been held?: No

This type of project requires a pre-application conference be completed prior to official submittal. Please return to the home screen and select **Pre-Application Conference** from the application type drop down list in order to schedule your required meeting.

Pre-Application Conference Date and Time:

Staff Member Met With:

Project Tracking ID:

Data - Basic Location

If your Comprehensive Plan Amendment is associated with specific property(s) please answer the following questions. If not, proceed to the next page.

Project/Development Name:

Project Address or PIN:

Tax PIN:

Zoning:

Current Zoning Overlay:

Town Limits:

Projects falling outside the limits of the Town or ETJ will be required to submit an annexation petition in conjunction with their project

submission. Please return to the home screen and select **Annexation Petition** from the application type drop down.

Land Use:

Acreage:

GIS Acreage:

Project Contact - Applicant/Owner

Please enter all project contacts related to your application.

This is an important step to ensure all members of the applicant team receive email notifications associated with the project which may include comments, requested revisions, scheduled meetings or hearings, and final decisions. This also informs Town staff of the team members assigned role with the project.

Project Contact - Applicant

Jennifer Currin
Town of Wake Forest
401 Elm Avenue
Wake Forest, NC 27587
P:(919) 5546100
jcurrin@wakeforestnc.gov

Amendment Type

Please answer the below questions to provide reviewers an overview of the application. Additional information may also be provided through uploading an attachment.

Plan Being Amended: Community Plan

Type of Amendment: Text,Map

Description of Request:

Update the entire Community Plan to reflect current community conditions

Current Plan Language:

Reference 2009 Community Plan

Applicant Requested Language:

Reference January 2022 Draft Community Plan and Land Use Map

Justification of Amendments:

Update the entire Community Plan to reflect current community conditions



Planning Board Agenda Item Report

Agenda Item No.: 2021-483-
Submitted by: Dylan Bruchhaus
Submitting Department: Planning
Meeting Date: January 31, 2022

SUBJECT

Consideration of and Public Comment on LEGISLATIVE ITEM TA-22-01 Text Amendment to the Unified Development Ordinance

Recommendation:

Item Summary:

ATTACHMENTS

- [TA-22-01 Staff Report](#)
- [Attachment A](#)
- [Attachment B](#)
- [Attachment C](#)
- [Exhibit 1](#)
- [Exhibit 2](#)
- [Exhibit 3](#)
- [Exhibit 4](#)



Staff Report

TA-22-01: Unified Development Ordinance Text Amendment

Meeting Date	January 31, 2022
Requested Actions	Consideration of the following items related to a Unified Development Ordinance (UDO) Text Amendment: 1. Plan Consistency Statement. 2. Amendment to Chapters 2, 7, 9, 15, and Appendix B of the UDO.
Case Manager	Dylan Bruchhaus, Planner II
Planning Board Recommendation	N/A

PUBLIC MEETINGS

Public Comment Session	Public Hearing (tentative)
January 31, 2022	March 15, 2022

CASE INFORMATION

Applicant	Town of Wake Forest 301 S Brooks Street Wake Forest, NC 27587
<i>See Attachment A for copy of the Application.</i>	

CASE SUMMARY

The UDO was adopted on July 16, 2013, and has been amended since by Town Planning staff. The UDO is a consolidated document which contains all the Town's regulations for zoning, development, subdivision, flood damage prevention, erosion and sedimentation control and storm water and is used during the development review process.

PROPOSED CHANGES

Chapter	Section
Chapter 2	Section 2.3.3 Use Table
Chapter 7	Section 7.5.5 Minimum Amenities Within Parks

Chapter	Section
Chapter 9	Section 9.4.2 Exemptions, Exceptions, & Adjustments Section 9.5 Vehicle Parking Design Standards - 9.5.2 Off-Street Parking Design Standards (New Section) - 9.5.3 Surfacing Materials (Former Section 9.5.2) - 9.5.4 Connectivity (Former Section 9.5.3) - 9.5.5 Structure Parking (Former Section 9.5.4) Section 9.6 Bicycle Parking Standards - 9.6.1 General Provisions (New Section) - 9.6.2 Short-Term Bicycle Parking (New Section) - 9.6.3 Long-Term Bicycle Parking (New Section) - 9.6.4 Bicycle Parking Design Standards (Former Section 9.6.1 and 9.6.2)
Chapter 15	Section 15.3.1 Sunshine List Section 15.17 Comprehensive Plan Amendment - 15.17.2 Review by the Planning Board - 15.17.4 Consideration by Board of Commissioners
Appendix B - MSSD	Entire document, references, and attachments.
<i>See Attachment B for detailed Proposed Changes.</i>	

COMPREHENSIVE PLAN CONSISTENCY

Community Plan (2009)	The proposed request is generally consistent with the Community Plan.
Comprehensive Transportation Plan (2019)	The Comprehensive Transportation Plan is not applicable to the request.
Historic Preservation Plan (2012)	The Historic Preservation Plan is not applicable to the request.
Northeast Community Plan (2021)	The Northeast Community Plan is not applicable to the request.
Parks, Recreation, and Cultural Resources Master Plan (2015)	The Parks, Recreation, and Cultural Resources Master Plan is not applicable to the request.

Public Art Vision Plan (2009)	The Public Art Vision Plan is not applicable to the request.
Renaissance Plan (2017)	The Renaissance Plan is not applicable to the request.
<i>See Attachment C for detailed Plan Consistency Analysis and each adopted Plan for full policy guidance.</i>	

STAFF RECOMMENDATION

Staff recommends approval of the proposed amendments to the Unified Development Ordinance. The request is generally **Consistent** with the relevant policies in the Comprehensive Plan, and **Approval** of the text amendment request is reasonable and in the public interest.

ATTACHMENTS

- Attachment A: Application
- Attachment B: Proposed Changes
- Attachment C: Plan Consistency Analysis

EXHIBITS

- Exhibit 1: UDO Chapter 2
- Exhibit 2: UDO Chapter 7
- Exhibit 3: UDO Chapter 9
- Exhibit 4: UDO Chapter 15



UDO Amendment

idtPlans LLC

P.O. Box 13086 | Tucson, AZ 85732

P: (520) 319-0988 | F: (520) 319-1430 | E: info@idtplans.com

Project Overview

#688060

Project Title: UDO Text Amendment - Chapter 2, 7, 9, 15, & Appendix B

Jurisdiction: Town of Wake Forest (Wake County)

Application Type: UDO Amendment

State: NC

Workflow: UDO Amendment

County: Wake

Checklist - Comprehensive Plan & UDO Amendment

A submittal checklist is available to view additional documents which are required to be submitted with this application. After answering the application questions, you will be asked to upload the required documents.

[VIEW COMPREHENSIVE PLAN & UDO AMENDMENT
SUBMITTAL CHECKLIST](#)

Missing items will result in the application being declined and returned to the applicant to resubmit. A revised and complete application including all missing items must be received or the application will be not be deemed complete and routed for review.

Please confirm you have reviewed the associated submitted checklist for this permit and confirm you will submit all documents required on the submittal checklist: Yes

Pre-Application Meeting

Has a pre-application conference been held?: Yes

This type of project requires a pre-application conference be completed prior to official submittal. Please return to the home screen and select **Pre-Application Conference** from the application type drop down list in order to schedule your required meeting.

Pre-Application Conference Date and Time: 10/13/2021 5:00 PM **Staff Member Met With:** Planning Department

Project Tracking ID: TA-22-01

Project Contact - Applicant

Please enter all project contacts related to your application.

This is an important step to ensure all members of the applicant team receive email notifications associated with the project which may include comments, requested revisions, scheduled meetings or hearings, and final decisions. This also informs Town staff of the team members assigned role with the project.

Project Contact - Applicant

Dylan Bruchhaus

Town of Wake Forest

UDO Text Amendment

Description of Request:

Text amendment for Chapters 2, 7, 9, 15, and Appendix B of the UDO.

Applicant Proposed Language:

Text amendment for Chapters 2, 7, 9, 15, and Appendix B of the UDO.

Justification of Amendments:

Provide clarity during the development review process and correct a staff oversight in Chapter 15.

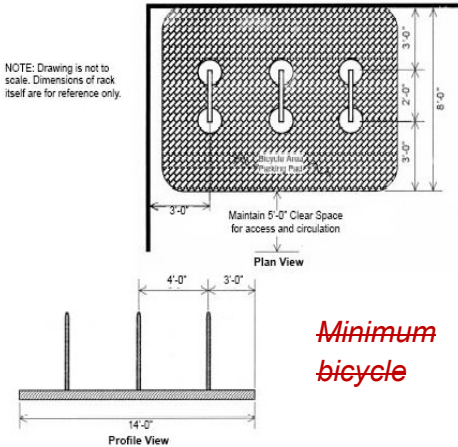
UDO Section	Section Title	Staff Comment																																																																																																																																																																										
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2.3.3	Use Table	1. The proposed text amendment adds Indoor Recreational Facilities as a permitted use in the Light Industrial (LI) zoning district. The Planning Department has received inquiries regarding allowing Recreation Facility, Indoor, as an allowable use in the Light Industrial (LI) zoning district. The use is defined in Section 17.3 as “Recreation Facilities, Indoor: Uses or structures for active recreation including gymnasiums, natatoriums, fitness center, athletic equipment, indoor running tracks, climbing facilities, court facilities and their customary accessory uses. This definition is inclusive of both non-profit and for-profit operations”. Staff believes that this type of use is acceptable in the Light Industrial zoning district. A review of use tables by other Wake County municipalities was conducted by staff and found that the indoor recreation facilities use is a use that is allowed by other municipalities. This change would allow for the Town of Wake Forest to be more competitive with attracting indoor recreation businesses.																																																																																																																																																																										
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Religious Institution	—	Ps	Ps	Ps	Ps	Ps	Ps	Ps	—	—	Ps	Ps	—	Ps	Ps	—																																																																																																																																																												
Sports Arena/Stadium	—	—	—	—	—	—	SUP	SUP	P	—	—	—	—	—	SUP	SUP																																																																																																																																																												
7.5.5	Minimum Amenities Within Parks	2. The proposed text amendment will change the classification of bicycle facilities to short and long term, rather than a class system. This change brings the section in line with the new classification system which replaces class III as short-term bicycle parking and classes I and II as long-term bicycle parking. Refer to Section 9.6 below for more details on the proposed change.																																																																																																																																																																										
A. Minimum Amenities (All Neighborhood Park Types): 1. Public Seating: Provide seating areas appropriate to the intended use of the space (e.g., park benches and durable theft/vandalism-resistant chairs in formal/active spaces and garden wall seats in informal/passive spaces). 2. Supplement Tree Planting/Significant Species Preservation: A minimum of 1 tree (2 inch caliper minimum measured 6" above the ground at installation) to be planted in at least 350 square feet of soil or 1 preserved existing canopy tree a minimum of 12" caliper for every 2,500 square feet of required park space. 3. Trash Receptacle: Garbage receptacles and recycling receptacles shall be required for each park space.																																																																																																																																																																												

UDO Section	Section Title	Staff Comment
		4. Bicycle Parking: At least 4 Class III <u>short-term</u> bicycle parking spaces shall be required for every one-quarter acre of neighborhood park space and every ½ mile of greenway. Bicycle parking shall be designed according to the bicycle parking standards in Section 9.6.
9.4.2	Exemptions, Exceptions, & Adjustments	3. The proposed text amendment will change the classification of bicycle facilities to short and long term, rather than a class or tiered system. This change brings the section in line with the new classification system which replaces class III as short-term bicycle parking and classes I and II as long-term bicycle parking. Refer to Section 9.6 below for more details on the proposed change.
		B. Exceptions for Non-Residential Uses in the Renaissance Area: Nonresidential uses, located outside of the RA-HC district, in the Renaissance Area of downtown (as defined by the Renaissance Plan for Downtown Wake Forest, NC, dated September 2017, and as amended), may reduce the required off-street, automobile parking spaces, required in this Chapter, by up to 50% with Administrator approved provided the following are met: 1. The remaining number of required off-street parking spaces must be provided on-site, within a shared parking area (Section 9.4.3), a satellite parking area (Section 9.4.4), or by adjacent on-street parking (Section 9.4.2.D); 2. If a mixed-use development is proposed, the total number of required residential spaces must be provided; and 3. Additional bicycle parking, over and above what is required by Section 9.4.A, is required. A minimum increase of 50%, but not less than two (2) Type I or Type II <u>long-term</u> bicycle spaces shall be provided.
9.5.2 (new section)	Off-Street Parking Area Design Standards	4. The proposed text amendment creates a new section adding design standards to off-street parking areas. These standards impact pavement markings in driveways, drive aisles, and parking bays.
		<u>9.5.2 Off-Street Parking Area Design Standards</u> A. <u>Pavement directional arrows shall be provided on one-way driveways, one-way drive aisles, drive aisles with angled parking, and locations warranted by the Administrator for safety and traffic operations.</u> B. <u>Loading areas and off-street parking spaces shall be marked with pavement surface markings so that they are easily identified.</u> C. <u>Stop bars, directional arrows, crosswalks, and any regulatory pavement markings required by MUTCD standards shall be marked with white thermoplastic.</u>
9.5.3 (former 9.5.2)	Surfacing Materials	5. The change adds materials to the title of the section to distinguish the surfacing standards from the other design standards. This numbering for this section is changing from 9.5.2. to 9.5.3 with the inclusion of the new section for Off-Street Parking Area Design Standards.
		9.5.3 Surfacing <u>Materials</u>
9.5.4 (former	Connectivity	6. This numbering for this section is changing from 9.5.3. to 9.5.4 with the inclusion of the new section for Off-Street Parking Area Design

UDO Section	Section Title	Staff Comment
9.5.3)		Standards.
9.5.5 (former 9.5.4)	Structured Parking	7. The change strengthens screening requirements for parking structures by requiring the entire side facing a street to be screened rather than just the first floor. This numbering for this section is changing from 9.5.4. to 9.5.5 with the inclusion of the new section for Off-Street Parking Area Design Standards.
9.5.5 Structured Parking A. Screening Required: Where an above-ground parking structure fronts a public street, the <u>ground-level side(s) facing the street</u> shall be screened in such a way that cars are not visible from the street (e.g., structure could be wrapped by retail, office or some other active use along the primary façade). B. Materials: Along pedestrian-oriented streets, parking structure façades shall be treated with high quality materials and given vertical articulation and emphasis compatible with the principle structure. The façade shall be designed to visually screen cars. C. Entries: Pedestrian entries shall be clearly visible. D. Bicycle Parking: Parking structures shall provide bicycle parking within the structure. It shall be located on the level closest to the street and/or a primary building entrance.		
9.6	Bicycle Parking Standards	8. The proposed text amendment will change the classification of bicycle facilities to short and long term, rather than a class or tiered system. This change removes the requirement that bike standards shall conform to the Association of Pedestrian and Bicycle Professional Bicycle Parking Guidelines. The text amendment expands on design standards that provide clarity during development review. The current UDO determines bicycle parking requirements in a class system. The intent of class I or class II bicycle facilities was for long-term bicycle parking, while class III was for short-term bicycle parking. In addition, the class II description was overly complex and difficult to administer during the development review process. Staff is proposing combining both class I and class II into long-term bicycle parking and class III into short-term bicycle parking. Existing standards for each type of facility are captured in the new subsections 9.6.2 Short-Term Bicycle Parking and 9.6.3 Long-Term Bicycle Parking.
Bicycle parking shall be provided by all non-residential, multi-family, recreation and industrial uses. Bicycle parking facilities required by this section shall be designed to provide convenient bicycle parking and to protect parked bicycles. Acceptable rack elements, rack location and access, rack area and site conditions such as protection from the elements and visibility shall conform to the Association of Pedestrian and Bicycle Professionals Bicycle Parking Guidelines.		
9.6.1 (new section)	General Provisions	9. The change adds standards that bike racks must be connected to the internal pedestrian network for the development.
9.6.1 <u>General Provisions</u>		

UDO Section	Section Title	Staff Comment
A. <u>Permanent off-street bicycle parking is required subject to the Off-Street Parking Schedule “A” in Section 9.4.A.</u> B. <u>Bicycle parking must be conveniently located and publicly accessible. A sidewalk will need to connect the bicycle parking facility to the rest of the internal pedestrian network.</u>		
9.6.2 (new section)	Short-Term Bicycle Parking	10. The text amendment adds a new section for short-term bicycle parking, replacing class III. The better defines the intent for short-term bicycle parking and adds existing siting standards from the current code.
<u>9.6.2 Bicycle Parking Facilities-Short-Term Bicycle Parking</u> A. <u>Short-term bicycle parking provides customers and other visitors a convenient and readily accessible place to park. Required short-term parking must meet the following standards.</u> 1. <u>Short-term parking shall be located outside the building and located near the building entrance or use it is intended to serve.</u>		
9.6.3 (new section)	Long-Term Bicycle Parking	11. The text amendment adds a new section for long-term bicycle parking, replacing class I and class II bike facilities. The better defines the intent for long-term bicycle parking and provides siting standards. The current code requires multi-family to use class I (bike lockers) or class II facilities that are sheltered. The code gives additional flexibility is allowing more locations for long-term bike parking in multi-family developments.
<u>9.6.3 Long-Term Bicycle Parking</u> A. <u>Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for several hours a protected and secure place to park</u> B. <u>Multi-family developments shall meet the required minimum bicycle parking with long-term bicycle facilities.</u> C. <u>Required long-term parking must meet the following standards.</u> 1. <u>Long-term bicycle parking shall be covered and weather resistant.</u> 2. <u>Long-term bicycle parking shall be located near the building entrance it is intended to serve.</u> a. <u>Long-term bicycle parking may be located within an internal area accessible by the public (such as bike locker room) or located in stairwells. Storage within a multi-family dwelling unit would not be considered a long-term bicycle parking space.</u>		
9.6.4 (former 9.6.1 and 9.6.2)	Bicycle Parking Design Standards	12. The text amendment removes the design standards for the class base system and clarifies existing standards in the current UDO for general design standards pertaining to the surface bike facilities should be placed on, siting, placement, and allowable rack types. Note that the images shown below are proposed to be removed as part of the amendment.
Bicycle parking spaces shall be Class I, Class II, or Class III facilities. Racks which only support one wheel are not acceptable. Class I: Bicycle lockers are generally rectangular enclosures, each holding one or 2 bicycles.		

UDO Section	Section Title	Staff Comment
	Class II: Bicycle parking racks which allow all 3 major components of the bicycle, back wheel, frame, and front wheel, to be locked, without removal of the front wheel. Class III: Racks such as loop, post, rails, "A" and inverted "U" racks. Each rack provides 2 bicycle parking spaces. Common properties in a class III facility include its support of the bicycle with or without the front wheel removed and post or pipe dimensions which allow the lock to encompass the front tire and down post or the rear wheel and seat post. Class III facilities are recommended for short term parking, although, in combination with shelter, they can be adequate for long term storage. <u>9.6.29.6.4</u> <u>General</u> Bicycle Parking Design Standards <u>9.6.2.1</u> <u>Multi-Family Development: Required</u> bicycle parking spaces in multi-family development shall be provided in Class I facilities, or in Class II or III facilities if shelter is provided to accommodate long term storage. If completely enclosed garages or accessory storage structures of at least 8 feet by 6 feet that may be locked or otherwise secured by individual tenants are provided for every unit in a multi-family development, no additional bicycle parking shall be required. A. Surfacing <u>9.6.4.1.1</u> Bicycle parking shall be provided on a hard-surface, all-weather pavement of asphalt or concrete, with curb ramps installed as appropriate. <u>9.6.2.2</u> <u>Signage:</u> Where not clearly visible from the access way, directional signage shall be provided to route bicyclists to the bicycle parking facility. <u>9.6.2.3</u> <u>Installation:</u> Installation shall be according to the manufacturers' instructions. <u>B.</u> Placement <u>1.</u> Bicycle parking shall be <u>located as to not interfere with pedestrian access.</u> <u>2.</u> <u>Proposed bike parking facilities must comply with siting standards set forth in the MSSD.</u> <u>2-3.</u> <u>Bicycle parking shall be located 3 feet away from walls, fences, and the edge of landscaping at the time of maturity, as measured from the edge of the rack closest to the wall, fence, or landscaping.</u>	

UDO Section	Section Title	Staff Comment
	3. Separated from automobile parking by a physical barrier or by at least 5 feet where automobile parking is prohibited and shall be located as close to public and employee entrances as possible without interfering with flow of pedestrian and vehicular traffic. 4. Conveniently located near entrances (where multiple entrances exist, the racks shall be dispersed among the entrances rather than located in large groupings) Located so as not to interfere with pedestrian access. <u>C. Rack Types</u> <u>1. Grid bicycle racks shall not be permitted.</u> <u>1-2. Bicycle lockers or similar types of facilities are permitted and count towards required bicycle parking standards.</u>	 the Minimum bicycle
15.3.1	Sunshine List	13. The text amendment corrects an oversight during the 160D amendment process and states that the sunshine list is the Level 1 public notification.
15.3.1	Level 1 – Sunshine List	A notice of the pending application/meeting shall be posted in a prominent location in Town Hall and on the town's web site, and a notice of such meeting shall be mailed, e-mailed, or delivered to each person and media provider that has filed a written request for notice with the Town Clerk. This notice shall be posted and mailed, e-mailed, or delivered at least 48 hours before the time of the meeting. Notices shall be distributed by email. Non-media members of this list shall be charged an annual fee (as set in the fee schedule) to receive all notices by mail. Members of this distribution list must renew their participation in this distribution on an annual basis.
15.17.2 15.17.4	Comprehensive Plan Amendment	14. The text amendment removes Level 3 (Notification to Affected Property Owners), Level 4 (Notification to Adjacent Property Owners), and Level 5 (Neighborhood Meeting). Statutory requirements only require Level 1 and Level 2 public notifications, and the inclusion of Level 3-5 was an oversight during the 160D amendment process. Table 15.2.4. Permit/Process Type shows the intended requirements as Level 1 and Level 2, and this change matches Table 15.2.4.
15.17.2	Review By The Planning Board	A. Public Comment Session Notification (Prior to Planning Board): Level 1, as defined in Section 15.3, is required for all amendments to the comprehensive plan. <u>Levels 3 and 4 are only required for land use map amendments.</u> Levels 3 and 4 are required for all map amendments that involve a specific parcel of land. A Level 5 notification is required for Map Amendments. B. Level 3 Notification for Large Scale Amendments: If the land development map amendment includes 50 or more properties, owned by at least 50 different property owners, the town may elect to utilize the

UDO Section	Section Title	Staff Comment
	expanded published notice provisions found in NCGS 160D, as outlined in Section 15.3.3.B of this chapter. C.B. Public Comment Session: The Planning Board shall conduct a public comment session and receive public input on the proposed amendment. Following the comment session to receive public input on the amendment, the Planning Board shall make a recommendation to the Board of Commissioners regarding whether to approve or deny each proposed amendment. D.C. Delivery of Planning Board Recommendation: If the Planning Board is able to reach a recommendation without further deliberation, the Planning Board shall submit a recommendation on the matter and refer it to the Board of Commissioners for their consideration at their regularly scheduled legislative public hearing directly following the public comment session. If the Planning Board determines that further deliberation on the matter is required, the Planning Board shall render a decision on its recommendation to the Board of Commissioners within 45 days of its first consideration on the matter. If no recommendation is received from the Planning Board within 45 days of its first consideration on the matter, the Board of Commissioners shall proceed in its consideration of the matter without a recommendation from the Planning Board. 15.17.4 Consideration By Board of Commissioners A. Public Hearing Notification: Level 1 and 2, as defined in Section 15.3, are required for all amendments to the UDO. Levels 3 and 4 are only required for land use map amendments. Levels 3 and 4 are required for all map amendments (rezonings) that involve a specific parcel of land. Such actions include, but are not limited to, map amendments (rezonings), amendments to zoning district boundaries, and the application of new overlay zones. A Level 5 notification is required for Map Amendments.) B. Public Hearing Consideration by the Board of Commissioners: Following receipt of a recommendation from the Planning Board, or after 45 days from the Planning Board public comment session if no recommendation is received, the Board of Commissioners shall conduct a legislative public hearing on the matter. Upon reviewing all of the pertinent information, the Board of Commissioners may: 1. Adopt the proposed amendment. 2. Adopt the proposed amendment with modifications. 3. Reject the proposed amendment. 4. Refer the proposed amendment back to the Planning Board for further consideration.	
Appendix B - MSSD		15. The text amendment officially removes the MSSD as an appendix to the UDO and clarifies that the MSSD is a manual to be used in the development review process. In September 2018, staff presented a text amendment with the intent to make the MSSD a manual. However, the ordinance only removed the Appendix from the UDO Table of Contents. This text amendment reaffirms the decision in September 2018 and clarifies that the entire MSSD be removed as an appendix to the UDO.

Community Plan Consistency Grid				
GENERAL POLICY RECOMMENDATIONS		YES	NO	NA
GPR-1	Develop complete neighborhoods built around gathering spaces with a mix of housing types, lot sizes, and integrated commercial uses versus monolithic subdivisions			
GPR-2	Appropriately transition large-scale commercial, institutional, and industrial uses into surrounding neighborhoods			
GPR-3	Integrate alternative modes of transportation, such as transit and biking, into development			
GPR-4	Carefully configure street patterns to allow for multiple outlets from neighborhoods, and to continue the policy of providing for connections between neighborhoods, without encouraging through traffic			
GPR-5	Require sidewalks, bikeways and greenways as part of the necessary infrastructure for new development			
GPR-6	Require regularly spaced street trees, selected and planted in accordance with a street tree master plan, in new developments, whether commercial, office or residential			
GPR-7	Place new public and private buildings of architectural significance in locations of prominence and visual importance			
GPR-8	Ensure neighborhoods have adequate open space areas designed into the development			
GPR-9	Ensure residential architecture respects the value of the street upon which it faces with houses pulled up to the street, porches in the front, garages to the rear or setback from the rest of the home's front facade, and front walkways to the sidewalk			
POLICIES FOR OLDER NEIGHBORHOODS		YES	NO	NA
ON-1	Concentrate police protection, preferably in the form of foot and bicycle patrols, as part of a comprehensive strategy for neighborhood revitalization and crime prevention			
ON-2	Encourage pedestrian-level streetlights and appropriately designed private property lights , particularly in the town's older walkable neighborhoods			
ON-3	Implement housing programs, code enforcement activities, and public improvements in partnership with residents in targeted neighborhood areas and include restoration and rehabilitation activities			
ON-4	Ensure new infill development is architecturally compatible with existing structures, site layout and the streetscape within its vicinity			
ON-5	Continually reinvest in the infrastructure of older urban neighborhoods, including but not limited to: park improvements, sidewalks, street paving and maintenance, street trees, street lights, water and sewer lines, and drainage			
ON-6	Encourage pedestrian-oriented, designed and scaled stores and services providing basic necessities to residents of the town's older neighborhoods			
ON-7	Facilitate mass transit services through recognition of planned transit routes, development mix and density, and accommodation for future transit stop locations in redevelopment and infill projects in older neighborhoods			
POLICIES FOR NEWER NEIGHBORHOODS		YES	NO	NA
NN-1	Encourage architecturally compatible accessory housing on developed lots within existing neighborhood areas, especially for the elderly			
NN-2	Working in cooperation with neighborhood residents, support the provision of greenways, bikeways and walkways within existing neighborhoods			
NN-3	Architecturally compatible, residentially scaled office and institutional development may be permitted along major streets forming a boundary of a neighborhood planning area			
NN-4	Existing, less intensive development (i.e. residential or office uses) located at the intersection of two or more major streets may be allowed to undergo an orderly transition to appropriate commercial use, provided that original use is no longer viable and that careful site design will allow for compatibility with adjoining areas			

Community Plan Consistency Grid				
POLICIES FOR FUTURE NEIGHBORHOODS		YES	NO	NA
FN-1	Promote a walkable community to minimize sprawl, as most new neighborhoods should be compact in form			
FN-2	Ensure new neighborhood streets are no wider than necessary to serve their intended purpose			
FN-3	Consider future transit service corridors and reinforce these corridors with development mixtures and densities appropriate for transit services			
FN-4	Include at least one neighborhood center or focal point in neighborhood planning areas			
FN-5	Encourage neighborhood serving businesses in neighborhood design			
FN-6	Encourage centrally located amenity centers and discourage them on the periphery of neighborhoods			
FN-7	Encourage a mixture of housing types, sizes, and prices for each neighborhood planning area			
FN-8	Encourage higher density housing that is served by transit and located close to adjoining work and shopping areas			
FN-9	Ensure new neighborhoods are connected to other neighborhoods, shopping, and work areas within the neighborhood planning area			
FN-10	Ensure street design gives equal priority to pedestrians and automobiles			
FN-11	Recognize bike routes and greenways in neighborhoods at the time of development			
POLICIES FOR EXISTING COMMERCIAL AREAS		YES	NO	NA
EC-1	Encourage appropriate landscaping and reconfiguration of large, existing unlandscaped parking areas.			
EC-2	Encourage the provision of convenience clusters for pedestrians, bicyclists and future transit services at strategic locations in existing commercial areas			
EC-3	Encourage the consolidation of commercial driveways onto major streets and the connection of adjacent parking lots			
EC-4	Encourage businesses to replace existing, non-conforming signage with more attractive, conforming signage.			
EC-5	Encourage new infill development across the front street face of existing, over-designed parking lots			
EC-6	Continue to prohibit billboards within the planning jurisdiction of Wake Forest			
EC-7	Ensure bicycle and pedestrian access to existing commercial areas			
POLICIES FOR FUTURE LARGE-SCALE COMMERCIAL AREAS		YES	NO	NA
LSC-1	Encourage large-scale commercial developments where appropriate, to contain a diverse mixture of retail, office, restaurant and service uses			
LSC-2	Locate large-scale commercial uses on the corners of neighborhood planning areas, that is, at the intersection of two or more major streets			
LSC-3	Allow planned mixed-use developments which allow for a compatible mixture of residential and non-residential uses with a pedestrian scale and design should be encouraged			
LSC-4	In planning for a new large scale development, buffer large-scale uses from adjacent residential areas by smaller scale buildings or by buffer strips			
LSC-5	Except for limited access highways, pull up new commercial buildings to the street; parking should be placed to the rear or side of the structure			
LSC-6	When appropriate, require the use of all around architecture (high quality facades on all sides of a building)			
LSC-7	Plan ahead for new large-scale commercial development in regards to future public transit stops and convenience clusters			
LSC-8	Limit driveway access for new large-scale commercial development to major thoroughfares and connect all adjacent parking lots			
LSC-9	Cluster together auto dealerships, large equipment sales and other businesses primarily dependent upon expansive outdoor sales lots for both functional and economic reasons			
LSC-10	Strongly discourage the abandonment of "big box" retail stores, for the purpose of relocating to another "bigger box" location in the community			

Community Plan Consistency Grid				
POLICIES FOR SMALL SCALE NEIGHBORHOOD BUSINESSES		YES	NO	NA
SSB-1	Encourage small scale, pedestrian-oriented shopping and work places in the design of new neighborhoods			
SSB-2	Locate neighborhood businesses at center of planning area rather than major thoroughfares			
SSB-3	Ensure neighborhood businesses are designed at a residential scale and character			
SSB-4	Coordinate the location of neighborhood serving businesses with bikeways and, where appropriate, future transit stops			
SSB-5	Employ on-street parking in coordination with a limited amount of off-street parking for neighborhood serving businesses			
SSB-6	Ensure neighborhood businesses have residential scale signage and lighting			
SSB-7	Ensure neighborhood businesses encouraged as upfront infrastructure cost of new development			
SSB-8	Ensure neighborhood businesses locate near public amenities if opportunity allows			
SSB-9	Encourage living quarters over small retail shops and offices			
POLICIES FOR FIRST GENERATION BUSINESS AND INDUSTRIAL AREAS		YES	NO	NA
FGI-1	Actively participate, facilitate and partner in the adaptive reuse and conversion of former production, warehousing and manufacturing buildings into uses compatible with their design and location			
FGI-2	If the demolition of an old industrial building or complex becomes necessary, any new structure(s) and site redevelopment should be compatible with the neighborhood context; such redevelopment should serve to improve the quality, character and livability of the surrounding area			
POLICIES FOR SECOND GENERATION BUSINESS AND INDUSTRIAL AREAS		YES	NO	NA
SGI-1	Encourage and support the rehabilitation, improvement, and re-occupancy of viable business and industrial properties that have become vacant.			
SGI-2	The Town of Wake Forest acknowledges and supports the work of state and federal agencies, as well as its own town building inspectors, concerning the enforcement of environmental regulations and building standards, particularly concerning the redevelopment or adaptive reuse of manufacturing sites and buildings			
POLICIES FOR THIRD GENERATION BUSINESS AND INDUSTRIAL AREAS		YES	NO	NA
TGI-1	Periodically examine zoning ordinance and other development regulations to maintain or update appropriate standards and locations for manufacturing, warehouse and distribution opportunities within the Town's planning jurisdiction			
TGI-2	Employ industrial development performance standards to promote the establishment or expansion of industries that are compatible with the public health, safety, and welfare of area residents, and that are supportive of the long term economic prosperity and environmental quality of the community			
TGI-3	Provide and maintain adequate screening and buffering between residential areas and newly developed industrial sites			
TGI-4	Ensure industrial and warehouse sites located within view of a public right-of-way or nearby property provide landscaping that enhances the property and is consistent with a quality image			

Community Plan Consistency Grid				
POLICIES FOR DOWNTOWN		YES	NO	NA
D-1	Encourage a compatible, diverse mixture of retail, office, institutional, residential, dining, services, entertainment, and public open space in the downtown area			
D-2	Recognize the advantages of clustering similar activities and development forms in appropriate parts of the downtown			
D-3	Expand pedestrian oriented streetscape improvements, including wider sidewalks, street trees, decorative street lights, street furniture, and landscaping			
D-4	Direct new and expanding businesses to compatible buildings and sites in or near the downtown area			
D-5	Reserve ground floor space for retail uses with office and other uses on upper floors			
D-6	Maintain a tangible presence and commitment to the downtown through the location of the Town's major municipal offices there and encourage other local, state and federal government agencies to maintain similar commitments to the downtown			
D-7	Continue to support the Wake Forest farmers market at the municipal parking lot in downtown Wake Forest			
D-8	Continue to utilize the Renaissance Area Urban Code to ensure that development and redevelopment will be supportive of the architectural and historic context that is vital to the economic success of downtown Wake Forest			
D-9	Encourage efforts to restore missing or underutilized street frontages, particularly on lots where previous buildings have been demolished and replaced with (oftentimes) surface parking			
D-10	Locate parking lots to the side or behind buildings or in the interior of the block with off-street parking spaces for multi-family buildings being in the rear yard			
POLICIES FOR PARKS, OPEN SPACE AND RECREATION		YES	NO	NA
PR-1	In cooperation with private sector interests, develop a system of open space greenways and walking trails to connect to residential areas with, especially, schools and park facilities			
PR-2	Include mini-parks in existing and proposed developments to meet the needs of small children and the elderly, and to encourage social interaction and mutual support among area families			
PR-3	Locate parks in full view of residential/non-residential activity for security			
PR-4	Provide funding to help demand for open space and recreation created by development			
PR-5	Co-locate parks & recreation facilities with schools, utility companies, and federal, state and local government agencies			
PR-6	Continue to seek efficiencies, cost savings, and quality services for park maintenance as the Town grows			
PR-7	Continue to explore new opportunities for providing recreation programs with all available partners			
POLICIES FOR MAJOR STREETS		YES	NO	NA
S-1	Space major streets no more than 1 mile apart			
S-2	Ensure access to undeveloped sections of major streets are from intersecting minor streets, rather than private driveways			
S-3	Ensure minor streets intersect major streets regularly at approximately every 400 to 600 feet			
S-4	Incorporate central medians into the design of new or improved major streets			
S-5	Plant landscaping, and where possible, street trees in central medians of major streets			
S-6	Plant and retain streetyard vegetation along major streets to soften and unify the streetscape			
S-7	Ensure contrasting streetyards along major streets for change in visual character			
S-8	Preserve and enhance natural, cultural and historic features along major streets			
S-9	Ensure parking areas are screened from view within major street corridors			
S-10	Employ special roadway overlay zoning to help implement corridor plans			
S-11	Ensure road widenings and/or one-way pairs are avoided for streets where the original design intent and relationship to adjoining land uses was otherwise			

Community Plan Consistency Grid				
POLICIES FOR MINOR STREETS		YES	NO	NA
S-12	Encourage street patterns that respond to site topography, accentuate focal points and interesting vistas, create interesting public spaces and intersections, and that are coordinated with the placement of significant structures or open spaces			
S-13	Consider incorporation of medians in neighborhood axial streets			
S-14	Create short blocks of 300-500 feet in length to allow for many alternative routes for walking and biking, as well as a beneficial network of local streets			
S-15	Design street widths to fit the intended use of the street, corresponding to the traffic load and planned development types			
S-16	Employ a fully-connected honeycomb of streets to promote convenient circulation within the neighborhood and provide for multiple, alternative outlets from the area to adjoining neighborhoods and major streets			
S-17	Encourage on-street parking in compact neighborhoods			
S-18	Utilize grass swales to capture runoff in conservation subdivisions			
S-19	Ensure turning radius of corners at intersections are as small as possible to shorten the street crossing distance for pedestrians at intersections			
S-20	Install traffic calming methods as necessary to enhance livability			
POLICIES FOR SIDEWALKS		YES	NO	NA
SW-1	Where no sidewalks are present, provide sidewalks in existing developed areas to connect residential areas to walkable pedestrian destinations			
SW-2	Ensure sidewalks are required on both sides of the street in new developments when along thoroughfares and collectors, in multi-family developments, in "front porch" developments, and along local streets within walking distance of a major pedestrian trip attractor			
SW-3	Ensure sidewalk widths correspond with anticipated pedestrian traffic volumes, adjoining land uses, and sidewalk activities with minimum sidewalk widths at 5 feet, or 6 feet if along the verge of a street			
SW-4	Continue curb stamp installation and retrofit curb ramps in existing sidewalks			
SW-5	Ensure crosswalks are plainly marked and well lit, especially where significant pedestrian activity is observed or expected			
POLICIES FOR BIKEWAYS		YES	NO	NA
B-1	The bicycle facility selection guide, as used by the Federal Highway Administration, shall be employed for determining the most suitable type of bicycle facility for any new or upgraded roads in Wake Forest			
B-2	Facilitate bicycle and pedestrian way connections between neighborhoods, either by street or connecting path, to enable the effective use of local, minor streets for pedestrian and bicycle travel			
B-3	Install striped bicycle lanes and appropriate signage along existing streets where called for in the Bicycle Plan			
B-4	Install striped bicycle lanes and appropriate signage along new collector streets			
B-5	Install bicycle-responsive signals at intersections where appropriate			
B-6	Ensure all new public and private developments have bike parking and bicycle access			
B-7	Examine all future road construction and improvements for bikeway feasibility and conformity with the Town of Wake Forest Bicycle Plan			
B-8	Examine all future developments and site plans for bicycle compatibility and conformity with the town Bicycle Plan			
B-9	Include bicycle facilities and their impacts in traffic impact analyses for new private developments			
B-10	Establish and implement pedestrian and bicycle friendly schools zones around all schools			
B-11	Ensure bicycle-related improvements are an integral component of the Town's annual budget for public infrastructure investment			

Community Plan Consistency Grid				
POLICIES FOR GREENWAY TRAILS		YES	NO	NA
GT-1	Continue to pursue a greenway trails system that connects residential areas with schools and park facilities			
GT-2	Develop greenway trails in accordance with the environmental conditions of its corridor, its intended use for travel versus recreation, and the anticipated traffic volume of pedestrians and bicyclists			
GT-3	Ensure greenway construction is treated as a normal element of infrastructure necessary to support new development			
GT-4	Ensure greenway maintenance and safety in Town control after transfer from private control			
POLICIES FOR PUBLIC TRANSPORTATION		YES	NO	NA
PT-1	Support the successful operation and expansion of transit with compact, transit-compatible development patterns			
PT-2	Require site planning that incorporates transit stops and convenience clusters			
POLICIES FOR STREET TREES		YES	NO	NA
ST-1	Prepare and maintain an official Street Tree Planting Master Plan			
ST-2	Ensure consistent street tree species occur along certain sections of streets			
ST-3	Ensure a diversity of street tree species Town wide with no single species comprising more than 10-15% of total trees			
ST-4	Install regularly spaced street trees in central medians and frontage street medians			
ST-5	Continue to require The planting or preservation of street trees of appropriate size and species			
ST-6	Maximize available budget dollars for street tree master plan implementation			
POLICIES FOR STREETLIGHTS		YES	NO	NA
SL-1	Ensure streetlights are installed according to the design speed and/or intended use of the street or area they serve			
SL-2	Periodically evaluate emerging lighting technologies for best color, brightness and energy efficiency			
SL-3	Continue to develop and implement joint policies and standards for street light selection, installation, operation and maintenance in cooperation with Wake Electric and Duke/Progress Energy			
SL-4	Ensure streetlights are installed on both sides of streets unless a newly approved street is planned from the outset to have a sidewalk on only one side			
POLICIES FOR UTILITY POLES AND WIRES		YES	NO	NA
UPW-1	Maintain a master plan for the undergrounding of utilities, with priority given to pre-determined areas			
UPW-2	Ensure major town entrances and gateway corridors receive first priority for the undergrounding of overhead utilities			
UPW-3	Ensure high visibility, pedestrian-oriented areas receive second priority for the undergrounding of overhead utilities			
UPW-4	Ensure overhead utilities in other priority areas are placed underground or relocated as opportunities arise			
POLICIES FOR WIRELESS TELECOMMUNICATION FACILITIES		YES	NO	NA
WTF-1	Facilitate the development of wireless service technology as an economic development asset and significant benefit to the town and its residents			
WTF-2	Ensure the impacts of wireless telecommunication facilities should not be permitted to compromise the health, safety and public welfare of area residents; nor should such facilities be allowed to diminish the character of the community and visual quality of its environment			
WTF-3	Ensure that in residential areas, historic districts and the Renaissance districts, cell towers are only considered when there is no alternative for serving those areas and no other alternative wireless telecommunication structure can be utilized			
WTF-4	Initiate updates to standards for wireless telecommunication facilities as new technologies and structural requirements for wireless capabilities emerge over time			

Community Plan Consistency Grid				
POLICIES FOR TOWN AND SPECIAL AREA ENTRANCES		YES	NO	NA
TSE-1	Employ noticeable streetscape improvements to clearly announce a town entrance and to enhance gateway corridors			
TSE-2	Extend streetscape improvements as the Town limits expand			
TSE-3	Employ special "gateway" treatment where where a bridge, underpass, overpass or other roadway feature is located at an entry point to the town or some portion of it			
POLICIES FOR COMMUNITY CHARACTER		YES	NO	NA
CC-1	Employ architectural standards consistent with Wake Forest's architectural character for new, expanding, or improved businesses			
CC-2	Exceptional locations, views and vistas in the town should receive exceptional treatment and/or protection in design and development			
CC-3	Place noteworthy buildings, important outdoor spaces, objects of historic merit, important monuments, and significant works of art in positions of visibility and prominence			
CC-4	Incorporate significant natural and existing man-made elements into the thematic design of new developments			
CC-5	Save large trees, ponds, creeks, or other natural features of the landscape when locating new streets, buildings, parking lots, etc			
CC-6	Support community character by ensuring development is compatible with surrounding area			
CC-7	Ensure exterior lighting is attractive, functional and safety conscious, while also avoiding negative impacts on the night sky visibility of Wake Forest			
POLICIES FOR REGIONAL TRANSPORTATION		YES	NO	NA
RT-1	Continue to anticipate and plan for the impacts of new high speed rail service as it passes through Wake Forest en route to major urban centers north and south along the east coast			
RT-2	Continue to anticipate and plan for the transformation of US 1 Capital Blvd into a limited access freeway and multi-modal transportation corridor as per the plans of the US 1 Corridor Study			
RT-3	Support the express bus service between downtown Wake Forest and downtown Raleigh			
POLICIES FOR WATER AND SEWER		YES	NO	NA
WS-1	Work proactively with other local governments, utility service providers, and the State of North Carolina on regional, long term solutions for water supplies and sewage treatment			
WS-2	Place water and sewer utilities in areas where growth is desired			
WS-3	Avoid placing sewer utilities in environmentally sensitive areas or in areas where open space is desired			
WS-4	Encourage the development of sewer services that employ water reuse technologies			
POLICIES FOR WATER CONSERVATION		YES	NO	NA
WC-1	Conserve, to the fullest extent possible, potable water and waste water treatment capacity			
WC-2	Employ other types of non-municipal water supplies such as wells, rainwater catching systems, rain barrels and in-ground cisterns			
WC-3	Eliminate or reduce usage of the municipal water supply for outside irrigation			
WC-4	Encourage new development to plant drought tolerant grasses on lawns			
WC-5	Encourage construction of new rainwater retainage systems			
WC-6	Encourage new development to include traditional plants native to the area			
WC-7	Encourage the installation of water saving devices in new and existing development			

Community Plan Consistency Grid				
POLICIES FOR COMMUNITY ORIENTED SCHOOLS		YES	NO	NA
S-1	Plan for new school locations in advance through joint collaboration between the Town and School Board — with emphasis on steering facilities to desirable growth areas and avoiding sprawl			
S-2	Encourage offering land for new school facilities, particularly in conjunction with related neighborhood development			
S-3	Design safe campuses with pedestrian access to adjoining neighborhoods			
S-4	Prioritize traffic management and safety in the vicinity of public schools			
S-5	Co-locate school facilities with other community facilities and services			
S-6	Ensure costs for new schools should be borne largely by new growth and development creating the demand			
S-7	Foster diversity in community-oriented public schools by encouraging diversity in nearby neighborhoods feeding each school			
POLICIES FOR PAYING FOR GROWTH		YES	NO	NA
PFG-1	Ensure the costs of infrastructure, facilities and services related to new growth and development should be borne primarily by those creating the demand			
PFG-2	Continually seek to balance residential and non-residential development to foster a favorable service-cost to revenue-generated tax base			
PFG-3	Fees charged by the Town for development reviews and inspections should approximate the actual costs to the Town of conducting such work			
PFG-4	Explore cost recovery fees for new "greenfield" development			
PFG-5	Undertake annual planning and budgeting for capital facilities			
POLICIES FOR A HEALTHY SUSTAINABLE ENVIRONMENT		YES	NO	NA
HSE-1	Ensure development policies work to make Wake Forest more walkable and pedestrian-friendly, and less dependent on the single-occupant automobile			
HSE-2	Encourage compact, transit-oriented, mixed-use developments to facilitate walking, biking and transit options			
HSE-3	Locate new higher density residential development within walking distance of jobs and services and design it to be transit compatible with current and future transit services			
HSE-4	Recognize and facilitate low impact development			
HSE-5	Ensure runoff and drainage from development is of a quality and quantity as near to natural conditions as possible			
HSE-6	Require vegetative riparian buffers along all creeks, rivers, lakes and other water bodies in Wake Forest			
HSE-7	Encourage conservation subdivisions where site conditions call for minimizing environmental disturbance and protecting adjoining natural resources			
HSE-8	Ensure large parking lots have landscaped planting islands and perimeter buffer strips and may use other design technologies to intercept and absorb runoff			
HSE-9	Carefully control development activities in the special flood hazard areas			
HSE-10	Encourage the construction of energy efficient structures, including the use of "green" building design			
HSE-11	Ensure site plans for new development work sympathetically with the natural features of the land, including existing topography and significant existing vegetation			
HSE-12	Explore a combination of incentives and disincentives to protect existing trees and/or require the replacement of trees removed for development			
HSE-13	Encourage green infrastructure (grassed swales, rain gardens, bio-retention strips, cisterns, rain barrels, permeable pavements, etc.)			
HSE-14	Offer a variety of solid waste reduction strategies and services including educational programs on waste prevention, recycling and reuse			
HSE-15	Facilitate proper disposal of household hazardous waste materials			
HSE-16	Encourage on-site residential composting			
HSE-17	Continue off-site mulching and redistribution of landscape yard waste			
HSE-18	Continue to support education and activities that reduce litter and illegal dumping			
HSE-19	Continue to plan in advance for area requirements concerning solid waste collection and disposal			

Community Plan Consistency Grid				
POLICIES FOR ECONOMIC DEVELOPMENT		YES	NO	NA
ED-1	Encourage new and expanding industries and businesses that are compatible with the long-term quality of the area's natural and cultural resources, match up well with the area's infrastructure and services, employ and develop the skills of area workers, and diversify the local economy			
ED-2	Retain quality businesses and to attract new ones continue to invest in infrastructure and services that sustain and enhance the area's already high quality of life, image and cultural identity			
ED-3	Pursue economic and business development partnerships between the Town, other local jurisdictions, other economic development organizations, and private companies			
ED-4	Strive for a financial and regulatory environment that supports the establishment and growth of small business			
ED-5	Develop real estate "product" suitable for business placement that focuses on the identification, enhancement and certification of buildings and sites readily available for construction and/or occupancy			
POLICIES FOR ARTS CULTURE AND HISTORIC PRESERVATION		YES	NO	NA
ACH-1	Encourage efforts and actively participate in the provision of indoor and outdoor public and private spaces to showcase the work of visual and performing artists in Wake Forest			
ACH-2	Encourage new private sector developments to include art as an integral element of privately owned common areas and semi-public spaces			
ACH-3	Ensure budgets for new construction and renovations of town buildings include a line item for the purchase and display of art			
ACH-4	Continue to have cultural arts be enhanced as a permanent function of the Town's recreation program offerings			
ACH-5	Employ design standards that ensure development and redevelopment is consistent with the architectural context, community character, economic attractiveness and livability of Wake Forest			
ACH-6	Encourage the identification, restoration, and active use of structures, buildings, monuments, landmarks, sites and neighborhoods of historic or architectural significance			
ACH-7	Strongly discourage the destruction of architectural, historic, and archeological resources of Wake Forest			
POLICIES FOR PUBLIC SAFETY		YES	NO	NA
PS-1	Employ community education, school, and public involvement programs to enhance community awareness of public safety issues			
PS-2	Periodically review the need for additional paid personnel, capital improvements and equipment needs to meet or exceed public safety standards, insurance ratings and other measures of public safety			
PS-3	Strategically locate additional public safety substations, provided that sufficient resources can be made available to properly staff and equip them			
PS-4	Proactively support legislative efforts to strengthen local law enforcement tools			
PS-5	Employ a holistic approach to public safety involving residents, businesses, and institutions in the preparation of neighborhood improvement plans, with priority given to public safety concerns			
PS-6	Encourage excellence in law enforcement, fire protection, and emergency services through on-going education, training and participation in national accreditation programs			
PS-7	Support the establishment of an east-west through street (or loop road) on the north side of town to improve emergency access to locations in that area			
POLICIES FOR LEADERSHIP AND COMMUNITY INVOLVEMENT		YES	NO	NA
LCI-1	Continue to emphasize the importance of advisory boards & committees in conducting the Town's business			
LCI-2	Ensure boards and committees of the Town are representative of the population and geography of the planning area or subject matter being addressed			
LCI-3	Encourage public involvement in decisions on land use and development by making the public aware of proposed developments at the earliest lawful opportunity, as well as fostering communication between developers and the general public			
LCI-4	Encourage neighborhood and special area planning			
LCI-5	Continue to ensure maintenance and enhancements to the Town's internet and multi-media news dissemination capabilities			
LCI-6	Participate proactively in the cooperation of efforts among civic and volunteer organizations for maximum impact in the community			

Renaissance Plan Consistency Grid				
POLICIES FOR SUCCESSFUL DOWNTOWNS		YES	NO	NA
SD-1	Maintain and develop short blocks and a dense street network for enhanced walkability and increased connectivity			
SD-2	Provide ample on-street parking to support retail and act as an inherent traffic calming element			
SD-3	Ensure continuous building facade frontages along streets to keep pedestrians and bicyclists interested while traveling along the street			
SD-4	Balance the ratio of building height to street width to achieve a comfortable public realm			
SD-5	Provide and program a diversity of high quality public spaces			
SD-6	Manage parking with thoughtful consideration of location and actual need over the quantity of spaces			
SD-7	Provide active and engaging ground floor uses for downtown buildings			
SD-8	Work with businesses to encourage their hours of operation(s) go beyond 5 PM			
SD-9	Provide ample ambient lighting for both safety and interest			
SD-10	Locate restaurants in close proximity to one another to effectively concentrate a variety of options for visitors			
SD-11	Attract businesses and other uses that provide daytime employment			
SD-12	Provide high-end commercial activity			
SD-13	Increase the amount of pedestrian activity			
SD-14	Provide adequate accessibility and wayfinding for pedestrians			
SD-15	Ensure new building heights are between 2 and 4 stories			
SD-16	Ensure development is easily accessible to transit to accommodate higher volumes of users without adding pressure on parking			
SD-17	Provide dynamic activity with a mixture of sidewalk displays, outdoor dining, creative signage, diverse public spaces, and enticing window shopping			
SD-18	Incorporate unique and enticing human-scaled design features into new development			
SD-19	Attract diverse residential and employment centers within a 5 to 10-minute walk of downtown			
SD-20	Streets shall accommodate two-way, multi-modal traffic with on-street parking, street trees and furnishings			
POLICIES FOR RETAIL STRATEGY		YES	NO	NA
RS-1	Locate Retail Merchandising Units (RMUs) on sites slated, but not ready for redevelopment			
RS-2	Convene stakeholders to generate strategies for marketing downtown and facilitating new retail			
RS-3	Work to attract visitation from nearby neighborhoods/subdivisions			
RS-4	Require active ground floor uses based on the existing character and realistic aspirations for particular streets or areas			
RS-5	Make more efficient use of existing resources and condition motorists to consider parking spaces a little further than directly by their destination			
POLICIES FOR CONNECTIVITY TO THE CORE		YES	NO	NA
CC-1	Build on the identified centers of energy and ensure multi-modal connectivity between them			
CC-2	Transform Owen Street into a festival street that connects the retail core to the civic core with a unique urban experience			
CC-3	Build the Downtown Connection greenway and add a connection from Deacon Ridge Street to Franklin Street at mid-block			
CC-4	Fill any identified gaps in the sidewalk network and construct new sidewalks where suggested			
CC-5	Continue to complete streetscape improvements throughout the Renaissance Area prioritizing those that improve safety			

Renaissance Plan Consistency Grid				
POLICIES FOR MANAGING CARS		YES	NO	NA
MC-1	Enforce timed parking spaces to create more frequent turnover and availability of those parking spaces			
MC-2	Where feasible, consolidate driveway entrances and reduce curb cuts			
MC-3	Add parking spaces along Taylor Street behind Town Hall			
MC-4	Coordinate shared parking strategies with private lot owners to more efficiently utilize parking facilities			
MC-5	Install signage for private lots with shared parking agreements			
MC-6	Investigate the use of the Wake Forest Baptist Church lots for downtown employee parking so that parking spots closer to retail can be used by visitors			
MC-7	Add a pay station to the White Street public parking lot if site continues to be used as public parking area			
MC-8	Meter White Street parking spaces once enforcement of time limits is implemented			
MC-9	Over time, increase public transportation access as well as parking fees for metered spots and public lots			
MC-10	Build a public parking deck to serve a specialized development, and potentially, nearby uses			
POLICIES FOR CREATING A DESTINATION		YES	NO	NA
CD-1	Connect public gathering spaces, so there is a safe, enjoyable journey between them			
CD-2	Identify and implement an interactive civic space in downtown Wake Forest that attracts families through play and water			
CD-3	Develop a community art master plan which identifies opportunities for building murals, sculptures and other forms of creative thinking			
CD-4	Hire an event coordinator to manage, promote and execute Town related activities/festivals			
POLICIES FOR PUTTING PEOPLE FIRST		YES	NO	NA
PPF-1	Implement small-scale tactical improvements to the downtown area, such as parklets, temporary art installations, closed street events, and temporary seating or dining areas.			
PPF-2	Test outdoor dining at The Forks to add outdoor vibrancy and encourage pedestrian activity on Elm Avenue			
PPF-3	Restripe Elm Avenue to include bike lanes to give the east side a dedicated bicycle facility connecting them to downtown			
PPF-4	Install a temporary parklet in the loading zone; upon evaluation of its success, consider enhanced permanent features for the space			
PPF-5	Transform the intersection of Roosevelt Avenue and Front Street into a prominent gateway to downtown Wake Forest			
PPF-6	Transform the pedestrian pathway across the rail line into an art walk to downtown Wake Forest			
PPF-7	Use interesting lighting techniques to make the bridge an iconic and memorable feature of downtown			
PPF-8	Encourage the revitalization of 153 South White Street through strategic renovations			
PPF-9	Create a master list of opportunities and seek civic organizations to partner with in order to test a range of opportunities using tactical techniques			
PPF-10	Layer the downtown environment incrementally with additional furnishings, lighting and landscaping			
PPF-11	Research best practices in public Wi-Fi program implementation and management and subsequently implement public Wi-Fi in the Renaissance Area			
PPF-12	Add ideal spatial enclosure ratios to the Unified Development Ordinance			
PPF-13	Amend the Unified Development Ordinance to better achieve ideal building heights			
PPF-14	Amend the existing Required Shopfront Overlay District to include additional frontages			

Renaissance Plan Consistency Grid				
POLICIES FOR DEVELOPMENT AND REDEVELOPMENT OPPORTUNITIES		YES	NO	NA
DRDO-1	Connect the Northeast Community with downtown through a transitional redevelopment area comprised of new mixed-use infill development, renovated buildings, multi-family housing, single-family housing, and walkable street block sizes			
DRDO-2	Encourage the renovation and adaptive reuse of the garage building on Roosevelt Avenue			
DRDO-3	Transform the public and private realm of Wait Avenue and Roosevelt Avenue with redevelopment, adaptive reuse of older buildings, and new mixed-use infill development			
DRDO-4	Close a portion of Wait Avenue and consolidate the block to better accommodate a cohesive redevelopment and contribute in a positive way to downtown			
DRDO-5	Encourage infill and redevelopment along Owen Avenue to serve as a catalytic project that would add vibrancy to a key intersection in the historic core			
DRDO-6	Encourage infill development on vacant and underutilized lots on White Street to maintain a consistent and attractive street edge			
DRDO-7	Explore development and redevelopment of large parcels of land along South White Street, south of Elm Avenue, with primary focus on a mix of multi-family over retail, townhomes and civic buildings			
DRDO-8	Connect the Senior Center to downtown via Brooks Street and ensure that the public streetscape and the frontages of private development contribute to a highly walkable street			
DRDO-9	Replace some of the unsightly and underperforming parking lot area in front of the Renaissance Center with new, mixed-use outparcel development			
DRDO-10	Encourage new mixed-use, infill development and redevelopment of areas around the intersection of Elm Avenue and S. White Street			
POLICIES FOR IMPLEMENTATION STRATEGIES		YES	NO	NA
IS-1	Promote more frequent, smaller events in downtown that are more seasonally predictable and recurring			
IS-2	Attract a broad array of user groups, specifically children and college students, to downtown through strategic programming			

Northeast Community Plan Consistency Grid				
POLICIES FOR PRESERVING AND PROTECTING		YES	NO	NA
PP-1	Identify programs, initiatives, targeted funding mechanisms, counseling, and educational opportunities to allow existing residents flexibility in maintaining their chosen place of residence			
PP-2	Update the UDO to require appropriate transitions and buffers between new commercial development and residential neighborhoods			
PP-3	Identify additional green spaces and small-scale social gathering places (e.g. community gardens, pocket parks, playgrounds, etc.) in the Northeast Community and explore opportunities to add these spaces to the open space, greenway, and parks network			
PP-4	Modernize Ailey Young Park to align with other community park improvements. Assess the demands and desires of the community's recreational needs and explore potential improvements at the park			
PP-5	Continue to implement tree planting programs and identify potential locations for additional tree planting			
PP-6	Continue to identify masses of mature and specimen trees throughout the community and encourage their protection where feasible			
PP-7	Identify additional local historic sites within the Northeast Community through engagement activities with local leaders, groups, and places of worship			
PP-8	Work with national, state and local historic preservation programs to formally protect identified historic and culturally significant sites in the Northeast Community			
PP-9	Preserve the Ailey Young House as an African-American heritage site. The site can act as a gateway into the community, as well as a place to celebrate the African-American heritage of Wake Forest			
PP-10	Identify opportunities to provide educational programming to tell the stories of local historic sites and their role in both the Northeast Community and Town of Wake Forest			
PP-11	Continue to install historic markers or other interpretive material at historic sites			
PP-12	Explore the establishment of a historic district and/or cultural landscape to preserve the historic character of the Northeast			
PP-13	Promote maintenance of roadways including street cleaning, shrub maintenance along streets, etc			
POLICIES TO FLOURISH		YES	NO	NA
F-1	Focus additional residential and non-residential growth as per Future Land Use Map recommendations and explore rezoning targeted parcels (e.g., DuBois Campus, parcels along Wait Avenue) to accommodate and encourage non-residential uses			
F-2	Research potential in-fill development sites that could support future affordable housing development in the Northeast Community — which may include a mix of multi-family housing, attached single-family housing, and detached single-family housing			
F-3	Update the UDO to allow Accessory Commercial Units (ACU)			
F-4	Continue to include provisions for accessory dwelling units (ADUs) within development regulations, including future overlay districts, to encourage the creation of such units			
F-5	Establish an overlay zoning district to align new construction with existing orientation, massing, height, size, setback, building and scale. Determine building frontages applicable to each land use category based on research of existing lot widths			
F-6	Prepare and adopt discretionary guidelines to guide the design of residential and non-residential properties			
F-7	Perform a thorough analysis of utility infrastructure systems within the study area - including broadband network coverage. The analysis should be used to update the list of needed improvements in the study area, which may be carried out through the Town's Capital Improvements Plan or through coordination with utility agencies.			
F-8	Explore creation of community gateway improvements at key intersections including identifying signage (i.e. "Northeast Community). Such gateway improvements may include landscaping, public art, signage, lighting, etc			
F-9	Explore opportunities to provide spaces and programming options for the installation of public art, specifically at activity centers in and around the community			
F-10	Encourage the redevelopment of the W.E.B. DuBois School Campus to include uses and programming that benefit both the Alumni Association and surrounding neighborhood			
POLICIES TO CONNECT		YES	NO	NA
C-1	Design and install wayfinding, signage and interpretive panels at existing parks. Such signage may include maps of the larger scale greenway network in addition to information regarding specific locations. Wayfinding signage should consider both pedestrian and bicycle friendly scales as well as vehicular scale for visibility/legibility			
C-2	Implement the streetscape recommendations that align with the 2019 Comprehensive Transportation Plan (CTP – updated 2021)			
C-3	Implement the proposed bicycle, pedestrian, greenways, multiuse paths, roadway, and connectivity facilities outlined in the 2019 Comprehensive Transportation Plan (CTP - updated 2021)			

Northeast Community Plan Consistency Grid				
C-4	Conduct an ADA audit of existing bike and pedestrian facilities within the study area to ensure ADA compliance			
C-5	Consider opportunities to reduce speeding along neighborhood roadways. Interventions could include traffic calming installations, on-street parking to buffer pedestrians from automotive lanes and deter speeding, and warning signage at specific locations to deter cut-through traffic			
C-6	Continue coordination with NCDOT and GoRaleigh to advance the Wake Forest Commuter Rail (S-Line) initiative			
C-7	Explore innovative multimodal technologies (i.e. microtransit / micromobility) to give residents of the Northeast Community additional transportation options			
C-8	As the DuBois Campus redevelops, investigate enhancing the transit service in the study area to include stops in the northern and eastern portions of the study area			
C-9	Investigate the viability of adding a transit route to / from points north of the study area (i.e. Flaherty Park, Youngsville, etc.)			
POLICIES TO PARTNER		YES	NO	NA
P-1	Collaborate with Wake County to identify funding opportunities (e.g., Community Development Block Grants) for affordable housing and other neighborhood improvement activities			
P-2	Work with local community organizations (such as NECC, places of worship, Alumni Association, etc.) to understand needs and requirements for existing community celebrations, as well as identify additional opportunities for new community celebrations. As part of this effort, identify funding sources and collaborative partners to launch new community events			
P-3	Strengthen existing job training and mentorship programs that can be or are provided through local organizations in Wake Forest. Provide additional opportunities as new skills are needed. Enact additional job readiness programs, directed at younger and older residents, to help individuals transition into new jobs			
P-4	Work with local organizations to identify and implement youth programming such as mentoring, after school programs, daily homework initiatives, summer youth programs, recreation activities, etc			
P-5	Work with local organizations and religious institutions to identify and implement child care programming to help support working families in the Northeast Community			

Parks & Recreation Master Plan Consistency Grid				
POLICIES FOR IMPROVED INTERNAL AND EXTERNAL COMMUNICATION OF ACTIVITIES AND SERVICES		YES	NO	x
IEC-1	Make use of the Town's Marketing Plan to improve awareness park facilities			
IEC-2	Partner with the Communications Department and the Public Information Office to make the best use of the Town's website and social media outlets			
IEC-3	Adopt open lines of communications and meetings with partners and potential partners			
POLICIES FOR CREATING NEW STAFF ASSIGNMENTS OR NEW HIRES FOR ADDED RESPONSIBILITIES		YES	NO	NA
SANH-1	Add staff to the Maintenance Division to meet current and anticipated future demands			
SANH-2	Add staff for facility operations to meet demand for extended hours of operations for facilities			
SANH-3	Ensure that staffing resource levels can maintain existing and new facilities at or above acceptable standards as master plan is implemented			
SANH-4	Add staff to the Urban Forestry Division to meet anticipated future demands with development and expansion of the parks and greenways system			
POLICIES FOR EQUITABLE USER FEES		YES	NO	NA
EUF-1	Develop a standardized philosophy for pricing programs and services that reflects the Wake Forest community			
POLICIES FOR PURSUING GRANTS		YES	NO	NA
PG-1	Continue to research, submit, and track federal, regional, state, and local grants			
POLICIES FOR IMPLEMENTING PARKS, RECREATION, AND GREENWAYS		YES	NO	NA
PRG-1	Develop a plan for the implementation of the Parks, Recreation, and Greenways Improvements from the 2014 Bond Referendum			
POLICIES FOR INCREASING TAX INCREMENT LEVELS		YES	NO	NA
ITIL-1	Campaign for community investment in long term Master Plan implementation			
POLICIES FOR INCREASING PROGRAMMING FOR FAMILIES, SENIORS, AND TEENS		YES	NO	NA
PFST-1	Expand program opportunities for teens, families, and seniors in all locations			
POLICIES FOR INCREASING PROGRAMS IN WELLNESS, CULTURAL, AND SPECIAL NEEDS		YES	NO	NA
WCSN-1	Expand wellness/fitness, cultural, and special needs programming opportunities			
WCSN-2	As new facilities are developed and constructed, include appropriate spaces for wellness/fitness, cultural, special needs, and aquatic opportunities			
POLICIES FOR INCREASING THE NUMBER OF SPECIAL EVENTS AND FESTIVALS		YES	NO	NA
OC-1	Expand neighborhood and community special event and festival opportunities at a variety of locations community wide with an emphasis in the downtown area			
POLICIES FOR CREATING INCREASED PARTICIPATION AT THE RENAISSANCE CENTER		YES	NO	NA
APRC-1	Create a 3 to 5-year Strategic Plan that focuses on creating awareness and increasing programming, and develop a marketing strategy			
POLICIES FOR CREATING GREATER AWARENESS FOR THE URBAN FORESTRY DIVISION		YES	NO	NA
AUFD-1	Develop a marketing strategy for the Urban Forestry Division that creates a greater awareness and public interest in the goals and outcomes of the Division			
AUFD-2	Develop implementation strategies and educational opportunities for the Urban Forestry Management Plan			
POLICIES FOR MAINTAINING AND IMPROVING EXISTING FACILITIES		YES	NO	NA
AUFD-1	Continue to implement maintenance strategies that both sustain and make improvements to existing facilities			
AUFD-2	Develop a plan to address the recommendations from the inventory as they relate to individual park improvements			

Parks & Recreation Master Plan Consistency Grid				
POLICIES FOR EXPANDING TRAILS AND CONNECTIVITY		YES	NO	NA
AUFD-1	Complete Greenways System as identified in the 2014 Bond			
AUFD-2	Explore the development of trail heads at entrance points to the Greenway			
POLICIES FOR PROVIDING NEW FACILITIES		YES	NO	NA
PNF-1	Explore the opportunity to design and construct a 65,000 square foot Recreation Center in the downtown area that includes a competitive pool, water features, gymnasiums, fitness/wellness space, indoor track, and community space			
PNF-2	Explore the opportunity to construct a dedicated Pickleball facility that could serve the region as a tournament and league play hub			

Comprehensive Transportation Plan Consistency Grid

POLICIES FOR GENERAL RECOMMENDATIONS		YES	NO	NA
GR-1	Update the CTP annually to capture changes in existing conditions, development, Capital Improvement Plan (CIP), and transportation regulations			
GR-2	Continue coordination with CAMPO, Wake County, NCDOT, and other local and regional partners, as appropriate, on infrastructure improvements			
GR-3	Study the Town Historic Districts and Northeast Community to determine if alternative curb/gutter and sidewalk cross-sections are needed			
GR-4	Update the CTP to capture any transportation recommendations from the CAMPO North East Area Study			
GR-5	Update the CTP to capture any transportation recommendations from the Northeast Community Plan			
GR-6	Update the CTP to capture any transportation recommendations from the Wake Forest Community Plan Update			
GR-7	Continue to support public private partnerships for infrastructure projects			

POLICIES FOR RAIL RECOMMENDATIONS		YES	NO	NA
RR-1	Continue coordination with CAMPO, NCDOT, and other local and regional partners, as appropriate, for the advancement of the Southeastern High-Speed Rail or S-Line			
RR-2	Develop TOD small area plans for the station areas			

POLICIES FOR BUS RECOMMENDATIONS		YES	NO	NA
BR-1	Implement Loop B of the Wake Forest Loop bus service			
BR-2	Develop an interactive website for the Wake Forest Loop showing stop location and bus station infrastructure			
BR-3	Explore real time technology options to enhance user experience			
BR-4	Develop a plan to introduce public art into bus shelter design			
BR-5	Explore wayfinding opportunities at bus shelter locations			
BR-6	Develop standardized street furniture and shelter for bus stop locations that are either purchased by the Town or donated by private citizens or groups			
BR-7	Continue coordination with CAMPO, Wake County, Wake Transit, and other local and regional partners, as appropriate, for the advancement of transit in the region			
BR-8	Continue to support fare free bus transit in Wake Forest			
BR-9	Evaluate the Unified Development Ordinance (UDO) for bus stop design standards during site plan review			
BR-10	Implement the CIP bus shelter program to add additional bus shelters annually along the Wake Forest Loop			

POLICIES FOR EMERGING TECHNOLOGIES		YES	NO	NA
ET-1	Develop a plan to optimize the Town's investment in electric vehicle charging infrastructure and identify opportunities to install charging infrastructure			
ET-2	Update the UDO to reflect electric vehicle charging technology and analyze options for incorporating electric vehicle readiness into development regulations			
ET-3	Explore Intelligent Transportation Systems (ITS) and emerging technologies and evaluate their integration into the transportation system			
ET-4	Explore signal integration with regional partners			
ET-5	Consider future impacts of autonomous vehicles on development regulations			
ET-6	Evaluate micro-transit technology as an option for public transportation			

Comprehensive Transportation Plan Consistency Grid

POLICIES FOR PEDESTRIAN RECOMMENDATIONS		YES	NO	NA
PR-1	Support Safe Routes to School events at local Wake Forest schools and explore additional opportunities for safety events			
PR-2	Update the UDO to reflect greenway design and multi-use path design			
PR-3	Develop an inventory of ADA accessible crosswalks and pedestrian ramps and develop an action plan to bring substandard infrastructure into compliance			
PR-4	Develop an updated interactive website for the greenway network			
PR-5	Develop a standard operating procedure for greenway sign locations that as part of the development review process			
PR-6	Expand existing GIS data along greenways to ensure signage, emergency locations, benches, and other amenities have been captured			
PR-7	Expand pedestrian connectivity standards in the UDO for block length and at the ends of cul-de-sacs			
PR-8	Continue to support the funding of sidewalk gaps with Town funding			
PR-9	Evaluate the proposed bicycle network and update proposals after investigating need and if roadways can accommodate proposals			
PR-10	Evaluate all unsignalized greenway trail crossing to determine whether crossing enhancements would be appropriate			
PR-11	Explore grant opportunities such as CDBG funding for improvements in marginalized neighborhoods			
PR-12	Continue coordination with CAMPO, Wake County, NCDOT, and other local and regional partners, as appropriate, on infrastructure improvements and funding sources, such as LAPP			
PR-13	Update pedestrian signage to be interpretive to meet ADA requirements			
PR-14	Support Wake Forest bicycle safety events and explore additional opportunities			
PR-15	Evaluate the use of soft trails and paved surfaces in the development of the Wake Forest Reservoir master plan while ensuring residents with varying ability level access to the reservoir			
PR-16	Evaluate the Town-owned 80 acres behind Heritage High School for any deed restrictions that limit development of the Smith Creek Greenway and neighborhood connections thereto			
PR-17	Evaluate off-street bikeway cross-sections where bicycle infrastructure is out of the roadway and running parallel to the curb			
PR-18	Explore reintroducing bike share as a mode of transportation for the Town			

POLICIES FOR ROADWAY RECOMMENDATIONS		YES	NO	NA
RWR-1	Fund the South Main Street study for access management along South Main Street between US 1 and South Avenue			
RWR-2	Update the UDO access management standards			
RWR-3	Explore the potential for a roundabout at Ligon Mill Road and Burlington Mill Road			
RWR-4	Evaluate the UDO language to examine street connectivity standards during development review			
RWR-5	Evaluate the UDO language to examine street connectivity standards to promote an organic local street network			
RWR-6	Update UDO based on the roadway classifications and remove roadway cross-sections in the UDO			
RWR-7	Work with regional partners to advocate for accelerating the US 1 Project			
RWR-8	Update the UDO to add regulations to match Wake County on how to handle cemeteries in development and roadway projects			

Public Arts Plan Consistency Grid

POLICIES FOR PUBLIC ARTS IMPLEMENTATION		YES	NO	NA
PAI-1	Liason and consult with municipal agencies and departments			
PAI-2	Commission original works of public art			
PAI-3	Acquire public art			
PAI-4	Document all accession, deaccession, loans, or donations of public art			
PAI-5	Provide technical feasibility for public art			
PAI-6	Ensure public art commissioned by the Town is owned by the Town			
PAI-7	Ensure the deaccession of public art is handled with cautious, deliberate and scrupulous standards			
PAI-8	Ensure public art emphasizes placemaking with safety, security, maintenance, accessibility, context, departmental support and community support in mind			
PAI-9	Actively engage an artist when undertaking Town capital projects and encourage private developers to include either an artist on the design team or works of art with public access within the development			
PAI-10	Explore incentives for public art such as tax credits, covering maintenance costs and payment-in-lieu to locate artwork on an alternative site			
PAI-11	Consider easements for public art			
PAI-12	Ensure adequate maintenance is performed on public art			
PAI-13	Avoid conflicts of interest in the selection of a project site, finalist or artist			

Historic Preservation Plan Consistency Grid

POLICIES FOR HISTORIC PRESERVATION		YES	NO	NA
HP-1	Ensure that historic preservation education includes a special emphasis on local history and architecture, the Historic District Design Guidelines, and preservation methods and techniques			
HP-2	Utilize communication tools, working closely with the Town's Communications Department and partnering with the news media, to get the word out about historic preservation			
HP-3	Continue important historic preservation programs, including property designation and listing, protecting endangered properties, incentive programs, and the enforcement of the Historic District Design Guidelines			
HP-4	Encourage physical Improvements in historic neighborhoods, including pedestrian lighting, sidewalk improvements, and street Improvements			
HP-5	Encourage special projects in historic preservation, including Town policies in support of historic preservation, the protection of the Ailey Young House, and the development of an interactive data base			
HP-6	Encourage special events focused on historic preservation, including the biennial Christmas Historic Home Tour, other guided historic tours, and a Historic Home and Garden Tour			

POLICIES FOR ARTS CULTURE AND HISTORIC PRESERVATION (Copied from Community Plan and ad		YES	NO	NA
ACH-5	Employ design standards that ensure development and redevelopment is consistent with the architectural context, community character, economic attractiveness and livability of Wake Forest			
ACH-6	Encourage the identification, restoration, and active use of structures, buildings, monuments, landmarks, sites and neighborhoods of historic or architectural significance			
ACH-7	Strongly discourage the destruction of architectural, historic, and archeological resources of Wake Forest			

2. District Provisions

2.1. OFFICIAL ZONING MAP

2.1.1. ZONING MAP

A. Zoning Districts

The boundaries of each zoning district are shown on a map entitled "Town of Wake Forest Official Zoning Map" which is hereby made a portion of this ordinance. The Official Zoning Map shall bear the adoption date of this ordinance and the signatures of the Mayor and Town Clerk.

B. Overlay Districts

Certain overlay districts such as the Special Highway Overlay District, the Watershed Protection Districts, etc., are hereby established and incorporated by reference. The spatial data for such overlay(s) shall be presented with the Official Zoning Map as appropriate.

C. Administration and Maintenance of Zoning Map

The Official Zoning Map shall be maintained in the Wake Forest Planning Department and a copy shall be kept on file with the Town Clerk. The Administrator shall separately maintain the digital files that comprise the map and record all map amendments in a separate metadata file.

2.1.2. INTERPRETATION OF BOUNDARIES

When uncertainty exists with respect to the boundaries or districts as shown on the Official Zoning Map, the following rules shall apply:

- A. District boundary lines are generally intended to be along or parallel to property lines, lot lines, the center line of street, alleys, railroads, easements, other rights-of-way, and creeks, streams, or other water channels.
- B. In the absence of specified distances on the map, dimensions or distances shall be determined by the scale of the Official Zoning Map.
- C. Where the Zoning Map shows a district boundary dividing a lot, each part of the lot shall conform to the standards established by this ordinance for the land development or overlay district in which that part is located.
- D. When the street or property layout existing on the ground is at variance with that shown on the Official Zoning Map, the Planning Board shall interpret the district boundaries of this ordinance in accordance with Section 14.4

2.2. DISTRICT PROVISIONS

2.2.1. Urban (Form-Based) Districts General Overview

A number of the key districts for the Town of Wake Forest are ordered and classified according to the Rural-Urban Transect. The Transect is a method of classifying the natural and built environments as a continuum of six conditions, ranging from rural to urban. The value of the Transect is that it classifies development form with the appropriate land use and development context. For example, a rural street typically has no curbs or sidewalks and its buildings are often irregularly spaced. An urban street, depending on the intensity of urbanism, may have curbs and gutters, regularly placed street trees, sidewalks, and building forms that are more regular in form and spacing. Each urban zoning category has detailed provisions for the mix of uses, building type,

density, height, street design, the design of parks and open space, the mix of uses, building design, parking, streetscape and other aspects of the human environment.

In order to implement the intent of this ordinance, there are hereby created several base districts with the designations and general purposes listed under each and the specifically permitted uses, special uses, dimensional standards and permitted building types included. Each base district has a corresponding Conditional District designation which shall be administered in accordance with Section 2.6.

DRAWING BY JAMES WASSELL



A. Natural & Rural Areas

The Transect begins with two areas that are rural in character: the Natural Area, which is made up of lands protected in perpetuity as natural, recreational or agricultural areas; and the Rural Area, which includes areas of high agricultural, scenic, or environmental value that should be protected.

B. Suburban Area

The transition area between countryside and town is called the Suburban Area. This area consists primarily of single family homes. Although this area is primarily a residential area, it may have other development types, such as schools and other civic uses.

C. General Urban Area

General Urban development is primarily residential, but more urban in character, having a higher density with a mix of housing types and a greater mix of uses, including neighborhood-serving commercial uses.

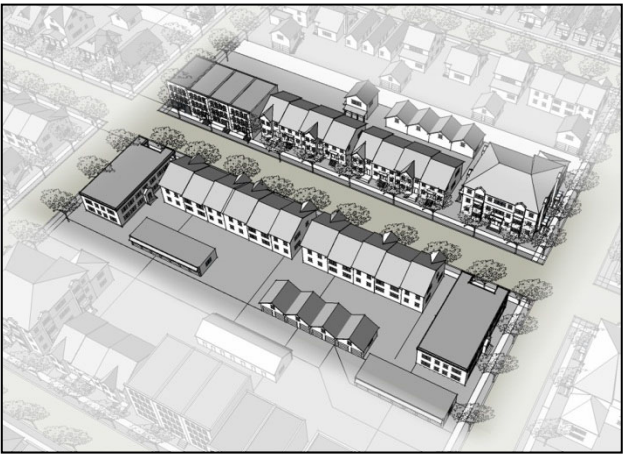
D. Urban Center Area

At the more urban end of the spectrum is the Urban Center Area. This can be a small neighborhood center or a larger Village/Town center, the latter serving more than one neighborhood.

E. Urban Core Area

The Urban Core or Downtown serves not only adjacent neighborhoods, but the entire town and the region. While it is typically the central business district where the greatest mix of uses occurs, the historic character and location of Wake Forest's downtown is too small in size and scale to serve as a primary urban core area.

2.2.2. Urban District Descriptions

BASE DISTRICT DESCRIPTION	
A. Urban Residential (UR) <i>Previous District(s): R10 & R8 in urban contexts</i> The Urban Residential District is established as a predominately residential district in which a variety of types of housing is permitted, including single-family and duplex residences, small apartment buildings and townhouses.	
B. Residential Mixed-Use (RMX) <i>Previous District(s): R5 & O-I in urban contexts, MF, RA-C</i> The Residential Mixed-Use District is established to accommodate a variety of housing types in a neighborhood setting. The regulations of this district are intended to provide areas of the community for those persons desiring small residences and multifamily structures in relatively high density neighborhoods within walking or biking distance from mixed-use centers as well as some limited commercial uses in pedestrian-scaled, residential-style structures.	
C. Neighborhood Mixed-Use (NMX) <i>Previous District(s): O-I & NB in urban contexts, RA-C</i> The Neighborhood Mixed-Use District is established as a pedestrian-scaled, mixed-use district which caters to the everyday needs of nearby neighborhoods, stressing accessibility by automobiles, bicycles, and pedestrians.	

BASE DISTRICT DESCRIPTION	
D. Renaissance Area Historic Core (RA-HC) The Historic Core of the Renaissance Area permits the sensitive continuation of the “Main Street” environment of White Street and its secondary streets. The ground floor of buildings on White Street should be comprised of active uses including retail or restaurants with office and residential located on second stories. Side streets east of White Street may have a greater variety of ground floor uses.	
E. Urban Mixed-Use (UMX) <i>Previous District(s): RA-UC</i> The Urban Mixed-Use District accommodates an active, pedestrian-friendly area of community-scale commercial, residential, office, and civic uses in both vertically mixed-use, as well as free-standing buildings. Retail should be placed at street level, with residential uses in rear or upper stories.	
F. Planned Unit Development (PUD) The Planned Unit Development (PUD) district is designed to promote a compatible mix of uses to instigate an integrated and sustainable development consistent with the Town's unique character. This district shall also encourage design flexibility; multi-modal connectivity between uses; sensitivity to natural resources and environmental features; and facilitate the efficient provisions of infrastructure, utilities and adequate public facilities.	

2.2.3. Table of Urban District Development Standard

Base Districts	UR	RMX	NMX RA-HC	UMX	PUD
A. BUILDING TYPE (Section 5.4 – 5.8)	Civic / Institutional Detached House Townhouse	Civic / Institutional Detached House Townhouse Apartment Commercial	Civic / Institutional Townhouse Apartment Commercial	Civic / Institutional Townhouse Apartment Commercial	Civic / Institutional Detached House Townhouse Apartment Commercial
B. PRIVATE FRONTAGE (Section 5.3)					Refer to Section 2.7
1. Common Lawn	Permitted	Permitted	Prohibited	Prohibited	--
2. Porch & Fence	Permitted	Permitted	Prohibited	Prohibited	--
3. Terrace or Light Court	Permitted	Permitted	Permitted	Permitted	--
4. Forecourt	Permitted	Permitted	Permitted	Permitted	--
5. Stoop	Permitted	Permitted	Permitted	Permitted	--
6. Shopfront/Awning	Prohibited	Permitted	Permitted	Permitted	--
7. Gallery	Prohibited	Prohibited	Permitted	Permitted	--
8. Arcade	Prohibited	Prohibited	Permitted	Permitted	--
C. DEVELOPMENT STANDARDS					
1. Max. Density (Units/Acre)	10 dua	24 dua	n/a	n/a	n/a
2. Open Space (min) per CH 7	5%	5%	2% for projects 5 acres or greater	2% for projects 5 acres or greater	15%
3. Park Space (min) per CH 7	2%	2%	2% for projects 5 acres or greater	2% for projects 5 acres or greater	2%
4. Minimum and Maximum Development Size if not in TND	80 acres maximum	40 acres maximum	n/a	n/a	10 acres minimum
D. PRINCIPAL BUILDING					
1. Principal Front Setback	20 ft max.	18 ft max.	12 ft max (NMX) 5 ft max. (RA-HC)	6 ft max.	Per UDO Section 2.7
2. Street Side/Secondary Front Setback	5 ft min.	5 ft min.	12 ft max.	6 ft max.	Per UDO Section 2.7
3. Side (from adjacent lot) Setback ^{1,2}	5 ft min.	0 ft min.	0 ft min.	0 ft min.	Per UDO Section 2.7
4. Rear Setback	20 ft min. OR 5ft min. w/ rear alley access	5 ft min.	0 ft min.	0 ft min.	Per UDO Section 2.7
5. Frontage Buildout ³	n/a	n/a	60% min.	70% min.	Per UDO Section 2.7

Base Districts	UR	RMX	NMX RA-HC	UMX	PUD
E. ACCESSORY STRUCTURE					
1. Side Setback ¹	5 ft min.	5 ft min. OR 0 ft min. for attached structures	5 ft min. OR 0 ft min. for attached structures	0 ft min.	Per UDO Section 2.7
2. Rear Setback ¹	5 ft min.	5 ft min.	5 ft min.	0 ft min.	Per UDO Section 2.7
3. Garage Setback from Alley	15 ft from face of garage to centerline of alley				
4. Other Standards	20 ft min. behind building frontage line		Rear Yard Only		
F. PARKING CONFIGURATION					
1. Parking Requirements	By Use - See Section 9.4				
2. Parking Location	By Building Type - See Section 9.3				
G. HEIGHT					
1. Min. Height	None	None	16 ft	2 stories	Per UDO Section 2.7
2. Max. Height ⁴	3 stories	6 Stories (May Exceed with an SUP)	6 Stories (May Exceed with an SUP) (3 Stories along White Street from Elm to Roosevelt)	6 Stories (May Exceed with an SUP)	6 Stories or 60 feet, whichever is less (may exceed with an SUP)

¹ May be increased subject to building code standards

² Side setback does not apply to interior units of townhome buildings

³ For primary street frontage only; see Section 4.3.3.C for calculations

⁴ When maximum height is express in stories, the allowable height shall be calculated by multiplying the maximum number of stories permitted by the maximum story height outlined in Section 4.5.

2.2.4. Rural and Suburban Districts

In order to maintain existing auto-oriented commercial and industrial areas, and conventionally developed residential subdivisions, there are hereby continued several base districts with the designations and general purposes listed under each and the specifically permitted uses, special uses, and dimensional standards included. It is expected that the expansion or enlargement of these districts will be minimal as more than sufficient area currently exists in accordance with the adopted Community Plan for such single-use categories. Each base district has a corresponding Conditional District designation which shall be administered in accordance with Section 2.4.

BASE DISTRICT	DESCRIPTION
A. Open Space District (OS)	The Open Space District is established to preserve and protect environmentally sensitive lands (e.g. floodways, wetlands) and properties that are already under public ownership and/or otherwise restricted for use for passive or active recreational use.

BASE DISTRICT	DESCRIPTION
B. Rural Holding District (RD) <i>Previous District(s): RD</i>	The Rural Holding District is established as a district in which the principal uses of the land are restricted due to lack of available utilities, unsuitable soil types or steep slopes.
C. General Residential (GR3, GR5, GR10) <i>Previous District(s): R20, R15, R10, R5, MF, O-I</i> <i>R-20 & R-15 convert to GR3</i> <i>R-10 converts to GR5</i> <i>R-5, MF & O-I convert to GR10 where applicable</i>	The General Residential Districts are established to maintain previously developed suburban residential subdivisions for their existing or approved low-to-medium density single-family dwellings and related recreational, religious and educational facilities. Intended to act as a transitional zoning district between rural development in the county and the urban development of the town, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.
D. Neighborhood Business (NB) <i>Previous District(s): NB, O-I</i>	The Neighborhood Business District is established as a district in which the principle use of land is for retail trade and services purposes of a lower intensity than the Highway Business (HB) District. Such districts are generally located near residential areas and cater to the everyday needs of nearby residential neighborhoods, stressing accessibility by automobiles, bicycles, and pedestrians.
E. Highway Business (HB) <i>Previous District(s): HB</i>	The Highway Business District is generally located on the major thoroughfares in town and provides opportunities for the provision of offices, services and retail goods. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development while encouraging the creation of new pedestrian-friendly, mixed-use areas that avoid strip commercial development and establish more resilient land development patterns.
F. Institutional Campus Development (ICD) <i>Previous District(s): ICD</i>	This district is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses and of governmental and health facilities, where the campus or facility has a total development size greater than 10 acres. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential and historic areas. In the attempt to meet this goal numerous requirements are included, such as but not limited to buffers, landscaping, outdoor lighting, parking, signage, building height, setbacks, and the like.
G. Light Industrial (LI) <i>Previous District(s): I</i>	The Light Industrial District is established to accommodate externally benign industrial and office uses that pose little nuisance to adjacent residential or mixed-use areas.
H. Heavy Industrial (HI)	The Heavy Industrial District is established to accommodate those industrial, manufacturing, or large-scale utility operations that are known to pose levels of noise, vibration, odor, or truck traffic that are considered nuisances to surrounding development.

2.2.5. Table of Rural and Suburban District Development Standards

Standard	Open Space (OS)	Rural Holding District (RD)	General Residential (GR3, GR5, GR10)	Neighborhood Business (NB)	Highway Business (HB)	Institutional Campus Development (ICD)	Light Industrial (LI)	Heavy Industrial (HI)
A. DEVELOPMENT STANDARDS								
1. District/Development Area (min)	n/a	n/a	n/a	n/a	n/a	10 acres	10 acres	20 acres
2. Density (max) ¹	n/a	1 unit/acre	GR3: 3 units/acre GR5: 5 units/acre GR10: 10 units/acre	n/a	n/a	determined by adopted master plan	n/a	n/a
3. Open Space (min) per Chapter 7	n/a	10%	10%	n/a	n/a	25%	n/a	n/a
4. Park Space (min) per Chapter 7	n/a	2.5%	2.5%	n/a	n/a	n/a	n/a	n/a
5. Building Floor Area (Max)	n/a	n/a	n/a	50,000 sq ft per building	n/a	n/a	n/a	n/a
6. Development Floor Area (Max)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
B. LOT STANDARDS								
1. Lot Area (min) ²	n/a	40,000 sq ft	GR3: 10,000 sq ft GR5: 7,500 sq ft GR10: 5,000 sq ft	None except max. 15 acres for Shopping Centers	20,000 sf	n/a	40,000 sq ft (interior lots only)	5 acres (interior lots only)
2. Lot Width at Front Setback (min) ³	n/a	60 ft	50 ft	none	150 ft	n/a	n/a	n/a
C. PRINCIPAL BUILDING								
1. Principal Front Setback (min)	20 ft	20 ft	20 ft	20 ft	30 ft	20 ft	30 ft	50 ft
2. Street Side/Secondary Front Setback (min)	20 ft	20 ft	20 ft	20 ft	30 ft	20 ft	30 ft	50 ft
3. Side (from adjacent lot) Setback (min) ⁴	10 ft	10 ft	8 ft	15 ft	10 ft	10 ft	15 ft	30 ft
4. Rear Setback (min)	25 ft	25 ft	25 ft	20 ft	30 ft	20 ft	20 ft	50 ft
D. ACCESSORY STRUCTURE								
1. Side Setback (min)	10 ft	10 ft	5 ft	10 ft	10 ft	10 ft	10 ft	10 ft
2. Rear Setback (min)	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
3. Other Standards	n/a	See Section 4.6	See Section 4.6	See Section 4.6	See Section 4.6	See Section 4.6	See Section 4.6	See Section 4.6
E. PARKING CONFIGURATION								
1. Parking Location		By Building Type - See Section 9.3						
2. Specific Restrictions	n/a	n/a	n/a	Parking in Front setback not permitted	Parking in first 10 ft of Front setback	Parking in Exterior setback not permitted except as part	Parking in Front & Exterior setback not permitted	Parking in Exterior setback not permitted

Standard	Open Space (OS)	Rural Holding District (RD)	General Residential (GR3, GR5, GR10)	Neighborhood Business (NB)	Highway Business (HB)	Institutional Campus Development (ICD)	Light Industrial (LI)	Heavy Industrial (HI)
					not permitted	of an approved CD plan		
F. BUILDING HEIGHT								
1. Principal Building (max)	n/a	35 ft	3 stories	3 stories	3 stories	35 ft	50 ft	50 ft
2. Accessory Structure (max)	n/a	35 ft	2 stories	2 stories	2 stories	35 ft	35 ft	35 ft
3. Additional Height Permitted w/Additional Setback	n/a	n/a	n/a	n/a	90 ft height permitted in US-1 Corridor Area (Subject to SUP)	1 ft additional height permitted with each 1 ft horizontal setback beyond the minimum up to a 20 ft increase in allowable height	1 ft additional height permitted with each 1 ft horizontal setback beyond the minimum up to a 20 ft increase in allowable height	1 ft additional height permitted with each 1 ft horizontal setback beyond the minimum setback up to a 20 ft increase in allowable height
¹ Subject to the provisions of the Water Supply Watershed Protection Overlay Districts (where applicable). ² For townhomes this standard applies to the entire townhome development, not individual townhome lots. Different requirements may apply if located in a Special Highway Overlay (SH1-O and SH2-O) District. ³ For townhomes this standard applies to the entire townhome development, not individual townhome lots. Different requirements may apply if located in a Special Highway Overlay (SH1-O and SH2-O) District. ⁴ May be increased subject to building code standards.								

2.3. Uses Permitted

2.3.1. Use Categories

All uses permitted in the UDO have been divided into 10 categories, defined as follows:

- A. Residential:** Premises available for long-term human habitation by means of ownership and rental, excluding short-term leasing or rental of less than 1 month.
- B. Lodging:** Premises available for short-term human habitation, including daily and weekly rental.
- C. Office/Service:** Premises available for the transaction of general business and the provision of services, but excluding retail sales and manufacturing, except as a minority component.
- D. Commercial/Entertainment:** Premises available for the commercial sale of merchandise, prepared foods, and food and drink consumption, but excluding manufacturing.
- E. Civic:** Premises available for organizations dedicated to religion, government, arts and culture, recreation and sports, and other similar areas of public assembly.
- F. Educational/Institutional:** Uses and premises dedicated to education, social service, health care, and other similar functions.
- G. Automotive:** Uses and premises accessed predominately by or dedicated to the sale, maintenance, servicing and/or storage of automobiles or similar vehicles.
- H. Industry/Wholesale/Storage:** Premises available for the creation, assemblage, storage, and repair of items including their wholesale or retail sale.

- I. **Agricultural:** Premises for growing crops, raising animals, harvesting timber, and harvesting fish and other animals from a farm, ranch or their natural habitat and all related functions.
- J. **Infrastructure:** Uses and structures dedicated to transportation, communication, information, and utilities.

2.3.2. Interpretation of Use Table

- A. **Permitted/Prohibited Uses:** Uses not listed as permitted (P); permitted with additional supplemental standards (Ps); or requiring a special use permit (SUP) are presumed to be prohibited (-) from the applicable zoning district. Uses denoted with (CZ) indicate that a conditional zoning is required for the use to be considered in the parallel Conditional District. Uses denoted with (A) indicate only permitted as an accessory use.
- B. **Uses Not Listed:** In the event that a particular use is not listed in the Use Table, and such use is not listed as a prohibited use and is not otherwise prohibited by law, the Administrator shall determine whether a materially similar use exists in this chapter. Should the Administrator determine that a materially similar use does exist, the regulations governing that use shall apply to the particular use not listed and the Administrator's decision shall be recorded in writing. Should the Administrator determine that a materially similar use does not exist, this chapter may be amended to establish a specific listing for the use in question.
- C. **Materially Similar Uses:** The Administrator may determine that a use is materially similar if a permitted use is similarly classified by one or more of the following use classification systems:
 1. American Planning Association Land-Based Classification Standards (LBCS)
 2. North American Industrial Classification System (NAICS)
 3. Institute of Transportation Engineers (ITS) Trip Generation Guide

2.3.3. Use Table

See **Error! Reference source not found. – Error! Reference source not found.** for more information regarding how the development process will be administered according to the use allowances established below. See Chapter 15 for procedures on application types and approval processes.

(P)=Permitted
 (SUP)=Permitted with Approval of Special Use Permit
 (CZ)=Permitted with Approval of Conditional Zoning
 (A)=Permitted only as an Accessory Use
 (s)=Supplemental Use Standards

	RURAL		SUBURBAN								URBAN					
USE TYPES	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
A. RESIDENTIAL																
HOUSEHOLD LIVING USES																
Dwelling-Single Family	—	P	P	P	P	—	—	P	—	—	P	Ps	—	—	—	P
Dwelling-Duplex	—	—	—	P	P	—	—	P	—	—	P	Ps	—	—	—	P
Dwelling-Townhome	—	—	—	—	P	—	—	P	—	—	P	Ps	P	Ps	P	P
Dwelling-Multifamily	—	—	—	—	P	—	—	P	—	—	Ps	Ps	P	Ps	P	P

	RURAL		SUBURBAN								URBAN					
USE TYPES	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
Dwelling-Accessory	–	As	As	As	As	–	–	As	–	–	As	As	As	As	As	As
Family Care Home (6 or fewer residents)	–	Ps	Ps	Ps	Ps	Ps	–	Ps	–	–	Ps	Ps	Ps	Ps	Ps	Ps
Live-Work Unit	–	–	–	–	Ps	P	P	Ps	–	–	Ps	Ps	Ps	P	P	P
Manufactured Housing – Class A	–	Ps	–	Ps	Ps	–	–	–	–	–	SUPs	–	–	–	–	–
Manufactured Housing – Class B & C	–	SUPs	–	SUPs	SUPs	–	–	–	–	–	–	–	–	–	–	–
Manufactured Home Park	–	SUPs	–	–	–	–	–	–	–	–	–	–	–	–	–	–
GROUP LIVING USES																
Boarding or Rooming House (12 or fewer persons)	–	–	Ps	Ps	–	Ps	–	Ps	–	–	Ps	Ps	Ps	Ps	Ps	–
Dormitory	–	–	–	–	–	–	–	P	–	–	–	–	–	–	–	P
Residential Care Facility (More than 6 Residents)	–	–	Ps	Ps	Ps	Ps	–	Ps	–	–	Ps	Ps	Ps	Ps	Ps	Ps

B. LODGING	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
Bed and Breakfast Home (Up to 8 Rooms)	–	SUPs	SUPs	SUPs	–	–	–	Ps	–	–	SUPs	Ps	Ps	Ps	Ps	–
Hotel/Inn (Less than 20 Rooms)	–	–	–	–	SUP	P	P	P	–	–	–	P	P	P	P	P
Hotel/Inn (No Room Limit)	–	–	–	–	–	P	P	P	–	–	–	–	P	P	P	P

C. OFFICE/SERVICE	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
ATM	–	–	–	–	–	P	P	P	P	P	–	P	P	P	P	P
Banks, Credit Unions, Financial Services	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
Business Support Services	–	–	–	–	–	P	P	P	P	–	–	P	P	P	P	P
Dry Cleaning & Laundry Services	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
Funeral Homes/Crematoria	–	P	–	–	–	P	P	–	–	–	–	P	P	P	P	–
Home Occupation	–	As	As	As	As	–	–	–	–	–	As	As	As	As	As	As
Medical Clinic	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
Personal Services	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
Personal Services, Restricted	–	–	–	–	–	–	P	–	–	–	–	–	–	–	–	–
Post Office	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
Professional Services	–	–	–	–	–	P	P	P	P	–	–	P	P	P	P	P
Small Equipment Repair/Rental	–	–	–	–	–	P	P	–	P	P	–	–	P	P	P	–
Veterinary Services	–	–	–	–	–	P	P	P	P	P	–	Ps	Ps	Ps	Ps	Ps

D. COMMERCIAL/ENTERTAINMENT	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
Alcoholic Beverage Sales Store	–	–	–	–	–	P	P	–	–	–	–	P	P	P	P	P
Amusement, Indoor	–	–	–	–	–	P	P	–	P	–	–	–	P	P	P	P
Amusement, Outdoor	–	–	–	–	–	–	P	–	P	–	–	–	–	–	–	–
Bar/Tavern	–	–	–	–	–	P	P	–	–	–	–	–	P	P	P	P
General Commercial	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
General Commercial – Use Greater than 100,000 sf	–	–	–	–	–	–	SUP	–	–	–	–	–	–	–	–	P

	RURAL		SUBURBAN								URBAN					
USE TYPES	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
Internet Sweepstakes Facility	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Night Club	–	–	–	–	–	P	P	–	–	–	–	–	P	P	P	P
Open Air Retail	–	–	–	–	–	Ps	Ps	SUPs	–	–	–	Ps	Ps	Ps	Ps	Ps
Outdoor Seating	–	–	–	–	–	As	As	As	–	–	–	As	As	As	As	As
Outside or Display Sales	–	–	–	–	–	As	A	As	–	–	–	As	As	As	As	As
Pawnshop	–	–	–	–	–	P	P	–	–	–	–	–	P	P	P	P
Restaurant	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
Riding Stable	–	P	P	–	–	–	–	–	–	–	–	–	–	–	–	–
Shooting Range, Indoor	–	–	–	–	–	–	Ps	–	–	Ps	–	–	–	–	–	–
Shooting Range, Outdoor	SUPs	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Theater, Indoor Movie or Live Performance	–	–	–	–	–	P	P	P	–	–	–	–	P	P	P	P
Theater, Outdoor	–	–	–	–	–	–	P	P	–	–	–	–	Ps	Ps	Ps	Ps

E. CIVIC	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
Cemetery	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	–	–	Ps	Ps	Ps	Ps	Ps	–
Civic Meeting Facility	–	P	–	–	–	P	P	P	–	–	P	P	P	P	P	P
Community or Cultural Facility	P	P	P	P	P	P	P	P	–	–	P	P	P	P	P	P
Conference/Convention Center	–	P	–	–	–	–	P	P	–	–	–	–	–	–	P	P
Public Safety Station	–	SUP	SUP	SUP	SUP	P	P	P	P	P	P	P	P	P	P	P
Recreation Facility, Indoor	P	P	P	P	P	P	P	P	P–	–	P	P	P	P	P	P
Recreation Facility, Outdoor	P	P	P	P	P	P	P	P	–	–	P	P	P	P	P	P
Religious Institution	–	Ps	Ps	Ps	Ps	Ps	Ps	Ps	–	–	Ps	Ps	–	Ps	Ps	–
Sports Arena/Stadium	–	–	–	–	–	–	SUP	SUP	P	–	–	–	–	–	SUP	SUP

F. EDUCATIONAL/INSTITUTIONAL	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
Child/Adult Day Care Home (8 or fewer persons)	–	As	As	As	As	–	–	–	–	–	As	As	–	As	As	As
Child/Adult Day Care Center (More than 8 persons)	–	Ps	–	–	–	Ps	Ps	Ps	–	–	–	Ps	Ps	Ps	Ps	Ps
College/University	–	–	–	–	–	–	–	P	–	–	–	–	–	–	–	SUP
Community Support Facility	–	Ps	–	–	–	Ps	P	P	–	–	Ps	Ps	Ps	Ps	SUPs	SUPs
Correctional Institution	–	–	–	–	–	–	–	–	SUPs	SUPs	–	–	–	–	–	–
Halfway Home	–	–	–	–	–	SUPs	–	–	–	–	–	SUPs	–	SUPs	–	–
Hospital	–	–	–	–	–	–	P	P	P	–	–	–	–	–	–	P
School – Elementary & Secondary	–	–	–	–	–	–	Ps	–	–	–	–	–	–	–	–	–
School – Vocational/Technical	–	–	–	–	–	–	–	P	–	–	–	P	P	P	P	P
Studio – Art, dance, martial arts, music	–	–	–	–	–	P	P	P	P	–	–	P	P	P	P	P

G. AUTOMOTIVE	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
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	RURAL		SUBURBAN								URBAN					
USE TYPES	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
Drive-Thru/Drive-In Facility	–	–	–	–	–	Ps	Ps	–	–	–	–	–	SUPs	SUPs	SUPs	–
Gas/Fueling Station	–	–	–	–	–	Ps	Ps	–	–	–	–	–	–	SUPs	SUPs	–
Heavy Equipment/Manufactured Home Rental/Sales	–	–	–	–	–	P	P	–	P	–	–	–	–	–	–	–
Parking Lot/Structure – Principal Use	–	–	–	–	–	SUPs	SUPs	P	P	P	–	CZ	CZ	SUPs	SUPs	SUPs
Theater, Drive-In	–	–	–	–	–	–	P	–	P	–	–	–	–	–	–	–
Vehicle Rental/Leasing/Sales	–	–	–	–	–	–	P	–	P	–	–	–	–	–	–	–
Vehicle Rental – Moving Trucks	–	–	–	–	–	–	P	–	P	–	–	–	–	–	–	–
Vehicle Services – Minor Maintenance/Repair	–	–	–	–	–	Ps	P	–	P	P	–	–	–	Ps	Ps	
Vehicle Services – Major Repair/Body Work	–	–	–	–	–	–	P	–	P	P	–	–	–	–	–	–

H. INDUSTRY/WHOLESALE/STORAGE	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
Industry, Light	–	–	–	–	–	–	Ps	–	Ps	Ps	–	–	–	–	–	–
Industry, Heavy	–	–	–	–	–	–	–	–	–	Ps	–	–	–	–	–	–
Landfill	–	–	–	–	–	–	–	–	–	SUP	–	–	–	–	–	–
Light Manufacturing Workshop	–	–	–	–	–	P	P	–	P	P	–	P	P	P	P	P
Materials Recovery & Waste Transfer Facility	–	–	–	–	–	–	–	–	SUPs	SUPs	–	–	–	–	–	–
Recycling Collection Station	–	–	–	–	–	Ps	Ps	Ps	Ps	Ps	–	–	–	–	–	–
Storage - Outdoor Storage Yard	–	–	–	–	–	–	–	–	P	P	–	–	–	–	–	–
Storage – Self-Service	–	–	–	–	–	CZ	Ps	–	P	P	–	–	–	–	–	–
Storage – Warehouse, Indoor Storage	–	–	–	–	–	–	–	–	P	P	–	–	–	–	–	P
Wholesaling and Distribution	–	–	–	–	–	–	–	–	P	P	–	–	–	–	–	P

I. AGRICULTURE	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
Animal Production	–	SUPs	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Backyard Pen/Coop	–	As	As	As	As	As	As	As	–	–	As	As	As	As	As	As
Nursery & Garden Center	P	P	P	P	–	–	–	P	–	–	–	–	–	–	–	–
Garden (Community and Private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Kennel	–	SUPs	–	–	–	–	Ps	–	P	P	–	–	–	–	–	–
Produce Stand	–	Ps	Ps	Ps	Ps	Ps	Ps	Ps	–	–	Ps	Ps	Ps	Ps	Ps	Ps

J. INFRASTRUCTURE	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
Airstrip	–	SUPs	SUPs	–	–	–	–	–	SUPs	SUPs	–	–	–	–	–	–
Wireless Telecommunications Facility (Non-Tower)	–	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps
Wireless Telecommunications Facility (Tower)	–	SUPs	SUPs	SUPs	SUPs	SUPs	SUPs	SUPs	SUPs	SUPs	SUPs	SUPs	SUPs	SUPs	SUPs	SUPs
Utilities – Class 1	–	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities – Class 2	–	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

	RURAL		SUBURBAN								URBAN					
USE TYPES	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	PUD
Utilities – Class 3	–	–	–	–	–	–	–	–	SUP	P	–	–	–	–	–	–

K. OTHER	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX	
Temporary Uses	See Section 4.7 for Specific Provisions															

2.4. Overlay Districts

For purposes of managing certain environmentally sensitive or visually important geographic areas, certain overlay districts have been established to impose design, use, or other standards in addition to the requirements of the underlying base district.

2.4.1. Overlay District Descriptions

OVERLAY DISTRICT	DESCRIPTION
A. Historic District and Landmarks Overlay (HL-O) District	In order to establish a process for designated historic districts and landmarks for the review of development applications and the maintenance of historic features in the community, the Local Historic District and Landmarks Overlay District is hereby created.
B. Special Highway Overlay (SH1-O and SH2-O)	This district is established to protect and to preserve the natural scenic beauty along major access corridors located in the Town of Wake Forest's zoning jurisdiction; and, to protect the carrying capacity of these major thoroughfares by reducing the hazards arising from unnecessary points of ingress and egress and cluttered roadside development; and, to reduce the costs of future highway expansions by protecting the associated highway corridors at the time of development. This will be achieved by requiring buildings and structures to be sufficiently set back from future rights-of-way to provide adequate storage for vehicles until they can safely enter the highway as well as additional lanes, if necessary. It is the intent of this district to ensure that development occurring in the special highway overlay district shall be in harmony with and shall preserve the natural beauty and character of the existing landscape as well as be consistent with the adopted corridor plans for US 1 and the NC-98/Dr. Calvin Jones Highway Bypass accordingly.
C. Required Shopfront (SF)	In order to implement vibrant, pedestrian-friendly areas in Form-based Districts, the Required Shopfront Overlay District has been created to ensure that the ground floor of buildings in designated blocks are designed using either Shopfront & Awning, Gallery, or Arcade private frontage.
D. Falls Lake Watershed Protection Overlay (FL-CA & FL-WMA) <i>Previous District(s): R-40W</i>	The Falls Lake Watershed Protection regulations are established as an overlay district to preserve water quality in the Falls Lake water supply watershed in order to provide safe drinking water. The intent of this district is to establish regulations which ensure the availability of public water supplies at an acceptable level of water quality for present and future residents. Two districts are hereby created: The Falls Lake-Critical Area (FL-CA) and the Falls Lake-Watershed Management Area (FL-WMA).

OVERLAY DISTRICT	DESCRIPTION
E. Richland Creek Watershed Protection Overlay (RC-CA & RC-WMA)	The Richland Creek Watershed Protection regulations are established as an overlay district to preserve water quality in the Richland Creek water supply watershed in order to provide safe drinking water. The intent of this district is to establish regulations which ensure the availability of public water supplies at an acceptable level of water quality for present and future residents. Two districts are hereby created: The Richland Creek-Critical Area (FL-CA) and the Richland Creek -Watershed Management Area (FL-WMA).
F. Smith Creek Watershed Protection Overlay (SC-CA & CA-WMA) <i>Previous District(s): R-80W</i>	The Smith Creek Watershed Protection regulations are established as an overlay district to preserve water quality in the Smith Creek/Wake Forest Reservoir water supply watershed in order to provide safe drinking water. The intent of this district is to establish regulations which ensure the availability of public water supplies at an acceptable level of water quality for present and future residents. Two districts are hereby created; Smith Creek-Critical Area (SC-CA) and the Smith Creek – Watershed Management Area (SC-WMA).
G. Little River Watershed Protection Overlay (LR-WMA)	The Little River Watershed Protection regulations are established as an overlay district to preserve water quality in the Little River water supply watershed in order to provide safe drinking water. The intent of this district is to establish regulations which ensure the availability of public water supplies at an acceptable level of water quality for present and future residents. One district is hereby created; Little River – Watershed Management Area (LR-WMA).
H. Glen Royal Mill Village Character Preservation Overlay (MVCP-O) District	This overlay district has been created in order to preserve and protect the specific historic and unique neighborhood characteristics of structures and places within the Glen Royall Mill Village National Register Historic District.

2.4.2. Historic District and Landmarks Overlay (HL-O) District

- A. Purpose:** The Historic District and Landmarks Overlay District (HL-O) is a zoning overlay district established pursuant to NC General Statutes and created with the purpose of implementing additional protections and controls on properties and structures located within locally designated Historic Districts as well as to individual Historic Landmarks.
- B. Applicability:** All locally designated Historic Districts and Historic Landmarks shall be a part of the Historic District and Landmarks Overlay District.
- C. Procedures:**
 - 1. Designation of Historic Landmarks/Historic Districts
 - 2. Certificate of Appropriateness – Minor Works (Minor COA)
 - 3. Certificate of Appropriateness – Major Works (Major COA)
- D. Certificate of Appropriateness**
 - 1. **COA Required:** No exterior feature of any building or other structure in an HL-O (including masonry walls, fences, light fixtures, utility structures, steps, pavement, signs, landscape and color or other appurtenant features), shall be erected, altered, restored, moved or demolished until after an application for a Certificate of Appropriateness has been submitted to and approved by the Historic Preservation Commission. A Certificate of Appropriateness is required to be issued by the Commission prior to the issuance of a building permit or other permit granted for the purposes of constructing, altering, moving or demolishing structures. Any building permit or such other permit not issued in conformity with this section shall be invalid. A Certificate of Appropriateness shall be

required whether or not a building or other permit is required. The Town of Wake Forest and other public entities shall be required to obtain a Certificate of Appropriateness prior to any changes in the character of public facilities, utilities, or public buildings.

2. **COA Conditions of Approval:** In approving a Certificate of Appropriateness, the Commission may attach reasonable conditions necessary to carry out the purposes of this ordinance.
3. **Exterior Features:** For purposes of this ordinance, "exterior features" shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building or other structure, and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures, as well as historic signs, significant landscape, archaeological and natural features of the area, and shall apply to all sides of any such structures that can be seen from any adjacent street (excluding rear lanes or alleys) or public park. In the case of outdoor advertising signs, exterior features" shall mean the style, material, size, and location of all such signs.
4. **Limitation on Review of Interior Features:** Notwithstanding this ordinance, jurisdiction of the Commission over interior spaces shall be limited to specific interior features of architectural, artistic, or historical significant in publicly owned landmarks, and of privately owned historic landmarks for which consent for interior review has been given by the owner. If an owner's consent for interior review has been filed in the office of the Wake County Register of Deeds and indexed according to the name of the owner of the property in the grantee and grantor indexes, such consent shall bind future owners and/or successors in title. The ordinance establishing the historic designation shall specify the interior features to be reviewed and the specific nature of the Commission's jurisdiction over those features.
5. **Normal Maintenance and Repair/Certain Changes Not Prohibited:** Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of a historic landmark or property located within a district that does not involve a change in design, material, or outer appearance thereof. Nor shall this ordinance be construed to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe or dangerous condition. Nothing herein shall be construed to prevent a property owner from making any use of their property not prohibited by other statutes, ordinances, or regulations. Nothing in this ordinance shall be construed to prevent the maintenance of or, in the event of an emergency, immediate restoration of any existing above-ground utility structure without approval by the Commission.
6. **Use of Design Standards:** The Commission shall adopt, utilize, and amend, as needed, standards, not inconsistent NC General Statutes and the US Secretary of the Interior's Standards for Rehabilitation for altering, restoring, moving, or demolition of property designated as historic. It is the intention of these standards to ensure, insofar as possible, that changes in designated landmarks or properties located within designated districts shall be in harmony with the reasons for designation.
7. **Administrative Approval for Minor Works Allowed:** The Commission staff may issue a Certificate of Appropriateness for minor works as listed in the Commission's Design Standards or as otherwise directed by the Commission. Minor works shall include and are defined as those exterior changes that do not involve substantial alterations, additions, or removals that could impair the integrity of the property and/or district as a whole. No application for a minor works Certificate of Appropriateness may be denied without formal action by the Commission.

8. **Delay in Demolition of Designated Properties:** Any application for a Certificate of Appropriateness authorizing the relocation, demolition, or destruction of a building or structure within a HL-O may not be denied. However, the effective date of such a Certificate of Appropriateness may be delayed for a period of up to 365 days from the date of approval of the Certificate of Appropriateness. The Commission may reduce the period of delay where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period the Historic Preservation Commission may negotiate with the property owner and any other parties in an effort to find a means of preserving the building, structure or site.
9. **Properties of Statewide Significance:** The Commission may deny an application for a Certificate of Appropriateness authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Office to have statewide significance, as defined in the criteria of the National Register of Historic Places, unless the Commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.
- E. **Demolition by Neglect:** Demolition by neglect of any designated historic landmark or property located within a district shall constitute a violation of this ordinance. For the purposes of this ordinance “demolition by neglect” shall generally mean the failure to properly maintain a structure, whether intentionally or not, such that it falls into such disrepair that it may become uninhabitable. The local governing body may take appropriate actions to prevent demolition by neglect, as outlined in Section 16.2.8, provided such actions include appropriate safeguards to protect the property owner from undue economic hardship.
- F. **Permitted Uses:** All uses permitted in the applicable land development district underlying a historic overlay district are permitted in the HL-O.

2.4.3. Special Highway Overlay (SH1-O and SH2-O)

- A. **Applicability:** The Special Highway Overlay Districts (SH-O) shall apply to all properties located on either side of a major access corridor (as noted below) beginning at the centerline of the existing right-of-way. The depth of the district is 1,000 feet and shall follow identifiable boundaries whenever possible measured on either side of the right-of-way of the major access corridor. All such locations shall be noted on the official zoning map.
 1. Highway US-1 (SH1-O)
 2. Dr. Calvin Jones Highway (SH2-O)
- B. **Exceptions:** Exceptions to the district depth, location, landscaping and buffering can be applied in the following instances:
 1. Where identifiable conditions exist to screen the visibility of motorists, or
 2. At an intersection targeted for shopping center development.
 3. A PUD district may propose acceptable alternative standards within an SH-O district, as it speaks to minimum bufferyard dimensions and supplemental planting standards so long as they are in keeping with the overall intent of this ordinance.
- C. **Landscaping and Buffering:** It is the intent of this section that the frontage along the designated thoroughfares to the extent practical be left in an undisturbed or enhanced state of vegetation, and that sufficient areas of natural buffer remain so that the proposed use will be visually in harmony with the natural wooded character of the area. Removing or denuding of natural forest vegetation along major access corridors is strongly discouraged; however, it is understood that conditions may exist as stated in Section 2.2.3.F - Section 2.2.3G, which may warrant removing of natural forest vegetation. (Exemption: Existing lots of record that are developed for single-family detached or duplex dwelling units)

Yard Type/Lot Condition in the SH-O Districts	Required Street Bufferyard to Preserve Natural Vegetation or its Planted Equivalent	Supplement Plantings if Limited or No Vegetation Exists in SH-O Yard
Frontage of the existing or proposed right-of-way	*50 ft average	5 trees per 50 feet of SH-O yard
Frontage of the existing or proposed right-of-way of any access/frontage road adjacent to any major access corridor	*30 ft average	3 trees per 50 feet of SH-O yard
Street frontages of streets that intersect with a major access corridor for a distance of 200 feet	*30 ft average	3 trees per 50 feet of SH-O yard
Those portions of front, rear or side yards that are not adjacent to a major access corridor or not part of the 50 foot SH-O yard and are not devoted to the uses, buildings and structures of a permitted use	Preservation of all existing vegetation	See Section 8.3
*May use existing vegetation within right-of-way to meet street yard width requirement.		

D. Dimensional Requirements:

1. Building Setback: 100 feet from property line abutting major access corridor
2. Off-Street Parking Setback: 50 feet from property line abutting major access corridor

E. Maximum Number of Driveways:

1. One combined entrance and exit shall be permitted for each lot with frontage along a major access corridor;
2. For lots with 500 feet or more of frontage along a major access corridor 2 combined entrances and exits shall be permitted;
3. For lots with frontage on an access/frontage road adjacent to a major access corridor, the number of entrances shall be determined as provided in Section 9.8 of this ordinance.
4. For projects with an associated Traffic Impact Analysis (TIA), the maximum number of driveways shall be determined though TIA requirements as well as Town and NCDOT approvals.

F. Modification of Standards (Minor): The administrator, in reviewing a development application, may adjust specific SH-O yards and setback requirements for yards adjacent to the major access corridor or intersecting streets provided the average depth of a required yard or setback for the entire parcel is maintained. In permitting site-specific variations the Administrator shall find that the requested modification:

1. Is consistent with the overall purpose and intent of these requirements;
2. Is necessitated by the configuration and/or topography of the land, which makes it impractical to comply with the yard and setback requirements of this section for specific areas of the parcel;
3. Does not reduce the required yard or setback by more than 50%.

G. Modification of Standards (Major): The Board of Commissioners, in reviewing a development application, may adjust (either reduce or increase) minimum SH-O yards and setback requirements for yards adjacent to the major access corridor or intersecting streets upon making a finding that the proposed adjustment of those requirements:

1. Is consistent with the overall purpose and intent of these requirements;

2. Is necessitated by the configuration and/or topography of the land, which makes it impractical to comply with the yard and setback requirements of this section;
3. Is no greater than is necessary to allow for reasonable development of the tract;
4. Will not adversely affect the value of adjoining or abutting property, or that the use is a public necessity; and
5. Is necessitated to preserve existing natural vegetation considered to be a landmark or in an advanced stage of growth, removal of which would visually affect the natural wooded character of the area.

H. Expansions and Changes of Use: For properties which have expansions or additions which singularly or collectively exceed 25% of the gross floor area and/floor surface area, or change use which requires additional off-street parking made after application of this section, the SH-O yard requirements are as follows:

1. Where adjacent to a major access corridor, provide SH-O yard of 25 feet of natural vegetation or planted equivalent. Screening shall be provided at a rate of 3 trees per 50 linear feet of SH-O yard.
2. Where adjacent to a street intersecting a major access corridor, provide a SH-O yard of 15 feet of natural vegetation or planted equivalent. Screening shall be provided at a rate of 2 trees per 50 linear feet of SH-O yard.

2.4.4. Required Shopfront (SF)

- A. Intent:** While retail/restaurant uses are not required uses, the intent of the Required Shopfront Overlay is to provide a building frontage that would not preclude those uses at some point in the future through the depth of the first and second layer.
- B. Permitted Frontages:** If a block face is designated on the Zoning Map as “Required Shopfront,” then all new development along that designated street frontage must provide one of the following Private Frontages (per Section 5.3) at sidewalk level along the entire length of the frontage:
 1. Shopfront & Awning,
 2. Gallery, or
 3. Arcade.

2.4.5. Water Supply Watershed Protection Overlay Districts

Development standards for state designated water supply watershed protection areas apply within the following districts as outlined in Section 12.6.

- A.** FL-CA (Falls Lake Critical Area) District;
- B.** FL-WMA (Falls Lake Watershed Management Area) District;
- C.** RC-CA (Richland Creek Critical Area) District;
- D.** RC-WMA (Richland Creek Watershed Management Area) District;
- E.** SC-CA (Smith Creek Critical Area) District;
- F.** SC-WMA (Smith Creek Watershed Management Area) District; and
- G.** LR-WMA (Little River Watershed Management Area) District

2.4.6. Glen Royal Mill Village Character Preservation Overlay (MVCP-O) District

- A. Purpose:** The Glen Royall Mill Village Character Preservation Overlay District is a zoning overlay district dedicated to the protection of traditional development patterns and neighborhood character specifically in this National Register Historic District. Regulations promote the continuity of the streetscape, the reduction of conflict between new construction and existing development, and the integrity of the rich history of the Town of Wake Forest. The Glen Royall Mill Village Character Preservation Overlay District is comprised of the properties shown within

the MVCP-O area on the zoning overlay map. These properties are in the Glen Royall Mill Village National Register Historic District. It is an area made up primarily of single-family detached homes. Originally constructed as housing for the mill workers, many of the structures remain well-kept with minor exterior alterations. This overlay district seeks to protect the special character and charm of this significant historic district.

- B. Applicability:** All properties within the Glen Royall Mill Village Character Preservation Overlay District. Those properties that are also located within the Wake Forest Local Historic District are exempt from the regulations contained herein but are subject to the regulations contained in Section 2.4.2, the Historic District and Landmarks Overlay (HL-O) District.

C. Developments Standards:

1. Dimensional and Development Standards

- a. **Minimum Lot Area:** 6,500 sf
- b. **Maximum Lot Area:**
 - i. Residential: 20,000 sf
 - ii. Non-residential: 2 acres
- c. **Principal Front Setback:** The principal building setback shall be no more or no less than five feet (5') from the average established front yard of developed lots within 300' on each side of such lot, fronting on the same street as such lot, and within the MVCP-O.
- d. **Building Coverage:** Maximum building coverage shall not exceed twenty-five percent (25%), inclusive of any accessory buildings and/or permanent structures.
- e. **Building Height:** The building height shall not exceed the greater of one story or the average height of the principal structures of the same use on lots within 300' on each side of such lot, fronting on the same street as such lot, and within the MVCP-O.
- f. **Parking:**
 - i. Off-street parking shall be provided in accordance with the requirements of Section 9.3 and 9.4 for the specific use and underlying zoning district. It should be noted that if parking is provided within the first layer, it must be located outside the public right-of-way.
 - ii. **Driveways.** Where a gravel surfaced driveway is provided, a concrete driveway apron shall be required.
- g. **Garages and Accessory Structures:**
 - i. No portion of any detached garage, carport, or accessory structure shall be located in the front yard nor shall it protrude beyond the primary facade of the principal structure.
 - ii. Attached garages are prohibited.
 - iii. Accessory structures shall not exceed 80% of the height of the primary structure.
- h. **Fences and Walls:**
 - i. Walls are prohibited, except for retaining walls necessary for soil erosion, retaining purposes.
 - ii. Height: In front and side yards, fences shall not exceed 42" in height from the front property line to the rear corner of the principal building. In rear yards,

fences shall not exceed six feet and shall not be installed in front of the rear corner of the principal building.

- iii. Allowable materials: treated wood, decorative iron, and decorative metal.
- iv. Prohibited materials: vinyl.
- v. Design: Shall be vertically oriented. Split rail and chain link are prohibited. Privacy fences and garden fences, such as chicken wire, are permitted only in the rear yard.

2. Design Standards

The following design standards shall be applied to alterations to existing structures and new construction. The following design standards do not apply to ordinary maintenance or repair of the exterior of existing structures.

a. Residential and Lodging Uses

- i. Porches: Front porches and existing entrances shall be preserved and/or replication of entrances and porches shall be based on historical evidence. As such, existing front porches shall not be enclosed or screened in; however, existing screened in front porches are permitted and may be repaired or replaced provided that transparent screens are utilized and installed from the inside of the porch, behind the railing and other porch features. If new construction is proposed, front porches shall be provided and meet the following standards:
 - (a) Span a minimum of 50% of the front façade width
 - (b) Be located symmetrically on the front façade
 - (c) Shall not be enclosed or screened in
- ii. Roof: Only Side-Gable, Pyramidal, Triple-A Gable, and Gable-front roof types are permitted.
- iii. Building materials: Exterior walls shall be finished in wood clapboard, cementitious fiber board, wood shingle, wood drop siding or primed board. Brick, stone, stucco and vinyl siding are not permitted. Except that:
 - (a) Existing structures may replace existing materials in kind, and
 - (b) Accessory buildings not visible from the public right-of-way are not subject to the building material requirements.
- iv. Foundation materials: Principal building foundations shall be brick or brick veneer.
- v. Finished Floor Elevation: The finished floor elevation at the front façade shall be a minimum of 18 inches above grade for principal structures.
- vi. Utilities: Skylights, solar panels, utilities, mechanical equipment, satellite dishes, air conditioning units, and associated structures shall only be located on rear or side slopes of the roof, on rear or side portions of the building, and in rear or side yards provided they are not visible from the public right-of-way or are screened from view from the public right-of-way with vegetation or fencing.

b. Civic and Educational Uses.

- i. Building materials: Exterior walls shall be finished in accordance with Section 5.4.2.D, {} except that stucco shall not be permitted.

- ii. Orientation: The primary entrance shall face the primary street. If side or rear parking is utilized, a front entrance shall still be provided.
 - iii. ADA Compatibility: Fire exits, landings, ramps, chair lifts, and other access features shall be located on the building where they have the least visibility and impact to the character of the structure, when possible. When appropriate temporary structures may be approved by the Administrator.
 - iv. Utilities: Skylights, solar panels, utilities, mechanical equipment, satellite dishes, air conditioning units, and associated structures shall only be located on rear or side slopes of the roof, on rear or side portions of the building, and in rear or side yards provided they are not visible from the public right-of-way or are screened from view from the public right-of-way with vegetation or fencing.
- c. **Non-Residential Uses in Residential Structures.** Historically significant residential structures in the Glen Royall Mill Village may be repurposed for uses other than residential. In order to preserve the architectural integrity and special historical character of these structures in Glen Royall Mill Village, the following apply to nonresidential uses within detached dwellings in addition to the requirements of Section 2.4.6.C.1.b.(1): {}
 - i. The residential character and architectural elements of the house shall remain unchanged.
 - ii. With the exception of door and window replacements, which shall match the size of the existing openings, and routine repair and maintenance, there may be no other alterations to the front façade of the building.
 - iii. Building additions must be in accordance with Section 2.4.6.D. {}
 - iv. On-site parking shall be located to the side or rear of the principal structure.
- d. **Additions.** The following standards are applicable to all additions in the Glen Royal Mill Village Character Preservation Overlay (MVCP-O) District
 - i. Additions shall be located to the rear of the structure or the most inconspicuous side of the building. Additions to roofs shall not be visible from the front elevation. The addition shall be sited such that it is clearly an appendage and distinguishable from the existing main building. Additions shall be recessed behind the rear corner of the principal structure and shall not exceed the height of the principal structure or be visible from the front of the structure.
 - ii. Additions shall be constructed with the least possible loss of historic building material and without damaging or obscuring character-defining features of the building, including, but not limited to, rooflines, cornices, eaves, and brackets. Additions shall be designed to be reversible with the least amount of damage to the historic building so that if removed in the future, the historic building will be intact.
 - iii. Additions, including multiple additions to structures, shall:
 - iv. (a) Not increase the floor area of the main structure by more than 100%.
 - v. (b) Not increase the height of the main structure nor shall the addition exceed the height of the main structure.
 - vi. Designs for additions shall be compatible with the building design standards of Chapter 5 of this Ordinance.

- D. Submittal Requirements.** In addition to the standard submittal requirements, applications in the Glen Royall Mill Village Character Preservation Overlay District shall also include building elevations, site plan, and floorplans.

2.5. Floating Overlay Districts

The floating overlay districts are included as tools for development regulation that will encourage integrated mixed-use development as the town continues to grow and expand. The intent of the floating overlay districts is to allow more flexibility for these types of development in certain instances without requiring a standard legislative rezoning process. Instead, administrative (by-right) and/or quasi-judicial processes are established to allow development to proceed under the regulations outlined for each floating overlay district. When a floating overlay district is applied, the requirements for the floating overlay district shall supersede any conflicting requirements of the base district. All requirements of the base district that do no conflict with the standards of the floating overlay district shall apply.

2.5.1. Traditional Neighborhood Development (TND)

- A. Purpose and Intent:** The Traditional Neighborhood Development (TND) is a floating overlay district option established to allow for the development of fully integrated, mixed-use, pedestrian-oriented neighborhoods in order to minimize traffic congestion, suburban sprawl, infrastructure costs and environmental degradation. This district is a planned development district in that it is created through the combination of other form-based districts as sub-districts under the umbrella of the TND.
- B. Process and Applicability:**
1. The TND Floating Overlay District designation shall automatically apply by-right to all development sites of 100 acres or greater. The approval of TND Master Plans on such properties shall follow the procedures for Subdivision Master Plans found in Section 15.9.2. {} The designation of land allocations by transect zone (as outlined in 2.2.7.D {} below) shall be made a part of this application and approval.
 2. Development sites of less than 100 acres may be developed under a TND Floating Overlay District subject to the Conditional District rezoning process established in Section 15.15.A {} TND Master Plan, indicating land allocations by transect zone (as outlined in 2.2.7.D {} below), proposed subdivisions of property, and other information required by Section 15.15 shall be made a part of the Conditional District Master Plan application and approval.
- C. Findings of Fact for TND Master Plan Approval:** In granting approval of a TND Master Plan, the approving authority shall make the following findings of fact, in addition to other findings of fact required elsewhere in this ordinance:
1. The plan is in compliance with the specifications of this ordinance.
 2. The plan conforms to the adopted plans (as applicable) for the physical development of the town.
 3. The impacts to adjacent property of higher-intensity, non-residential uses are adequately mitigated.
 4. The impacts of traffic generated by the TND on the existing road network are mitigated.
 5. All neighborhoods have identifiable centers and edges.
 6. All lots are within walking distance to retail and/or recreation opportunities (a distance not greater than ¼ mile).
 7. Uses and housing types are mixed and in close proximity to one another.
 8. Street networks are interconnected and blocks are small.
 9. Civic buildings are given prominent sites throughout the neighborhood.

D. Maximum Permitted Densities:

Underlying District	Maximum Overall Density
RD District	6 du/ac
GR3	6 du/ac
GR5	10 du/ac
GR10	16 du/ac
All Other Districts	Not Restricted

E. Land Allocation by Transect Zone: When composing the TND Master Plan, the form-based districts in Section 2.2.1 {} shall be used as sub-districts and so designated on the zoning map within the ranges noted below (ranges are noted in % of gross land area).

1. **UR:** 30-80%
2. **RMX:** 10-30%
3. **NMX:** 10-30%
4. **Civic Structures:** A minimum of 2% of the land area shall be reserved for the construction of civic structures (community buildings, religious institutions, etc.) and their support facilities (parking areas, etc.). Such sites shall be in prominent locations that are centralized to the neighborhood, accessible to the greater community, and help to visually anchor important vistas. The required reservation does not include recreational open space such as parks, playgrounds, greenways, or conserved lands.

F. Specific Development Standards

1. **Neighborhood Design:** The entire land area of the TND shall be divided into blocks, streets, lots and open space areas.
2. **Land Use Relationships:** Similar land use categories shall generally front across streets. Dissimilar categories shall abut at rear lot lines. Corner lots which front on streets of dissimilar use shall be set back the same as the adjacent use with the lesser setback.
3. **Open Space:** No portion of the TND shall be further than ¼ mile from a publicly accessible (public or privately maintained with a public access easement) recreational open space as defined in Chapter 7 including recreational open space outside of the TND boundaries. Recreational Open Space shall be provided in accordance with the requirements of Chapter 7.
4. **Dimensional Standards and Building Types:** The Dimensional Standards and Building Types shall be established in accordance with the neighborhood design, but within 200 feet of all property boundaries (not across streets) the lot widths and depths and building types shall be generally consistent with adjacent zoning district(s) of a lower development intensity/density.

2.6. Conditional Districts (CD)

Conditional Districts are districts with conditions voluntarily added by the applicant and approved in a legislative procedure by the Board of Commissioners in accordance with NC General Statutes via the conditional zoning process outlined in Chapter 15. Conditional Districts provide for orderly and flexible development under the general policies of this ordinance without the constraints of some of the prescribed standards guiding by-right development. Because Conditional District developments are constructed in a comprehensive manner, they establish their own building, street, block, and lot pattern which may be unique from other surrounding blocks or neighborhoods. Conditional zoning may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure.

2.6.1. Standards For Conditional Districts

Within a Conditional District (CD), petitioners may place additional requirements or standards onto themselves and their property or ask that certain uses identified in the specific zoning category or provisions in Chapters 2-12 be decreased. It shall be the Board of Commissioners' final decision to grant approval or denial of the conditional zoning request in light of the revised development standards presented in accordance with the procedures of Section 15.15. If no specific request is made by the petitioner to the change in the development standards or if the petition is silent on the point, it shall be understood that the underlying zoning district guidelines and standards shall apply.

In addition to the modification of specific district provisions (except use), the various provisions detailed in Chapters 2-12 may be varied if specifically requested by the petitioner as part a conditional zoning application with the exceptions outlined below:

CH	Title	Exception to modifications:
2	District Provisions	Uses permitted may not be added unless the use proposed is not currently defined or contemplated by the Code. Permitted uses may be removed from the petition.
3	Supplemental Use Standards	
4	General Provisions For All Districts	
5	Building Design Standards	
6	Subdivision & Infrastructure Standards	
7	Recreation Facility Fees, Parks & Open Space Land	May substitute dedication of public open space for recreation facilities fees per Board of Commissioners approval. Amount required may not be reduced.
8	Tree Protection, Buffers & Landscaping	No further modifications permitted.
9	Parking & Driveways	
10	Lighting	
11	Signs	No further modifications permitted.
12	Erosion, Flood, Stormwater & Watershed Standards	No further modifications permitted.

2.7. Planned Unit Development (PUD)

The Planned Unit Development (PUD) district is designed to: promote a compatible mix of uses to instigate an integrated and sustainable development consistent with the Town's unique character. This district shall also encourage design flexibility; multi-modal connectivity between uses; sensitivity to natural resources and environmental features; and facilitate the efficient provisions of infrastructure, utilities and adequate public facilities.

The PUD district is not intended for use with subdivisions or developments which can be developed under the strict application of the minimum standards of the UDO, thereby resulting in a unique, high quality overall development. The specific procedures for review and approval of a PUD is found in section 15.16, Planned Unit Development. Above all, every PUD established, shall demonstrate consistency with the goals and policies established in the Wake Forest Community Plan.

- A. General Applicability:** Before any development shall be designated as a Planned Unit Development district on the Official Zoning Map, it shall receive approval pursuant to the terms of this Section and Sec. 15.16 Planned Unit Development.
- B. Permitted Uses, Development Standards and Minimum Requirements:** In return for greater flexibility in site design, PUD Districts are expected to deliver exceptional quality community designs that preserve critical environmental resources; provide high quality community amenities; incorporate creative design in the layout of buildings and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure.
 - 1. Permitted Uses.** Permitted uses in any PUD district may include any uses permitted as specified in Section 2.3.3 Use Table {}, excluding non-permitted uses. The uses proposed in the PUD concept plan may include any residential, commercial/mixed uses or industrial uses or combination of uses deemed appropriate for the real estate.
 - 2. Development Standards.** All PUD Concept Plans shall specify development standards applicable to each permitted uses in the PUD (see Section 15.4.3 for exact requirements). Development standards applicable to the PUD shall be those specified in the PUD Concept Plan filed with the zoning map change. The concept plan shall establish the following development standards:
 - a. The location of uses proposed by the PUD must be shown in the PUD Concept Plan with a maximum density for each type of residential use; a maximum number of units for multi-family dwellings; and a maximum square footage for each type of non-residential use.
 - b. The dimensional standards in Sec. 4.3, *Basic Lot and Use Standards* {} may be varied in the PUD Concept Plan. The PUD shall demonstrate compliance with all other dimensional standards of this ordinance, North Carolina Building Code, and North Carolina Fire Code.
 - c. Pedestrian ways, bikeways and other transportation systems that encourage cluster and compact development.
 - d. Land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient compact network of streets. Cul-de-sacs shall be avoided to the greatest extent possible.
 - e. Identified active open space areas and those significant natural and environmental features that will be protected and preserved in their natural state.
 - f. Architectural and design criteria that provide higher quality than routine developments. All residential uses proposed shall provide typical architectural elevations representative of the residential structures to be built to ensure the Standards of this Section are met.
 - g. Phasing. The PUD Concept Plan shall include a phasing plan for the development and associated infrastructure improvements as outlined in Section 6.5. If development of the PUD is proposed to occur in more than one phase, then guarantees shall be provided for project improvements, including improvements required by the TIA and NCDOT. In phases that include residential, amenities that are necessary and desirable of the project, or that are of benefit to the Town, are constructed within that phase of the project.

3. **Minimum Requirements.**

- a. **Open Space.** Each PUD district shall clearly identify areas of required open space within the PUD concept plan. Open space areas shall conform to Section 7: {} *Recreation Facility Fees, Parks & Open Space Land* of the UDO.
- b. **Landscaping, Buffering and Tree Preservation.** All landscaping, buffering and tree preservation shall be required in accordance with {} Section 7: *Recreation Facility Fees, Parks & Open Space Land* {} and Section 8: *Tree Protection, Buffers and Landscaping* of the UDO except that variations from these standards may be permitted so long as areas normally required may be made up on other portions of the PUD. Such buffers and tree protection areas shall be indicated on the final plat, which shall include information regarding ownership, maintenance and use limitations.
- c. **Off-street Parking and Loading.** The PUD Concept Plan shall demonstrate compliance with the standards of Sec. 9 *Parking & Driveways*, {} except that variations from these standards may be permitted if a comprehensive parking and loading plan for the PUD is submitted as part of the PUD Concept Plan that is determined to be suitable for the PUD, and generally consistent with the intent and purpose of the off-street parking and loading standards.
- d. **Signs.** Signage shall demonstrate compliance with Sec. 11 *Signs*, {} except that the standards can be varied if a master signage plan is submitted for review and approval concurrent with the PUD concept plan and is determined by Town staff to be suitable for the PUD and generally consistent with the intent and purpose of the sign standards of the UDO.
- e. **Public Facilities.** The improvements standards and guarantees applicable to the public facilities that will serve the site shall comply with {} Section 6: *Subdivision and* {} Section 7: *Recreation Facility Fees, Parks & Open Space Land* as well as the following standards:
 - i. The PUD Concept Plan demonstrates a safe and adequate on-site transportation circulation system. The on-site transportation circulation system shall be integrated with the off-site transportation circulation system of the Town. The PUD Plan shall be consistent with the Wake Forest Transportation Plan and the *Wake Forest Manual of Specifications, Standards and Design* and show required right-of-way widths and road sections. A Traffic Impact Analysis (TIA) shall be required.
 - ii. The PUD Concept Plan demonstrates a safe and adequate on-site system of potable water and wastewater lines that can accommodate the proposed development and are efficiently integrated into off-site potable water and wastewater public improvement plans. The PUD Concept Plan shall include a proposed water and wastewater plan.
 - iii. Adequate off-site facilities for potable water supply, sewage disposal, solid waste disposal, electrical supply, fire protection and roads shall be planned and programmed for the development proposed in the PUD Concept Plan.
 - iv. The development is conveniently located in relation to schools and public safety protection services.
- f. **Natural Resources and environmental protection.** The PUD Concept Plan for PUD demonstrates compliance with the current regulatory standards of this Ordinance related to natural resource and environmental protection in Sec. 12.3 *Erosion and*

Sedimentation Control Regulations, 12.4 Flood Damage Prevention, 12.5 Stormwater Management, 12.6 Water Supply Watershed Protection Regulations, & 12.7 Watercourse (Riparian Buffer Areas).

- g. Storm water management. The PUD Concept Plan shall demonstrate that the post-development rate of on-site storm water discharge from the entire site shall not exceed pre-development levels in accordance with Sec. 12.5.3 of the UDO.
- h. Complies with other relevant portions of UDO. The PUD Concept Plan demonstrates compliance with all other relevant portions of the UDO.

7. Recreation Facility Fees, Parks & Open Space Land

7.1. PURPOSE AND INTENT

It is the intent of this chapter is to require that each new development contribute to the necessary range of parks and opens space critical to the quality of life for each resident and visitor. It is expected that all new residential development provide centrally-located, unencumbered land as neighborhood park space for human use and/or unimproved open space in addition to contributing to the construction and expansion of community facilities. The required neighborhood park or open space is intended to compliment the community facilities that are supported by the required Recreation Facility Fees.

7.2. APPLICABILITY

Any person developing and/or subdividing property for residential purposes subject to this ordinance shall be subject to the open space standards and Recreation Facility Fee levied by the town.

7.3. RECREATION FACILITY FEE

Pursuant to the authority granted to the town by the State of North Carolina in Chapter 502, Senate Bill 576 (1989), the town shall impose a Recreation Facility Fee for each new single-family or multifamily dwelling unit including, but not limited to, condominiums, town homes, apartments, and duplexes built in the town or the town's extraterritorial planning area.

7.3.1. Applicability

- A.** All residential subdivisions, multi-family developments, planned unit developments and manufactured home parks for which town approval or permitting is required, or real property improvement which results in the creation of residential dwelling units shall be subject to payment of the Recreation Facility Fee.
- B.** No building permit shall be issued for any new residential dwelling unit until the Recreation Facility Fee has been paid to the town in full.

7.3.2. Exceptions

- A.** The Recreation Facility Fee shall not apply to fences, billboards, poles, pipelines, transmission lines, advertising signs or similar structures and improvements, renovations and repairs which do not generate the need for additional or expanded recreational facilities.
- B.** The Recreation Facility Fee shall not apply to residential subdivisions, multi-family developments, planned unit developments and manufactured home parks, which have received master plan approval and are still valid and active or an established zoning vested right prior to November 17, 1998.

7.3.3. Credits

The required Recreation Facility Fee may be credited, subject to approval by the Board of Commissioners, by an equivalent amount of land dedication and/or construction of greenway trails noted on an adopted plan.

7.3.4. Fee Amounts

The Recreation Facility Fee shall be paid to the town in the amounts as determined by the Board of Commissioners.

7.3.5. Appeals

Any person who feels aggrieved by any action of the town in imposing the facilities fee on a development or the town's classification for the purpose of establishing the rate, must first pay the amount of the facilities fee so charged to him/her, with such amount clearly marked as paid under protest, and thereafter give notice of appeal within a period of 30 days after such payment. Such notice should be delivered by personal service (as defined in Section 1A-1, Rule 4 of the N. C. General Statutes) or registered or certified mail, return receipt requested, directed to the Town Manager. A public hearing shall be held by the Board of Commissioners to review said matter within a period of 35 days following receipt of notice of appeal; the decision upon said appeal shall then be subject to review by the Superior Court by proceedings in the nature of certiorari; any petition for review by the Superior Court shall be filed with the clerk of Superior Court of Wake County within a period of 30 days following the date the decision of the Board of Commissioners is delivered in writing to the appealing party, said delivery to be either by personal service or by registered mail or certified mail, return receipt requested.

7.4. NEIGHBORHOOD PARKS AND OPEN SPACE DEDICATION REQUIREMENTS

In addition to the required Recreation Facility Fees note in 7.3, all new development shall provide neighborhood parks and undisturbed open space (as applicable). The intent is to ensure that each new home has a range of parks and open spaces within a typical walking or biking distance of ¼ to ½ mile.

7.4.1. Required Open Space Conservation/Recreation Space Table

The amount of open space and recreation space required (measured as a percentage of the gross area of development) shall be as follows:

Context	Category	Required Park Space (Improved) – See Standards in Section 7.5	Required Open Space (Unimproved) – See Standards in Section 7.6 {}	Total Dedicated Space
Rural	OS	Exempt	Exempt	Exempt
	RD	2.5%	10%	12.5%
Suburban	GR3, GR5, GR10	2.5%	10%	12.5%
	NB/HB	Exempt	Exempt	Exempt
	ICD	Exempt	25%	25%
	LI/HI	Exempt	Exempt	Exempt
Urban	UR, RMX	2%	5%	7%
	RA-HC/ NMX/UMX	2% for projects 5 acres or greater	Exempt	2% for projects 5 acres or greater
	PUD	2%	15%	17%

7.4.2. Open Space Types

Developments required to provide open space may use the following types to meet the requirements of this Section.

- A. Unimproved Open Space;
 - 1. Standards

Pursuant to Section 7.4.7 {}, development in certain districts may only require simple open space. Public accessibility is not required or expected but is permitted. Where practical, the following priority list shall be used for the conservation of such areas:

- a. Primary Conservation Areas (riparian corridors, special flood hazard areas, unique geological formations, rock outcroppings, rare plants, rare plant communities, rare habitats, wetlands, & prime agricultural areas/farmland),
- b. Unbuildable Areas (areas that have highly erodible soils or slopes in excess of 60%), and
- c. Streetyard and perimeter buffers;
- d. Tree save areas;
- e. Environmentally sensitive areas including but not limited to: drainage areas, floodways, riparian buffers, wetlands; and
- f. Public utility easements

7.4.3. Reserved

7.4.4. Exemptions

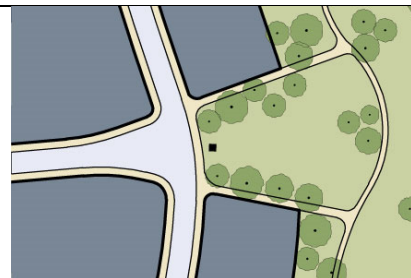
- A. **Very Low Density Developments:** Neighborhood parks are not required in any residential development with an overall density of 1 unit/acre or less.
- B. **Conditional Districts:** Exemptions may be permitted on a case-by-case basis through the use of a Conditional District rezoning, but shall have a minimum of 50% of the total required open space.

7.5. NEIGHBORHOOD PARK DESIGN STANDARDS

7.5.1. Required Neighborhood Park Types

Neighborhood parks, as required by the district provisions, shall conform to one or more of the typologies defined below.

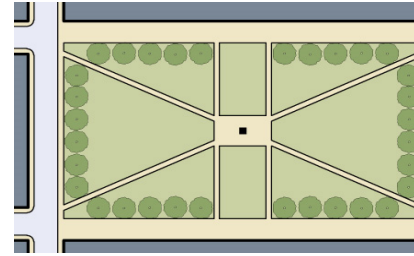
A. Park/Greenway: A natural preserve available for unstructured recreation. Its landscape shall consist of paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be linear, following the trajectories of natural corridors (greenways). The size shall generally be 1-5 acres (except Greenways where there is no minimum).



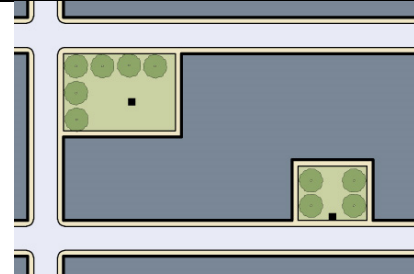
B. Green: An open space available for unstructured recreation. A Green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. For the purposes of this section, standalone dog parks shall be considered a variation of the Green park type. The minimum size shall be 1/2 acre.



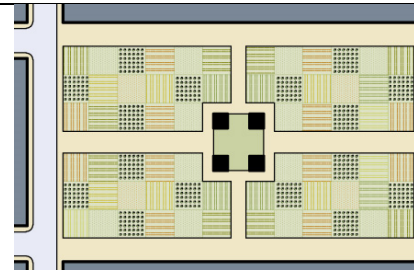
C. Square: An open space available for unstructured recreation and civic purposes. A Square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at intersections. The minimum size shall be 1/4 acre and the maximum shall be 2 acres.



D. Playground: An open space designed and equipped for the recreation of children. A playground may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a block. Playgrounds may be included within parks and greens. There shall be no minimum or maximum size.



E. Community Garden: A grouping of garden plots available for small-scale cultivation, generally to residents of apartments and other dwelling types without private gardens. Community gardens should accommodate individual storage sheds.



7.5.2. Location

- A. Land for neighborhood park spaces shall be centrally and internally located so as to serve the needs of the residents of the neighborhood.
- B. Required neighborhood parks shall provide focal points for developments.
- C. Areas described in the Wake Forest Community Plan, Open Space & Greenway Plan or any other adopted plan as park, recreation, and open space land or greenways shall be preserved and dedicated where practical and feasible. All such dedication and improvement shall also be in conformance with all applicable federal and state rules and/or interlocal agreements. For developments that abut or include areas designated as future greenways on an adopted plan, the Administrator shall require a dedicated 20-foot minimum width public pedestrian and non-motorized vehicle easement be dedicated along all such areas.

7.5.3. Accessibility / Visibility

- A. All recreation spaces shall be conveniently accessible to all residents of the development, and shall have at least 20 feet of frontage on at least one public street within the development.
- B. No residential unit within a development shall be further than ¼ mile (1320 feet), as measured along a road or pedestrian path, from a recreation space as defined above or other publicly-accessible park facility.
- C. All recreation spaces shall be visible from dwelling units that are adjacent to the neighborhood park. This includes dwelling units on properties that share a property boundary with the neighborhood park or front the neighborhood park from directly across a street.

7.5.4. Usability

- A. At least one-quarter of the total land dedicated shall be located outside special flood hazard areas, watercourses, and watershed buffers. All land dedicated shall be outside of wetlands and waters subject to State or Federal regulatory jurisdiction. Within the area proposed for dedication, sufficient engineering data and/or detail shall be indicated to ensure compliance with this section.
- B. Areas including ponds, lakes, wetlands, or easements for public utility transmission lines shall not exceed more than 50% of the required neighborhood park space.

7.5.5. Minimum Amenities Within Parks

Required recreation space shall be planned, improved, and usable by persons living nearby. Improved shall mean cleared of underbrush and debris and shall contain 2 or more of the following amenities: landscaping, walls or pathways, fences, walks, lighting and electricity, fountains, ball fields, and/or playground equipment.

- A. **Minimum Amenities (All Neighborhood Park Types):**
 - 1. Public Seating: Provide seating areas appropriate to the intended use of the space (e.g., park benches and durable theft/vandalism-resistant chairs in formal/active spaces and garden wall seats in informal/passive spaces).
 - 2. Supplement Tree Planting/Significant Species Preservation: A minimum of 1 tree (2 inch caliper minimum measured 6" above the ground at installation) to be planted in at least 350 square feet of soil or 1 preserved existing canopy tree a minimum of 12" caliper for every 2,500 square feet of required park space.
 - 3. Trash Receptacle: Garbage receptacles and recycling receptacles shall be required for each park space.
 - 4. Bicycle Parking: At least 4 ~~Class III~~ short-term bicycle parking spaces shall be required for every one-quarter acre of neighborhood park space and every ½ mile of greenway. Bicycle parking shall be designed according to the bicycle parking standards in Section 9.6.
- B. **Minimum Amenities (Parks per 7.5.1.A):** At least 25% of the park space land shall be required to be designated for active recreation purposes such as playgrounds, tennis courts, ball fields, volleyball courts, etc. The remainder of the park may be designed for passive recreation purposes such as walking, jogging, cycling, disc golf, relaxation, etc. Preservation of natural or cultural resources such as steep slopes, rock outcroppings, mature woodlands or water resources may also be counted towards passive recreation provided there is some method for public enjoyment and appreciation of such resources.
- C. **Minimum Amenities (Playground per 7.5.1.D):** Playground equipment shall be equivalent to the standards established by the Consumer Products Safety Commission and ASTM for playgrounds.
- D. **Minimum Amenities (Greenway per 7.5.1.A):** A greenway path is credited toward the minimum park space dedication requirement at a rate equal to the length of the path times 20 feet in width. The minimum width of the paved path shall be 10 feet.

7.5.6. Credit For Constructed Neighborhood Amenities

Developments that provide neighborhood amenity facilities will receive a credit of 50% of the required total, subject to the provisions below.

- A. The facilities are open to all residents of the neighborhood and are not subject to a private membership separate from any related HOA dues.

- B. Such facilities shall, at a minimum, include a clubhouse a minimum of 1,000 square feet and either tennis court(s) or a pool/ waterpark/sprayground.

7.6. OWNERSHIP & MAINTENANCE

Neighborhood Parks or open space land shall be held and maintained by a homeowner's association. A metes and bounds description of the space to be preserved and limits on its use shall be recorded on the development plan, in homeowner covenants, and on individual deeds when open space lands are not held entirely in common. Alternative means of permanent open space preservation may include acceptance by a land conservation trust or a unit of government. Private management alternatives will also be permitted. Such open space shall perpetually run with the project and shall not be developed or separated from the project at a later date (unless no development of any portion of the project which is benefited by or required to provide such open space has occurred and the entire area of the project is presented for a new construction drawing approval, final plat approval, or rezoning, the effect of which will be to nullify the prior approval).

9. Parking & Driveways

9.1. PURPOSE AND INTENT

Parking lots and similar facilities are necessary elements in the urban environment. However, the provision of parking facilities must be regulated in order to avoid negative impacts such as:

- Increased storm water volume and velocity,
- Increased surface pollutants,
- Increased surface level heat and glare,
- Reduction in the efficiency of the connecting street system, and
- Reduction in the operations of the surrounding pedestrian and bicycle network.

The purpose of this chapter is to ensure the adequate provision of parking in Wake Forest without degrading the urban or natural environment.

9.2. APPLICABILITY

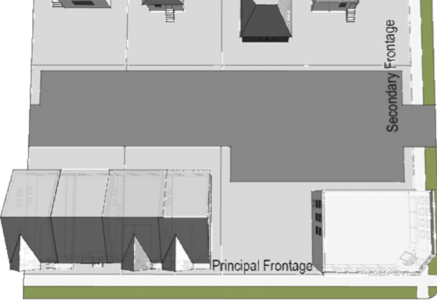
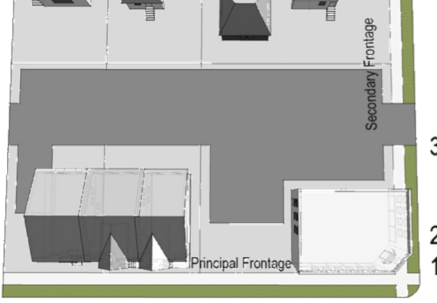
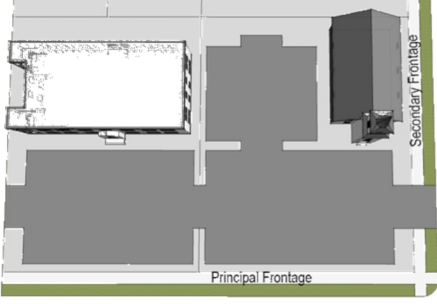
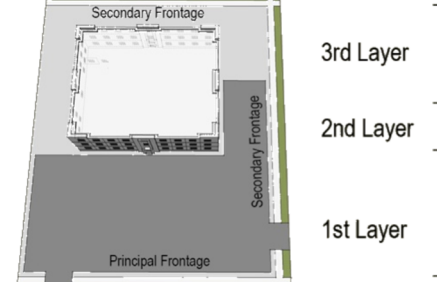
The provisions of this chapter shall apply to all new and expanded development, as well as any changes in use. The notable exception shall be any Planned Unit Development District, which is intended to create its own parking standards through the PUD Concept Plan.

9.3. PERMITTED PARKING LOCATIONS

	Civic/Institutional	Detached House	Townhouse	Apartment	Commercial	Mixed-Use	All Other Bldgs	
OS	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Permitted Parking Configurations* (Also see diagrams below) Location A – Parking permitted in 3 rd Layer only Location B – Parking permitted in 2 nd and 3 rd Layers only Location C – Parking permitted in 2 nd and 3 rd Layers. Parking in 1 st Layer restricted to one drive aisle with 2 bays. Location D – Parking permitted in 2 nd and 3 rd Layers. Parking in 1 st Layer restricted to a driveway or paved surface not to exceed 40% of the lot width. U – Unrestricted
RD	U	U	–	–	–	–	–	
GR3 & GR5	U	U	–	–	–	–	–	
GR10	C	D	B	B	–	–	–	
NB	C	D	–	–	C	C	–	
HB	C	–	–	–	U	C	–	
ICD	B	D	B	B	B	B	–	
LI	–	–	–	–	U	U	U	
HI	–	–	–	–	U	U	U	
UR	B	D	B	B	–	–	–	
RMX	B	D	B	B	B	B	–	
NMX & RA-HC	B	D	B	B	B	B	–	
UMX	B	–	A	A	A	A	–	

* These requirements are intended to be applied from the principal frontage of the lot as determined by the Administrator. Parking configurations may have additional restrictions specified in the tables of district standards in Sections 2.2.3 and 2.2.5, and in Chapter 5 – Building Design Standards, and, if located in the Special Highway Overlay (SH1-O and SH2-O) District, in Section 2.4.3 or in the Glen Royall Mill Village Character Preservation Overlay District in Section 2.4.6. {} The Administrator may waive or alter parking configuration requirements to accommodate unique constraints, such as severe topography, on a site-by-site basis.

PERMITTED PARKING CONFIGURATION DIAGRAMS

 3rd Layer 2nd Layer 1st Layer	Location A <i>Parking permitted in 3rd Layer only</i> 1st Layer – distance from right-of-way to front of building 2nd Layer – 20 feet 3rd Layer – remainder of lot
 3rd Layer 2nd Layer 1st Layer	Location B <i>Parking permitted in 2nd and 3rd Layers only</i> 1st Layer – distance from right-of-way to front of building 2nd Layer – 20 feet 3rd Layer – remainder of lot
 3rd Layer 2nd Layer 1st Layer	Location C <i>Parking permitted in 2nd and 3rd Layers. Parking in 1st Layer restricted to one drive aisle with 2 bays.</i> 1st Layer – distance from right-of-way to front of building 2nd Layer – 20 feet 3rd Layer – remainder of lot
 3rd Layer 2nd Layer 1st Layer 40%	Location D <i>Parking permitted in 2nd and 3rd Layers. Parking in 1st Layer restricted to a driveway or paved surface not to exceed 40% of the lot width.</i> 1st Layer – distance from right-of-way to front of building 2nd Layer – 20 feet 3rd Layer – remainder of lot
 3rd Layer 2nd Layer 1st Layer	U – Unrestricted 1st Layer – distance from right-of-way to front of building 2nd Layer – 20 feet 3rd Layer – remainder of lot

9.4. PARKING REQUIREMENTS

Permanent off-street parking (including on-street parking in accordance with the requirements below) is required subject to the table below. If required, parking shall be provided at the time of erection, alteration, enlargement, establishment or change of use of any building or open use of land which require additional off-street parking. Mixed use developments or lots containing more than one use shall determine the total number of required parking spaces by adding together the required number of spaces for each of the proposed uses as if they were separate.

A. OFF-STREET PARKING SCHEDULE "A"

Use Category	Minimum Required Auto Spaces	Minimum Required Bicycle Parking Spaces ¹
Residential		
Dwelling-Single Family & Two Family	1 per unit, or 2 per unit if parking is provided in an enclosed garage	No requirement
Dwelling-Townhome & Multifamily	1.8 per unit	2 per 40 auto spaces
Dwelling-Accessory	1 per unit	No requirement
Live-Work Units	1 per 600 sf	2 per 40 auto spaces
Residential Care Facilities	1 per 2 resident rooms	2 per 40 auto spaces
All Other Residential Uses	No requirement	No requirement
Cluster Mailbox Unit	2 spaces per location, one space must meet ADA accessibility requirements	No requirement
Recreation facility, private (single-family dwellings or townhomes)	Subdivisions with 100 or more dwelling units shall provide: • 1 per 300 sf of clubhouse with interior gathering space • 1 per 100 sf of surface area of the pool (water area) • 2 per sports amenity (e.g., court, field, playground, park, etc.) Subdivisions with less than 100 dwelling units shall provide: • 1 per 300 sf of clubhouse with interior gathering space • 1 per 200 sf of surface area of the pool (water area) • 2 per sports amenity (e.g., court, field, playground, park, etc.)	4 spaces or 1 space per 30 dwelling units, whichever is greater
Recreation facility, private (multi-family)	No requirement	4 spaces or 1 space per 30 dwelling units, whichever is greater
Lodging – All Lodging Uses	1 per room	2 per 50 auto spaces
Office/Service		
Child/Adult Day Care Centers (More than 8 persons)	1 per 6-person capacity	2 per 50 auto spaces
Funeral Home	1 per 5 seats in chapel	2 per 50 auto spaces
Medical Clinic	1 per 250 sf	2 per 50 auto spaces
Office	1 per 300 sf	2 per 50 auto spaces
Veterinary Services	Schedule B	2 per 50 auto spaces
All Other Office/Service Uses	1 per 500 sf	2 per 50 auto spaces
Commercial		

Use Category	Minimum Required Auto Spaces	Minimum Required Bicycle Parking Spaces ¹
Restaurant Bar/Tavern Nightclub	1 per 200 sf (minimum of 8)	2 per 50 auto spaces
General Commercial	1 per 350 sf	2 per 40 auto spaces
General Commercial – Greater than 100,000 sf	1 per 300 sf	2 per 40 auto spaces
Shooting range, outdoor	1 space per target and 1 space for every 300 sf of office area	2 per 50 auto spaces
All Other Commercial Uses	1 per 400 sf	2 per 40 auto spaces
Automotive	Schedule B	2 per 50 auto spaces
Entertainment/Recreation		
Amusements (Indoor)	1 per 4 persons permitted	2 per 40 auto spaces
Amusements (Outdoor)	1 per 4 persons permitted	2 per 40 auto spaces
Recreational Facility (Indoor)	1 per 4 persons permitted	2 per 40 auto spaces (minimum of 4 racks)
Recreational Facility (Outdoor)	Schedule C	4 spaces or a minimum of 2 per 40 auto spaces (minimum of 4 racks)
Sports Arena/ Stadium	Schedule C	2 per 40 auto spaces
Theater (Indoor & Outdoor)	1 per 5 seats	2 per 40 auto spaces
All Other Entertainment/Recreation Uses	Schedule C	2 per 40 auto spaces
Civic/Educational/Institutional		
Civic Meeting Facilities	1 per 100 sf	2 per 50 auto spaces
Community or Cultural Facility	1 per 300 sf	
Hospital	1 per 2 beds plus 1 per employee	2 per 50 auto spaces
Religious Institution (RA-HC, NMX, UMX)	No requirement	2 per 50 seats
Religious Institution (All Other Districts)	1 per 4 seats in the main assembly hall	2 per 50 seats
Schools – Elementary & Secondary	1 per 4 seats in the main assembly hall or gymnasium*	2 per 50 students
Studio – Art, dance, martial arts, music	1 per 400 sf	2 per 20 auto spaces
Vocational School/Technical	Schedule C	2 per 50 auto spaces
All Other Civic/Educational/Institutional Uses	Schedule C	2 per 40 auto spaces
Industry/Wholesale/Storage		
All Industry/Wholesale/Storage Uses	Schedule B	2 per 50 auto spaces
Agricultural		
Garden or Nursery	1 per 1,000 sf of open-air sales plus space for retail sales per Schedule B	2 per 50 auto spaces
Kennel, Outdoor	Schedule B	2 per 50 auto spaces
All Other Agricultural Uses	Schedule C	No requirement
Infrastructure – All Infrastructure Uses	Schedule C	No requirement
¹ Bicycle parking minimums are based on the number of automobile parking spaces provided on site, not the minimum number of automobile parking spaces required.		

B. OFF-STREET PARKING SCHEDULE “B”

Activity	Minimum Required Auto Spaces
Office or administrative area	1 per 300 sf
Indoor Sales Area	1 per 200 sf
Outdoor sales or display area (3,000 sf or less)	1 per 750 sf
Outdoor sales or display area (Over 3,000 sf)	
Motor vehicles/equipment sales	1 per 2,000 sf
Other sales/display	1 per 1,000 sf
Indoor Storage/warehousing	
1-50,000 sf	1 per 1,500 sf
50,001 and greater sf	1 per 2,000 sf
Vehicle Service/manufacturing area	
1-3,000 sf	1 per 250 sf
3,001-5,000 sf	1 per 500 sf
5,001-10,000 sf	1 per 750 sf
10,001-50,000 sf	1 per 1,250 sf
50,001 and greater sf	1 per 2,000 sf

C. OFF-STREET PARKING SCHEDULE "C"

Uses that are not listed in Schedule A or that reference Schedule C have widely varying parking and loading demand characteristics, making it impossible to specify a single off-street parking or loading standard. Upon receiving a development application for a use subject to Schedule C standards, the Administrator shall apply the off-street parking and loading standard specified for the listed use that is deemed most similar to the proposed use, or shall establish minimum off-street parking requirements based on a parking and loading study prepared by the applicant. Such a study must include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE), or other acceptable estimates as approved by the Administrator, and should include other reliable data collected from uses or combinations of uses that are the same as, or comparable with, the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and location. The study must document the source of data used to develop the recommendations.

9.4.1. Maximum Parking

The minimum parking requirements above have intentionally been set below general market expectations as a means to mitigate against the negative aspects of paved surfaces on the environment such as excessive water runoff, water pollution, and urban heat island effect. To this end, there shall also be a maximum parking standard for large parking facilities as follows:

A. Pervious Pavement Required

1. If a parking lot exceeds 150 spaces and includes more than twice the minimum number of spaces established for a use, as outlined in Section 9.4.1 above, any parking spaces over twice the minimum required must be installed using pervious pavement systems only.
2. If there are no minimum parking requirements for the use given in Section 9.4.1 above, the maximum parking standard shall be 35% of the site area.
3. Where poorly draining soil types prevent the use of this technique, the Administrator may grant an exception to the maximum parking standard above

upon sufficient justification from the applicant of the need for such extra parking facilities.

9.4.2. Exemptions, Exceptions and Adjustments

- A. Exemptions:** All uses in the RA-HC District are exempt from providing the minimum, off-street, automobile parking, required by the section. Bicycle parking is required as outlined in Section 9.4.A, based on the minimum of automobile spaces that would otherwise be provided.
- B. Exceptions for Non-Residential Uses in the Renaissance Area:** Nonresidential uses, located outside of the RA-HC district, in the Renaissance Area of downtown (as defined by the Renaissance Plan for Downtown Wake Forest, NC, dated September 2017, and as amended), may reduce the required off-street, automobile parking spaces, required in this Chapter, by up to 50% with Administrator approved provided the following are met:
1. The remaining number of required off-street parking spaces must be provided on-site, within a shared parking area (Section 9.4.3), a satellite parking area (Section 9.4.4), or by adjacent on-street parking (Section 9.4.2.D);
 2. If a mixed-use development is proposed, the total number of required residential spaces must be provided; and
 3. Additional bicycle parking, over and above what is required by Section 9.4.A, is required. A minimum increase of 50%, ~~but not less than two (2) Type I or Type II long-term~~ bicycle spaces shall be provided.
- C. Exceptions for Residential Uses in the Renaissance Area:** Residential uses, located outside of the RA-HC district, in the Renaissance Area (as defined in the Renaissance Plan for Downtown Wake Forest, NC, dated September 2017 and as amended), may utilize the following methods to either reduce the amount of space required for parking or to reduce the number of off-street parking spaces required in this Chapter by no more than 10%. Administrator approval is required.
1. **Tandem Parking:** Tandem parking is permitted for single-unit, two-unit, and multi-unit residential dwellings. Each tandem space must measure at least 9 feet in width by 36 feet in length. Both parking spaces in tandem must be assigned to the same dwelling unit. Guest parking, if provided, may not utilize tandem parking.
 2. **Private Car Sharing Program:** The parking requirements for all dwelling units may be reduced by three (3) parking spaces for each car-share vehicle provided as part of an active on-site car-sharing program made available for the exclusive use of residents of multi-family dwelling developments. The total number of required spaces may not be reduced by more than 10% utilizing this method.
- D. Adjacent On-Street Parking:** In the Renaissance Area (as defined in the Renaissance Plan for Downtown Wake Forest, NC, dated September 2017 and as amended), public, off-site, on-street parking spaces, located immediately adjacent to the property line of any give site, may be counted as a parking space to meet the minimum parking requirements of this Chapter. These on-street parking spaces shall not be reserved or signed as parking for a particular use or site. Further, a note shall be added to the plans indicating these spaces are only to be counted for meeting the parking requirements on that particular development and in no way shall be counted toward any other development's off-street parking requirements.
- E. Adjustments for Tree Preservation:** The minimum number of parking spaces required may be adjusted by the Administrator when it has been determined that the reductions are necessary to preserve a healthy tree or trees (with a 12 inch or greater

diameter at breast height) from being damaged or removed, and where the site plan provides for the retention of said tree or trees.

9.4.3. Shared Automobile Parking

- A.** One parking lot may contain required parking spaces for several different uses; however, the required parking spaces assigned to one use may not be counted or assigned to another uses, unless otherwise provided in this section.
- B.** To the extent that developments that wish to make joint use of the same parking spaces operate at different, off-peak times, the same spaces may be credited to both uses.
- C.** In the joint use of the same parking spaces by two or more principal uses involves satellite parking spaces, then the provisions of Section 9.4.4 are also applicable.
- D.** Where vehicle access is provided between adjoining nonresidential developments and the operating hours of adjoining uses do not significantly overlap, the uses may share up to 50% of the required parking spaces.
- E.** An applicant proposed the use of the shared parking must:
 - 1. Demonstrate that the applicant has the express legal right to use the parking spaces in question;
 - 2. Provided the shared use parking agreement detailing how the parking spaces will be shared among the uses; and
 - 3. Sign an acknowledgement that the continuing validity of the applicant's development permit depends upon the continuing ability to provide the requisite number of parking spaces. If the shared parking is no longer available or the property owner fails to comply with the requirements of this section, the parking requirement reverts to those requirements found in the table in Section 9.4.A and the property owner or applicant must demonstrate compliance with said requirements or the development permit shall be revoked.
- F.** Should there be a change in owner, change in use, expansion or reduction in building or parking area, a new shared use agreement and agreement in outlined in subsection E above shall be submitted to the Town and additional parking may have to be provided as required by this Ordinance or the permit shall be revoked.

9.4.4. Satellite Automobile Parking

- A.** If the off-street parking spaces required by this section cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within 660 feet. Such measurement shall be taken from the edge of the satellite parking area to the entryway of the principal use for which the parking is provided. A safe, direct, paved, and lit pedestrian route shall be provided between the lot and the entrance of the principal use.
- B.** Satellite parking may not be used for residential visitor/guest parking or for the provisions of the ADA required spaces unless located within 200 feet of the entryway of the principal use for which the parking is provided.
- C.** If satellite parking is utilized to fulfill parking requirements, the owner or authorized agent for the land upon which such satellite parking is located shall restrict the use of such parking area for parking only in connection with the use(s) or structure(s) for which such satellite parking is provided. Such restriction shall be recorded through an easements plat properly filed with the Register of Deeds of Wake County, which may be released only by written consent of the town.
- D.** Satellite parking for a particular use shall not be established in any district that does not allow that use.

- E. The applicant wishing to utilize the provisions of this section must present satisfactory written evidence that the applicant has the legal right to use the satellite parking spaces, and that such right is exclusive during the operation hours of the use in question. The applicant must also sign an acknowledgement that the continuing validity of the applicant's permit depends upon the continuing ability to provide exclusive use during operation hours of the requisite number of parking spaces. If the parking spaces are required for residential uses, "operating hours" shall be considered 24 hours a day for the purposes of this section.
- F. The applicant using satellite parking to comply with the requirements of this section must sign an acknowledgement that the continuing validity of the applicant's permit depends on the continuing ability to provide the requisite number of parking spaces. If the applicant or property owner fails to comply with the requirement so this section, the parking requirements reverts to those requirements in this Chapter and the property owner and applicant must demonstrate compliance with said requirements or the development permit may be revoked.
- G. Should there be a change in owner, change in use, expansion or reduction in building or parking area, the applicant will have to demonstrate continued compliance through the satellite parking and/or provide additional parking as required by this Ordinance or the permit shall be revoked.

9.4.5. Off-Street Loading Requirements

- A. **Off-Street Loading Schedule:** Off-street loading spaces shall be required for industrial, major institutional, and business uses that can be expected to regularly receive or deliver goods, pursuant to the following Off-Street Loading Schedule (RA-HC is exempt from this requirement)

Gross Floor Area (Square Feet)	Required Number of Spaces
0-20,000	0
20,001 - 40,000	1
40,001 - 100,000	2
100,001 - 160,000	3
160,001 - 240,000	4
240,001 - 320,000	5
320,001 - 400,000	6
Each 90,000 over 400,000	1

- B. **Dimensions:** Required loading spaces shall have the following minimum dimensions: 12-foot minimum width, 25-foot minimum length, and 14-foot minimum vertical clearance.
- C. **Locations:**
 - 1. Required off-street loading spaces shall not be located within a building, but shall be on the site of the use served or on an adjoining site.
 - 2. Required off-street loading spaces shall be located to the sides and/or rear of the lot to maximize the street exposure of the primary structure.
 - 3. A loading area shall not be located in a required setback. In addition, street-side loading docks shall be set back at least 70 feet from the street property line or 110 feet from the street center line, whichever is greater.
 - 4. No loading bay may intrude into any portion of a required parking aisle or access dimension.
- D. **Access:**

1. A required loading stall shall be accessible without parking a truck across a street property line unless the Administrator determines that provision of turn-around space is infeasible and approves alternate access.
2. An occupied loading space shall not prevent access to a required off-street parking space. Loading areas visible from a street shall be screened on three sides by a solid, decorative fence, wall, or hedge at least six feet in height.

9.5. VEHICLE PARKING DESIGN STANDARDS

9.5.1. Parking Area General Design Standards

- A. Parking areas shall be located and designed to avoid undue interference with the use of public rights-of-way, driveways, or pedestrian ways. Parking stalls shall not be located in areas that would require backing into access driveways or streets except where allowed for residences.
- B. Parking design and location shall be in accordance with the Wake Forest Manual of Specifications, Standards and Design (MSSD).
- C. Parking stalls shall be located a minimum of 10 feet from public rights-of-way and buildings to allow sufficient separation for sidewalks, landscaping and other site features except along the backs of buildings in areas designed for loading and unloading.
- D. Parking shall not be located in landscaped, open space or tree save areas.
- E. Parking areas shall be maintained to provide for vehicle access and shall be kept free of litter, debris, outdoor display and sales and material storage, including portable containers.
- F. Parking for service vehicles shall be designated, located and screened to minimize the view from adjacent properties and rights-of-way, generally at the rear of buildings.
- G. Vehicle storage or display areas shall be identified on the site plan distinct from customer and employee parking areas and shall comply with parking access, location and design requirements, except that striping of the display or storage area shall not be required. Vehicle storage or display areas shall not be located in a manner that interferes with vehicle or pedestrian access aisles or driveways.
- H. Tractor trailers, cargo trucks, busses and other large commercial vehicles or heavy equipment parking and storage shall comply with parking access, location and design requirements except for stall size and aisle size which shall be as appropriate for the vehicles to be stored and shall be designated on a site plan.

9.5.2. Off-Street Parking Area Design Standards

- ~~J.A.~~ Pavement directional arrows shall be provided on one-way driveways, one-way drive aisles, drive aisles with angled parking, and locations warranted by the Administrator for safety and traffic operations.
- ~~J.B.~~ Loading areas and off-street parking spaces shall be marked with pavement surface markings so that they are easily identified.
- ~~K.C.~~ Stop bars, directional arrows, crosswalks, and any regulatory pavement markings required by MUTCD.

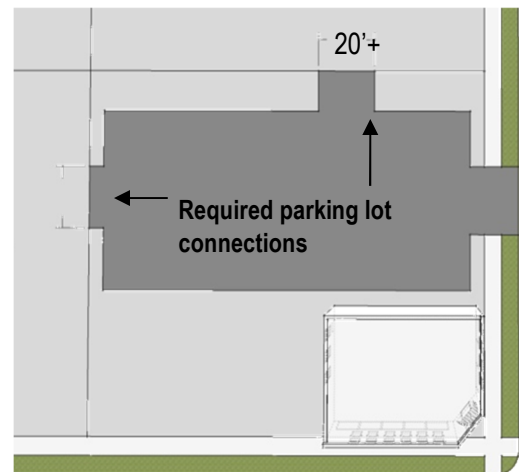
9.5.2.9.5.3. Surfacing Materials

Off-street parking areas shall be properly graded, marked and located on improved lots or within parking structures. The material for surface parking spaces and corresponding access drives required by this section, except for single-family detached and duplex residences, shall consist of suitable material as set forth below.

- A. Suitable Materials:** Suitable paving materials for parking areas include, but are not limited to, asphalt, porous asphalt, porous paving blocks, and concrete.
- B. Accessible Spaces:** All accessible spaces and corresponding access paths shall consist of concrete or asphalt.
- C. Gravel:** When gravel is used it must be maintained on site with a concrete apron at the traveled way.
- D. Pervious Surfaces:** Porous paving blocks and pervious paving materials are permitted and encouraged as material for parking lots. The use of reinforced grass as a parking lot surface is permitted for satellite parking areas.
- E. Parking Space Marking:** The individual parking spaces in a lot shall be delineated in all parking lots except those utilizing road bond, gravel, grass or other vegetative surfacing.
- F. Exceptions to Paved Parking:** An overflow parking lot used only for occasional use (Use that occurs on two or fewer days per week) or is temporary in nature (not exceeding 6 months) is exempted from the requirements of this Section.
 - 1. Off-street areas used for special event parking (to accommodate occasional overflow volumes) may be constructed of any dust-free and compacted ground cover. The owner of the property shall be responsible for the maintenance of such parking areas in a clean and dust-free condition. Grass, gravel, and mulch are examples of acceptable ground cover.
- G. Non-Paved Areas:** Whenever a permanent parking area is exempt from the paved parking requirements or otherwise not required to be paved, the Administrator shall:
 - 1. Require that landscape aisles or spatial separations be provided where the Administrator finds it is desirable to ensure that the parking spaces will be readily identifiable to the users; and
 - 2. Require the perimeter of the vehicle accommodation area encompassing the parking stalls and the side of any unpaved drive or aisle leading to said stalls, to be edged with brick, pressure treated timbers, or cast in place concrete, and anchored into place. Alternate borders may be considered on a case by case basis.

9.5.3.9.5.4. Connectivity

- A.** Adjoining parking lots serving (or potentially serving) non-residential or multi-family uses shall be interconnected as follows: (See illustration below)
 - 1. The parking lot under development has a minimum of 24 parking spaces or equivalent parking area.
 - 2. At least 1 connection is provided at all lot lines that are coincident for at least 60 feet with another lot zoned for non-residential use.
 - 3. The connection is at least 20 feet wide.
 - 4. If applicable, the connection aligns with a connection that has been previously constructed on an adjacent property.
 - 5. The connection has a slope of no greater than 15 percent.



6. The connection is not placed where a building on an adjacent property is within 50 feet of the lot line which would hamper traffic movements within the parking lot.
 7. The connection is placed in an area which will not require the removal of significant natural features such as wetlands or trees with a caliper of 6 inches or more.
 8. In the event these conditions cannot be met without undue hardship, or if such connections would create undesirable traffic flow, the Administrator may waive the connection requirement.
- B. Where a parking lot connection is required an easement for ingress and egress to adjacent lots shall be recorded by the property owner with the Wake County Register of Deeds in the form of an easement plat.

9.5.4.9.5.5. Structured Parking

- A. **Screening Required:** Where an above-ground parking structure fronts a public street, the ground-level side facing the street shall be screened in such a way that cars are not visible from the street (e.g., structure could be wrapped by retail, office or some other active use along the primary façade).
- B. **Materials:** Along pedestrian-oriented streets, parking structure façades shall be treated with high quality materials and given vertical articulation and emphasis compatible with the principle structure. The façade shall be designed to visually screen cars.
- C. **Entries:** Pedestrian entries shall be clearly visible.
- D. **Bicycle Parking:** Parking structures shall provide bicycle parking within the structure. It shall be located on the level closest to the street and/or a primary building entrance.

9.6. BICYCLE PARKING STANDARDS

~~9.6.1. Bicycle parking shall be provided by all non-residential, multi-family, recreation and industrial uses. Bicycle parking facilities required by this section shall be designed to provide convenient bicycle parking and to protect parked bicycles from damage. Acceptable rack elements, rack location and access, rack area and site conditions such as protection from the elements and visibility shall conform to the Association of Pedestrian and Bicycle Professionals Bicycle Parking Guidelines.~~

9.6.1. General Provisions

- A. Permanent off-street bicycle parking is required subject to the Off-Street Parking Schedule "A" in Section 9.4.A.
- B. Bicycle parking must be conveniently located and publicly accessible. Sidewalk will need to connect the bicycle parking facility to the rest of the pedestrian network.

9.6.2. Bicycle Parking Facilities Short-Term Bicycle Parking

- A. Short-term bicycle parking provides customers and other visitors a convenient and readily accessible place to park. Required short-term parking must meet the following standards.
 1. Short-term parking shall be located outside the building and located near the building entrance or use it is intended to serve.

9.6.3. Long-Term Bicycle Parking

- A. Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for several hours a protected and secure place to park.

- B. Multi-family developments shall meet the required minimum bicycle parking with long-term bicycle facilities.
- C. Required long-term parking must meet the following standards.
 - 1. Long-term bicycle parking shall be covered and weather resistant.
 - 2. Long-term bicycle parking shall be located near the building entrance it is intended to serve.
 - a. Long-term bicycle parking serving non-residential use may be located within an internal area accessible by all occupants of the building.
 - b. Long-term bicycle parking may be located within an internal area accessible by the public (such as bike locker room) or located in stairwells. Storage within a multi-family dwelling unit would not be considered a long-term bicycle parking space.

Bicycle parking spaces shall be Class I, Class II, or Class III facilities. Racks which only support one wheel are not acceptable.

~~C. **Class I:** Bicycle lockers are generally rectangular enclosures, each holding one or 2 bicycles.~~

~~D. **Class II:** Bicycle parking racks which allow all 3 major components of the bicycle, back wheel, frame, and front wheel, to be locked, without removal of the front wheel.~~

~~E. **Class III:** Racks such as loop, post, rails, "A" and inverted "U" racks. Each rack provides 2 bicycle parking spaces. Common properties in a class III facility include its support of the bicycle with or without the front wheel removed and post or pipe dimensions which allow the lock to encompass the front tire and down post or the rear wheel and seat post. Class III facilities are recommended for short term parking, although, in combination with shelter, they can be adequate for long-term storage.~~



"Inverted U" bicycle rack

9.6.2.9.6.4. General Bicycle Parking Design Standards

~~A. **Multi-Family Development:** Required bicycle parking spaces in multi-family development shall be provided in Class I facilities, or in Class II or III facilities if shelter is provided to accommodate long-term storage. If completely enclosed garages or accessory storage structures of at least 8 feet by 6 feet that may be locked or otherwise secured by individual tenants are provided for every unit in a multi-family development, no additional bicycle parking shall be required.~~

A. Surfacing

- 1. ~~Bicycle parking shall be provided on a hard-surface, all-weather pavement of asphalt or concrete, with curb ramps installed as appropriate.~~

~~B.~~

~~C. **Signage:** Where not clearly visible from the access way, directional signage shall be provided to route bicyclists to the bicycle parking facility.~~

~~D. Installation: Installation shall be according to the manufacturers' instructions.~~

B. Placement:

1. Bicycle parking shall be located as to not interfere with pedestrian access.
2. Proposed bike parking facilities must comply with siting standards set forth in the MSSD.
3. Bicycle parking shall be located 3 feet away from walls, fences, and the edge of landscaping at the time of maturity, as measured from the edge of the rack close to the wall, fence, or landscaping.

1. ~~Separated from automobile parking by a physical barrier or by at least 5 feet where automobile parking is prohibited and shall be located as close to public and employee entrances as possible without interfering with the flow of pedestrian and vehicular traffic.~~

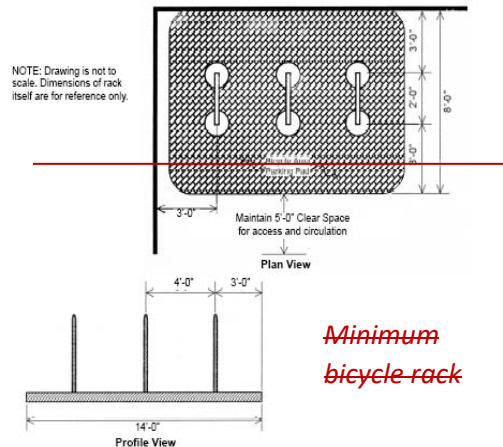
2. ~~Conveniently located near entrances (where multiple entrances exist, the racks shall be dispersed among the entrances rather than located in large groupings)~~

~~Located so as not to interfere with pedestrian access.~~

~~Covered wherever possible.~~

C. Rack Types

1. Grid bicycle racks shall not be permitted.
2. Bicycle lockers or similar types of facilities are permitted and count towards required parking standards.



9.7. TRANSPORTATION FACILITY PERMITS

A Transportation Facility (TF) is any surface parking lot of 1500 spaces or more, a combination of surface and structure parking of 1000 spaces of more, or any parking structure of 750 spaces. Transportation Facilities must comply with the regulations pertaining to the TF Program administered by the North Carolina Department of Environmental and Natural Resources, Division of Air Quality. Any existing facility that plans a modification that exceeds the above threshold is subject to the TF Program regulations.

9.8. Driveway Access

9.8.1. Driveway Standards

Any use which requires lowered or cutaway curbs, for purposes of ingress or egress, shall be subject to the provisions below.

A. Single-Family Residential Lots:

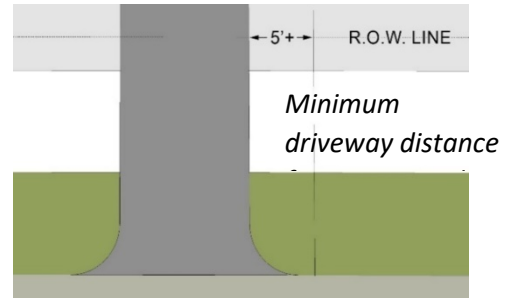
Frontage Width	Maximum Permitted Driveways
Less than 50 feet	1
More than 50 feet	2
For residential properties, the requirements of Section 5.5.4 shall also apply.	

- B. Non- Residential Driveways:** The maximum number of combined entrances and exits allowed on any parcel shall correspond to the frontage of that parcel on any one street as indicated in the following table, except that properties with frontage on major access corridors in the Special Highway Overlay Districts shall be subject to the driveway requirements of Section 4.3.4.E.

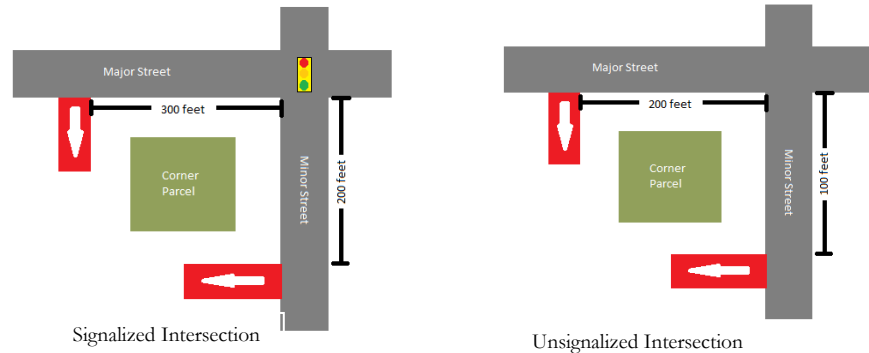
Frontage Width	Maximum Permitted Driveways
Less than 500 feet	1
501 – 1200 feet	2
More than 1200 feet	3
<i>Additional entrances or exits shall be permitted after showing of actual requirements of convenience and necessity and upon approval of the Board of Commissioners.</i>	

C. Location of Driveway Access Points

1. All non-shared access driveways shall be constructed to be at least 5 feet from any property line at the right-of-way, except that a curb return may become tangent to a curb line at a point where said property line extended intersects said curb line.
2. Driveways shall be located at a point along the frontage where it is possible for drivers of vehicles entering the highway to see in both directions along the traveled way far enough to allow entering the roadway without creating a hazardous situation.
3. Consideration of adjacent public/private streets and other driveways shall be used to prevent closely spaced driveways to adjacent properties and favor a more centralized driveway(s) to promote connectivity.
4. The Town reserves the right to permit access where it deems appropriate for the operational needs of the site and existing infrastructure. There is no guarantee of access to the applicant's preferred driveway location or access point.
5. Access may be restricted to less than a full access movement. Any required infrastructure improvements may be required as a condition of the site plan in addition to the required improvements of Section 6.5.
6. Along Major roadways the minimum distance between any 2 driveways/curb cuts on the same side of the street shall be not less than 200 feet.
7. At signalized street intersections, no driveway/curb cut shall be located within 300 feet of the intersection on Major Roadways and 200 feet on Minor/Local Streets.



8. At unsignalized street intersections, no driveway/curb cut shall be located within 200 feet of the intersection on Major Roadways and 100 feet on Minor/Local Streets.



- D. **Driveway Channelization:** Adequate driveway channelization is required in order to accommodate the operations needs of the development while protecting the functionality of the intersection. Protected driveway channelization assists with traffic organization of entering and exiting traffic while preventing excessive maneuverability and cross-traffic close to the intersection. All developments are required to provide a minimum of fifty feet (50') of minimum channelization (from the edge of pavement on the intersecting roadway) prior to any internal driveways, cross access or direct parking areas. For larger commercial developments and high-density mixed-use developments, a minimum of one-hundred feet (100') will be required. Driveways that are served by a signalized intersection, a minimum of two-hundred feet (200') of protected channelization is required or beyond the limits of storage required by the signal, whichever is larger.
- E. **Driveway Vehicle Storage Space:** Adequate internal storage space shall be provided for all driveways for all services that required drivers to remain in their vehicles. This may include, but is not limited to, school drop-off and pick-up, banks, ATMs, and drive-thru's. Specific storage requirements will be made on a case-by-case basis based on the development and services to be provided.

At a minimum the following vehicle storage shall be provided. A storage space of twenty-five feet (25') per vehicle shall be used for passenger vehicles.

Type of Service	Minimum Storage Capacity
Single-Lane Bank/ATM	6 vehicles
Multi-Lane Bank/ATM	4 vehicles per lane
Full Service Car Wash	12 vehicles
Automatic/Multi-Service Car Wash	4 vehicles per lane
Food/Drink Services	8 vehicles per lane (measured from the menu/ordering board)
Fuel/Gas Pumps	A minimum of 30 feet of storage measured from the island for all pumps

- F. **Driveway Width:** Driveway width measurements pertain to the measurement of the driveway at the sidewalk. At other points in the driveway the width may vary.
 1. **Single Family Detached Residential Driveways:** Driveways on detached single family residential properties shall have a minimum width of 12 feet and shall not exceed a maximum width of 20 feet.

2. **All Other Driveways:** The width, in feet, of a driveway approach shall be within the minimum and maximum limits as specified below.
 - a. One-way drives shall have a minimum width of 12 feet and shall not exceed a maximum width of 30 feet.
 - b. Two-way drives shall have a minimum width of 16 feet and shall not exceed a maximum width of 36 feet.
3. **Public Service Driveways Exempt:** Driveways for fire protection, law enforcement, and other public services shall be exempt from the driveway width requirements of this paragraph.

G. Joint Use Driveway

1. Wherever feasible, the Administrator shall require the establishment of a joint use driveway serving 2 abutting properties.
2. When a property is developed before an abutting property is developed, the site shall be designed to ensure that its driveway and circulation may be modified to create a joint use driveway and interconnected parking with the abutting property at a later date.

H. Utility Driveways: A 10-foot-wide curb depression shall be provided at all locations where utilities cross curb and gutter to run into off-site easements. The purpose for the depression is to provide equipment access to easements without “hopping” over the curb.

I. Compliance with Local and State Requirements

1. Any person or corporation desiring to construct a driveway or other connection within the right-of-way of the town or state shall, before beginning any construction, secure the appropriate permits from the authorizing agency, allowing such construction. Driveway connections to residences are normally excluded from this requirement, but may be included at the option of the authorizing agency.
2. Failure to secure a permit prior to construction may result in the removal of the driveways and/or denial of access at that location.

J. Minor Roadway (See Section 6.8.2) and Driveway Sight Triangles

Town of Wake Forest follows the NCDOT standard of 10' x 70' in size along the intersecting rights-of-way, with the 70-foot dimension along the cross street. This sight triangle must be shown at all connections to a town or state- maintained roadway, regardless of street or driveway classification or dimension, and is located on each side of the approaching street or driveway classification or dimension and is located on each side of the approaching street or driveway. No object that impedes sight distance between a height of 30 and 72 inches (vehicle height) above the ground surface, shall be located within any of the sight distance triangle.

K. Major Roadway (See Section 6.8.2) and Driveway Sight Triangles

The Town follows AASHTO's recommendations for sight distance along major roadways. Access to major roadways shall provide adequate sight distance to avoid striking an unexpected object in the travel way. This length will vary based on design speed on the intersecting roadway, grade, and stopping sight distance of the vehicles on the intersecting roadway. All sight distance triangles shall be computed from the decision point of the vehicle entering the major roadway.

1. The table below lists the length of sight distance that should be used along the major roadways on grades 3% or less.

Design Speed (mph)	Length of Sight Distance (ft)
15	70
20	90
25	115
30	140
35	165
40	195
45	220
50	245
55	285
60	325
65	365

2. For roadway grades >3%, the following table shall be used. All distances are shown in feet perpendicular to the decision point.

Approach Grade (%)	Design Speed (mph)									
	15	20	25	30	35	40	45	50	55	60
-6	77	99	126.5	154	181.5	214.5	242	294	342	390
-5	70	90	126.5	154	181.5	214.5	242	269.5	313.5	357.5
-4	70	90	115	154	181.5	214.5	242	269.5	313.5	357.5
-3 to +3	70	90	115	140	165	175.5	198	220.5	256.5	325
4	70	90	115	140	148.5	175.5	198	220.5	256.5	292.5
5	70	90	115	126	148.5	175.5	198	220.5	256.5	292.5
6	70	90	103.5	126	148.5	175.5	198	220.5	256.5	292.5

15. Administration

15.1. Purpose and Intent

In order to establish an orderly process to develop land within the jurisdiction of the Town of Wake Forest consistent with standard development practices and terminology it is the purpose of this chapter to provide a clear and comprehensible development process that is fair and equitable to all interests including the petitioners, affected neighbors, Town Staff and related agencies, and the Board of Commissioners.

15.2. GENERAL PROVISIONS & APPLICABILITY

The provisions of this chapter shall be applicable to all development activity under the jurisdiction of the Town of Wake Forest.

15.2.1. No Construction To Commence Without Permit

No land shall be used or occupied and no structures shall be erected, moved, extended, or enlarged, nor shall any timbering, clearing and grubbing, or filling of any lot for the construction of any building be initiated until the Administrator has issued an appropriate permit which will certify that the proposed work is in conformity with the provisions of this ordinance.

15.2.2. Fees & Inspections

- A. The Town of Wake Forest Board of Commissioners is authorized to establish fees to be charged by the town for the administration of the regulations in this ordinance. The town shall adopt as part of their annual budgeting process, a schedule of fees for applications and processing for permits as specified in this ordinance.
- B. Agents and officials of the town are authorized to inspect land-disturbing activities to ensure compliance with this ordinance, or rules or orders adopted or issued pursuant to this ordinance, and to determine whether the measures required in approved development plans are being appropriately followed. Notice of the right to inspect shall be included in the certificate of approval of each Plan.
- C. No person shall willfully resist, delay or obstruct an authorized representative, employee or agent of the Town while that person is inspecting or attempting to inspect a land-disturbing activity.
- D. The Town shall also have the power to require written statements or filing reports under oath, with respect to pertinent questions relating to the land disturbing activity.

15.2.3. Development Review Process

See Appendix A – Typical Development Review Process Chart for more information regarding the timing of required applications/approvals.

15.2.4. Permit/Process Type

Permit/ Process Type	Section	Permit/ Process Type*	Reviewing Agency	Public Notice (15.3)	Approving Agency	Appeal Process	Permit Validity Period**	Permit Extension
Development Permit	15.6.1	Administrative	Admin	N/A	Admin	BOA	1 year	1 year
Temporary Use Permit	15.6.2	Administrative	Admin	N/A	Admin	BOA	See 4.7	See 4.7
Certificate of Completion	15.6.3	Administrative	Admin	N/A	Admin	BOA	N/A	N/A
Modification of Setbacks	15.6.4	Administrative	Admin	N/A	Admin	BOA	N/A	N/A
Tree Clearing Permit	15.7.1	Administrative	Admin	N/A	Admin	BOA	1 year	Re-submit
Land Disturbance Permit	15.7.2	Administrative	Admin	N/A	Admin	BOA	2 years	1 year
Floodplain Development Permit	15.7.3	Administrative	Admin	N/A	Admin	BOA	1 year	Re-submit
Site Master Plan	15.8.1	Administrative	Admin/TRC	N/A	Admin	BOA	2 years	1 year
Site Construction Plan	15.8.2	Administrative	Admin/TRC	N/A	Admin / TRC	BOA	2 years	1 year
Architectural Design Review	15.8.3	Administrative	Admin	N/A	Admin	DRB	1 year	N/A
Subdivision Master Plan	15.9.1	Administrative	Admin/TRC	N/A	Admin	BOA	2 years	1 year
Subdivision Construction Plan	15.9.2	Administrative	Admin/TRC	N/A	Admin / TRC	BOA	2 years	1 year
Final Plat	15.9.3	Administrative	Admin/TRC	N/A	Admin	BOA	30 days to file Plat	Re-submit
Special Use Permit	15.10	Quasi-Judicial	Admin/TRC	Levels 1, 2, 4 & 5	BOC	Superior Court	2 years	1 year
Designation of Historic Landmarks/Districts	15.11.1	Legislative	HPC	Levels 1, 2 & 3	BOC	Superior Court	N/A	N/A
Certificate of Appropriateness – Minor Works	15.11.2	Administrative	Admin	N/A	Admin	HPC	1 year	1 year
Certificate of Appropriateness – Major Works	15.11.3	Quasi-Judicial	Admin	Levels 1 & 3	HPC	BOA	1 year	1 year
Certificate of Appropriateness – Demolition of Historic Structures	15.11.4	Quasi-Judicial	Admin	Levels 1 & 3	HPC	BOA	1 year	1 year
Appeal of Administrative Decision	15.12	Quasi-Judicial	BOA	Levels 1 & 2	BOA	Superior Court	30 days to Appeal	N/A
Variance	15.13	Quasi-Judicial	BOA	Levels 1, 2 & 4	BOA	Superior Court	30 days to Appeal	N/A
Text Amendment	15.14	Legislative	PB	Levels 1 & 2	BOC	Superior Court	N/A	N/A
Map Amendment (Rezoning)	15.14	Legislative	PB	Levels 1, 2, 3, 4 & 5	BOC	Superior Court	N/A	N/A
Conditional Zoning	15.15	Legislative	PB	Levels 1, 2, 3, 4 & 5	BOC	Superior Court	N/A	N/A
Planned Unit Development Rezoning	15.16	Legislative	PB	Levels 1, 2, 3, 4 & 5	BOC	Superior Court	N/A	N/A
Comprehensive Plan Amendment	15.17	Legislative	PB	Levels 1 & 2	BOC	Superior Court	N/A	N/A

Permit/ Process Type	Section	Permit/ Process Type*	Reviewing Agency	Public Notice (15.3)	Approving Agency	Appeal Process	Permit Validity Period**	Permit Extension
Annexation and ETJ Expansion	15.18	Legislative	Admin	Levels 1 & 2	BOC	Superior Court	N/A	N/A
Admin – Administrator (14.1) BOC – Board of Commissioners (14.2) TRC – Technical Review Committee (14.3) PB – Planning Board (14.4) BOA – Board of Adjustment (14.5) HPC – Historic Preservation Commission (14.6) DRB – Design Review Board (14.7) {} Superior Court of North Carolina *All Legislative and Quasi-Judicial Permit/Process Types shall require a public hearing according to the provisions outlined in this chapter for each process. **Requests for vesting must be made at the time the application is submitted. Development meeting NC General Statute requirements for multi-phase development vesting plan may be eligible for extended vesting rights. Developments identified as site specific vesting plans are vested for a period of two years.								

15.2.5. Completeness Review

- A. **Sufficiency to be Determined by Administrator:** All applications shall be sufficient for processing before the Administrator is required to review the application. An application shall be sufficient for processing when it contains all of the information necessary, in accordance with the appropriate development permit checklist, to decide whether or not the development as proposed will comply with the requirements of this ordinance. The Administrator will prepare and disseminate appropriate checklists for use by applicants in their submission. These checklists are located on the Town of Wake Forest website and are made a part of this ordinance by reference.
- B. **Application Information:** The presumption shall be that all of the information required in the application forms is necessary to satisfy the requirements of this section. However, it is recognized that each application is unique, and therefore more or less information may be required according to the needs of the particular case.
- C. **Evidence of Authority:** The Administrator may require an applicant to present evidence of authority to submit the application. Applications for development approvals may be made by the landowner, a lessee or person holding an option or contract to purchase or lease land, or an authorized agent of the landowner. An easement holder may also apply for development approval for such development as is authorized by the terms of the easement.
- D. **Application Deadline:** Applications sufficient for processing shall be submitted to the Administrator in accordance with the published calendar schedule. Schedules indicating submittal dates shall be developed each year and made available to the public.
- E. **Resubmittal Deadline:** Upon receiving review comments from staff or TRC, revised applications shall be resubmitted no later than six months from the date of the comments. If a revised application is not resubmitted within the stated timeframe, the application will be considered withdrawn and a new application and review fee shall be submitted.

15.3. PUBLIC NOTIFICATION

The following procedures have been established for development applications/petitions that require notification of the public prior to consideration and/or approval.

15.3.1. Level 1 – Sunshine List

A notice of the pending application/meeting shall be posted in a prominent location in Town Hall and on the town's web site, and a notice of such meeting shall be mailed, e-mailed, or delivered to each person and media provider that has filed a written request for notice with the Town Clerk. This notice shall be posted and mailed, e-mailed,

or delivered at least 48 hours before the time of the meeting. Notices shall be distributed by email. Non-media members of this list shall be charged an annual fee (as set in the fee schedule) to receive all notices by mail. Members of this distribution list must renew their participation in this distribution on an annual basis.

15.3.2. Level 2 – General Notice In Newspaper

A notice shall be published in a newspaper of general circulation in the town once a week for 2 successive weeks, unless the notice is for an annexation public hearing which requires a single notice. The first publication shall appear no less than 10 days or more than 25 days prior to the date fixed for the legislative or evidentiary public hearing. The notice shall include the time, place and date of the hearing/meeting and include a description of the property and the nature of the proposal.

15.3.3. Level 3 – Notification To Affected Property Owners

- A. Mailed Notice:** The owners of all property affected by a pending action (e.g., new overlay district) shall be notified of the hearing/meeting by first class mail. Such notification shall be postmarked at least 10 but not more than 25 days prior to the date to the meeting at which the matter is to be heard.
- B. Published Notice – Full Community Notification:** As an alternative, to the mailed notice requirements in the above paragraph, the town may elect to serve notice through a full community notification for pending actions that affect at least 50 properties with at least 50 different property owners. The town shall publish notice of the hearing/meeting in a newspaper of general circulation in the town. Two advertisements shall be published in separate calendar weeks. Each advertisement shall not be less than one-half of a newspaper page in size. The advertisement shall only be effective for property owners who reside in the area of general circulation of the newspaper which publishes the notice. Property owners who reside outside of the newspaper circulation area, according to the address listed on the most recent property tax listing for the affected property, shall be notified by first class mail.
- C. Posted Notice:** In addition to providing mailed notice or published notice, as required in paragraphs A and B above, a sign shall be placed in a prominent location on the subject property(ies) or on an adjacent public street or highway right-of-way with a notice of the pending action and a phone number to contact for additional information.
- D. Additional Requirements for Third Party Re-Zonings:** Except for a town-initiated zoning map amendment, when an application is filed to request a zoning map amendment and that application is not made by the owner of the parcel of land to which the amendment would apply, the applicant shall certify to the Board of Commissioners that the owner of the parcel of land as shown on the county tax listing has received actual notice of the proposed amendment and a copy of the notice of legislative or evidentiary public hearing. The applicant shall certify that proper notice has been provided in fact, and such certificate shall be deemed conclusive in the absence of fraud. If notice cannot with due diligence be achieved by personal delivery, registered or certified mail, or by a designated delivery service authorized pursuant to 26 U.S.C. §7502(f)(2), notice may be given by publication consistent with G.S. 1A-1, Rule 4(j1). This applies only to an application to request a zoning map amendment where the application is not made by the owner of the parcel of land to which the amendment would apply. Except for a town-initiated zoning map amendment, third-party down-zonings are prohibited.

15.3.4. Level 4 – Notification To Adjacent Property Owners

The owners of property within 500 feet on all sides of the subject property shall be notified of the hearing/meeting by first class mail. Such notification shall be postmarked at least 10 but not more 25 days prior to the date of the meeting at which the matter is to be heard. In addition, a sign shall be prominently posted on the subject property(ies) or on an adjacent public street or highway right-of-way with a notice of the pending action and a phone number to contact for additional information.

15.3.5. Level 5 – Neighborhood Meeting

The applicant shall conduct a neighborhood meeting where required in Section 15.2.4 prior to any legislative or evidentiary public hearing or review by an approving board or commission. This meeting will allow the applicant to explain the proposed project and to be informed of the concerns of the neighborhood and surrounding property owners. The neighborhood meeting shall be held after the first round of staff review has been completed and prior to application resubmitted for the second round of staff review.

A meeting notice shall be sent to property owners and Homeowner Associations within 500 feet of the proposed development. The notice shall be sent by first class mail and be postmarked at least 10 but not more than 25 days prior to the date of the neighborhood meeting. A copy of the notice shall also be sent to the Planning Department. The letter shall contain a summary of the proposed development, the applicant's contact information, the date, time and location of the meeting. The location of the neighborhood meeting should be held within a reasonable distance of the proposed project. The meeting shall be held at a reasonable time giving the nearby property owners an opportunity to attend. A summary of the meeting in the form of meeting notes or minutes along with a list and contact information for all attendees shall be submitted to the approving board or commission for their review at all subsequent legislative or evidentiary hearings.

15.4. APPLICATION REQUIREMENTS

The following general standards for various applications have been identified as a means to create a hierarchy of submissions for various permits and procedures. It is the expressed intent of this ordinance to limit the required information to only that data/information that is necessary to render an informed decision by the reviewing agency at a particular stage. In this manner, the town has determined that it is both inappropriate and unnecessary to require a full set of architectural or engineering drawings for review by the various review and decision-making boards unless the application is such that a specific level of detail is necessary (e.g., floodplain/stormwater variance). The Application Checklists located on the Town of Wake Forest website are intended to provide further guidance to applicants as to the necessary level of detail for certain permit/process types. Permits/processes for which additional detail is included in these Application Checklists are marked with an asterisk (*) in the table below.

Permit/ Process Type	Section	PUD Concept Plan (15.4.8)	Existing Conditions Map (15.4.1)	Sketch Plan (15.4.2)	Master Plan (15.4.3)	Construction Plans (15.4.4)	As-Built Drawings (15.4.5)	Final Plat (15.4.5)	Building Elevations (15.4.7)
Development Permit *	15.6.1			X(a)					
Temporary Use Permit	15.6.2			X(a)					
Certificate of Completion	15.6.3		See Administrator						
Modification of Setbacks	15.6.4			X					
Tree Clearing Permit *	15.7.1		X(a)			X			
Land Disturbance Permit*	15.7.2		X			X			
Floodplain Development Permit *	15.7.3		X(a)			X	X		
Stormwater Permit *	15.7.4 {}		X(a)			X	X		
Site Master Plan *	15.8.1		X		X				
Site Construction Plan *	15.8.2		X			X	X(a)		
Architectural Design Review *	15.8.3			X(a)					X
Subdivision Master Plan *	15.9.1		X		X				
Subdivision Construction Plan*	15.9.2		X			X	X(a)		
Final Plat*	15.9.3						X(a)	X	
Special Use Permit	15.10		X		X				
Designation of Historic Landmarks/Districts	15.11.1		X	X					
Certificate of Appropriateness (Minor Works)	15.11.2			X					X(a)
Certificate of Appropriateness (Major Works)	15.11.3			X					X (a)
Certificate of Appropriateness (Demolition of Historic Structures)	15.11.4		X	X	X (a)				

Permit/ Process Type	Section	PUD Concept Plan (15.4.8)	Existing Conditions Map (15.4.1)	Sketch Plan (15.4.2)	Master Plan (15.4.3)	Construction Plans (15.4.4)	As-Built Drawings (15.4.5)	Final Plat (15.4.5)	Building Elevations (15.4.7)
Appeal of Administrative Decision	15.12		See Administrator						
Variance	15.13		See Administrator						
Text Amendment	15.14		See Administrator						
Map Amendment (Rezoning)	15.14		See Administrator						
Comprehensive Plan Amendment	15.15		See Administrator						
Conditional Zoning	15.16		X	X(a)	X				
Planned Unit Development Rezoning	15.17	X	X				X	X	
Annexation and ETJ Expansion	15.18		See Administrator						
*Additional detail provided in the Application Checklists X - Required X(a) - as needed									

15.4.1. Existing Conditions Map

An existing conditions map is intended to identify existing developed conditions and natural features including, but not limited to, the following:

A. Existing Developed Conditions of Property

1. Rights of way
2. Existing structures with built year & historical significance;
3. Cemeteries;
4. Bridges or culverts;
5. Utilities (water & sewer, drainage, storm water, electrical, cable, fiber optics, etc.);
6. Driveways & curb cuts;
7. Sidewalks, surface parking & loading areas;
8. Public and private streets with pavement width;
9. Any known contaminated soils or hazardous materials;
10. Existing & proposed easements including but not limited to, electric, water, sewer, storm, drainage, private streets, gas, or other service related easements including location, width & purpose.

B. Existing Natural Features of Property

1. Forest stands or trees of a uniform size and species;
2. Specimen trees of varying sizes and species, particularly free standing or open-grown or field grown trees;

3. Previously documented rare or protected species' habitats.
 4. Riparian & watershed boundaries/buffers, wetlands, watercourses with name and direction of flow;
 5. State & federal reports regarding wetlands and stream buffer delineations;
 6. Special flood hazard areas;
 7. Wood line & vegetation type with location of all specimen trees;
 8. Soils map;
 9. Existing contour lines at a minimum of 2 foot contour intervals.
- C. Identification of the above features on a site prior to the advanced preparation of development plans enables the reasonable and practical planned preservation of existing and environmentally sensitive areas. This requirement provides the town and the applicant the ability to evaluate the proposed development in order to preserve vegetation, to improve the appearance of the development proposed and to encourage the use of the existing forest and tree canopy, specimen trees, and significant vegetation to satisfy the requirements of this ordinance.

15.4.2. Sketch Plan

The Sketch Plan shall show in simple sketch form the shape and dimensions of the lot on which the proposed building or use is to be constructed or conducted; proposed layout of existing and proposed streets, existing or proposed lot(s) layout, building(s) location and size, nature of land use, parking areas and means of ingress/egress, environmental conditions (i.e. Special Flood Hazard, wetlands, etc.); civic spaces and other features in relation to existing conditions based upon the size of the tract proposed for development. Sketch Plans shall be reviewed as binding documents for Certificates of Unified Development Ordinance {} Completion (15.6.3), but shall be used for non-binding review for all other development application processes in which a Sketch Plan is required. See Sketch Plan Checklist for required submittal information.

15.4.3. Master Plan

The Master Plan is intended to provide a detailed two-dimensional drawing that illustrates all of the required site features and all related development calculations in sufficient detail to show compliance with this ordinance. Detailed engineering drawings such as subsurface utilities (e.g., water and sewer) and on-site stormwater facilities are not required for Master Plans, except that horizontal water and sewer locations shall be indicated as required by the City of Raleigh Public Utilities Department. Plans shall be prepared by a licensed professional. See Master Plan Checklist for required submittal information.

15.4.4. Construction Plans

Construction Plans shall constitute a full and complete set of engineered drawings necessary for final permitting and construction. Plans shall be prepared by a licensed professional. See construction Plan Checklist for required submittal information.

15.4.5. As-Built Drawings

The "as built" plans shall show the final design specifications for all public infrastructure. For stormwater infrastructure this shall include, but is not limited to, the as-built basin volumes, slopes, inverts and tops of stormwater pipes, manholes, catch basins, BMP's

installed, and a notarized operation and maintenance agreement for BMP's. The designer of the infrastructure shall certify, under seal, that the installed infrastructure is in substantial compliance with the approved plans and designs and with the requirements of this ordinance. A final inspection and approval by the Administrator shall occur before the release of any performance securities.

15.4.6. Final Plat

The final plat shall be prepared by a professional land surveyor, licensed to practice in the State of North Carolina and shall meet the requirements of NCGC 47-30. See Final Plat Checklist for required submittal information.

15.4.7. Building Elevations For Design Review

Scaled drawings of each elevation shall be submitted to verify compliance with this ordinance. These drawings shall be in color and accurately represent the building heights, floor levels, and building materials. In addition, the Administrator may require up to 3 drawings from different perspectives that will show how the building fits into the context of the block. See Architectural Review Checklist for required submittal information.

15.4.8. PUD Concept Plan

The PUD Concept Plan shall accompany a Planned Unit Development (PUD) (see Section 2.7) rezoning request. The application for the Planned Unit Development held and maintained by the Planning Department will contain a detailed checklist for the PUD Concept Plan. Generally, the concept plan shall include the following:

A. Planned Unit Development Intent and Compatibility Statement

A written statement must be submitted that includes a description of the relationship of the Planned Unit Development to the surrounding land uses and the uses within the development to each other, the compatibility of the request with the Town of Wake Forest Comprehensive Plan maps and objectives, and any other supporting information regarding the request. The statement shall demonstrate how the flexibility granted through the PUD will result in a higher quality development.

B. Detailed District Criteria

In accordance with UDO Section 2.7 and PUD application, each PUD Concept Plan shall specify development standards applicable to each permitted use in the PUD and contain the following:

1. Vicinity Map;
2. Perimeter Boundary & Topographic Survey;
3. Existing Conditions Map (see Section 12.4.1.B for required components);
4. Land Use Map;
5. Vehicular & Pedestrian Circulation Plan;
6. Utility Access & Connection Plan;
7. Buffers, Open Space & Recreation Facilities Plan; and
8. A Table summarizing the sections of the UDO that will be varied in the PUD.

C. Traffic Impact Analysis (see Section 6.12)

A Traffic Impact Analysis (TIA) shall be required with all concept plans submittals to verify that there are adequate transportation facilities for the proposed development. This report must be submitted, reviewed, and approved prior to the project going to the Planning Board and the Board of Commissioners.

15.5. GENERAL REQUIREMENTS FOR QUASI-JUDICIAL EVIDENTIARY HEARINGS AND DECISIONS

A quasi-judicial decision is a process that involves the finding of facts regarding a specific application of an ordinance and the exercise of discretion when applying the standards of the ordinance. Quasi-judicial decisions include decisions involving variances, special use permits, and appeals of administrative determinations. As a result the following standard procedures shall be incorporated as appropriate.

15.5.1. Standards For Conduct of Quasi-Judicial Evidentiary Hearings

- A. Contact with Decision-Making Board Members:** Contact with any members of a decision-making board prior to the evidentiary public hearing by any individual regarding the matter is prohibited.
- B. Conflicts of Interest:** A member of the decision-making board shall not participate in or vote on a quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.
- C. Participants:** The applicant, the town, and any person who would have standing to appeal the decision under NCGS shall have a right to participate as a part at the evidentiary hearing. For appeals, the official who made the decision, or the person currently occupying that position if the decision-maker is no longer employed by the town, shall be present at the evidentiary hearing as a witness.
- D. All Participants to be Sworn In:** All participants in the evidentiary public hearing shall be duly sworn in prior to the submission of any testimony.
- E. Competent Evidence Required:** All decisions shall be based on competent evidence entered in as part of the record. The term "competent evidence," as used in this subsection, shall not preclude reliance by the decision-making board on evidence that would not be admissible under the rules of evidence as applied in the trial division of the General Court of Justice if (i) the evidence was admitted without objection, or (ii) the evidence appears to be sufficiently trustworthy and was admitted under such circumstances that it was reasonable for the decision-making board to rely upon it. The board chair shall rule on any objections made to the board regarding jurisdictional and evidentiary issues. The term "competent evidence," as used in this subsection, shall not be deemed to include the opinion testimony of lay witnesses as to any of the following:
 - 1. The use of property in a particular way would affect the value of other property.
 - 2. The increase in vehicular traffic resulting from a proposed development would pose a danger to the public safety.
 - 3. Matters about which only expert testimony would generally be admissible under the rules of evidence.
- F. Cross-Examination Permitted:** The cross-examination of witnesses submitting testimony shall be permitted upon request.

15.5.2. Standards For Decisions

Each decision-making board under the provisions of this section shall ensure that the rights of petitioners have not been prejudiced because of the decision-making body's findings, inferences, or conclusions. In addition such decision shall not be:

- A. In violation of constitutional provisions, including those protecting procedural due process rights.
- B. In excess of the statutory authority conferred upon the town or the authority conferred upon the decision-making board by ordinance.
- C. Inconsistent with applicable procedures specified by statute or ordinance.
- D. Affected by other error of law.
- E. Unsupported by substantial competent and material evidence in view of the entire record.
- F. Arbitrary and capricious.

15.5.3. Record of Decision

- A. The following shall become part of the official record of decision:
 - 1. Documents and exhibits submitted to the decision-making board
 - 2. Meeting minutes
- B. **Transcript of Audio/Video of Meetings:** Any party may request, at their expense, a transcript of the proceedings from any recorded audio/video.

15.6. ADMINISTRATIVE PERMITS

15.6.1. Development Permit

A development permit indicates compliance with the provisions of the Unified Development Ordinance and shall be required for the construction or development of any new use within the land development jurisdiction of the Town of Wake Forest, and any other site improvement as indicated in the UDO. In addition to new uses, a development permit shall be required for expansions of existing uses, changes of use, any uses permitted with special conditions (Chapter 3) and any signage requiring a permit (Chapter 11).

- A. **Process Type:** Administrative
- B. **Pre-Application Procedure:** No meeting is required but applicants are encouraged to call or visit the Administrator prior to requesting a Development Permit to determine what information is required for the application.
- C. **Required Application Information:** Sketch Plan (15.4.2) and any other relevant information to show compliance (may be waived by Administrator as appropriate)
- D. **Determination of Compliance:** Once an application containing all needed elements is submitted, the Administrator shall review the application and approve or deny it based on compliance with the land development standards contained in this ordinance. All decisions shall be in writing and delivered via electronic mail, personal delivery, or first class mail to the property owner and parking seeking determination, if different from the owner.
- E. **Public Notification:** N/A
- F. **Appeals:** Appeals of the decisions of the Administrator shall be heard by the Board of Adjustment in accordance with Section 15.12 within 30 days after receipt of written notice of decision.
- G. **Permit Validity:** Upon the approval of the Development Permit, the applicant shall have one year to obtain a building permit or otherwise begin the permitted use. Failure to secure building permits for the permitted work within this time shall render the compliance void. Upon issuance of a building permit, the Development Permit shall remain valid as long as a valid building permit exists for the project. Any change

to the approved plans that has not been authorized by the Administrator shall invalidate the Development Permit and any subsequent building permits.

- H. **Permit Extension:** The Administrator may grant 2 extensions of this time period of up to 6 months upon submittal by the applicant of sufficient justification for the extension. Sufficient justification may include, but is not limited to, delays in other outside agency permits, financing institution delays, or other similar reasons beyond the control of the applicant.
- I. **Limitation on Administrative Discretion:** The Administrator has no discretion to modify any requirements found in Chapter 3.

15.6.2. Temporary Use Permit

A Temporary Use Permit is required for uses permitted in accordance with Section 4.7 prior to the commencement of any use or activity.

- A. **Process Types:** Administrative
- B. **Pre-Application Procedure:** No meeting is required but applicants are encouraged to call or visit the Administrator prior to requesting a Temporary Use Permit to determine what information is required for the application.
- C. **Required Application Information:** Sketch Plan (15.4.2) and any other relevant information to show compliance (may be waived by Administrator as appropriate)
- D. **Determination of Compliance:** Once an application containing all needed elements is submitted, the Administrator shall review the application and approve it, approve it with conditions, or deny it based on compliance with the land development standards contained in this ordinance. All decisions shall be in writing and delivered via electronic mail, personal delivery, or first class mail to the property owner and party seeking determination, if different from the owner.
- E. **Public Notification:** N/A
- F. **Appeals:** Appeals of the decisions of the Administrator shall be heard by the Board of Adjustment in accordance with Section 15.12 within 30 days after receipt of written notice of decision.
- G. **Permit Validity:** See Section 4.7
- H. **Permit Extension:** See Section 4.7

15.6.3. Certificate of Completion

Issuance of a certificate of completion shall be required prior to the occupancy or use of any new construction and re-occupancy or re-use of any renovation/rehabilitation in the Town of Wake Forest. Certificates of completion ensure that a completed development project has complied with all the applicable requirements of this ordinance and all other applicable federal, state and local regulations. Certificates of completion must be signed by the Administrator to certify compliance with applicable regulations.

- A. **Process Type:** Administrative
- B. **Pre-Application Procedure:** Not required
- C. **Required Application Information:** None
- D. **Determination of Compliance:** Upon receipt of the request for a certificate of completion, the Administrator shall inspect the project site for compliance with the approved site plan or subdivision plan and the applicable standards of this ordinance. The applicant shall be notified of any deficiencies in the building(s) or site that prevents the issuance of the certificate of completion or the certificate shall be issued. All decisions shall be in writing and delivered via electronic mail, personal delivery, or

first class mail to the property owner and party seeking determination, if different from the owner.

E. Public Notification: N/A

F. Appeals: Appeals of the decisions of the Administrator shall be heard by the Board of Adjustment in accordance with Section 15.12 within 30 days after receipt of written notice of decision.

G. Permit Validity: N/A

H. Permit Extension: N/A

15.6.4. Administrative Modification of Setbacks

In keeping with the purpose of these regulations to accomplish coordinated, balanced, and harmonious development in a manner which will best promote the health, safety, and general welfare while avoiding undue and unnecessary hardships, on approval by the Town Manager, the Administrator is authorized to approve certain requests for deviation from dimensional standards.

A. Process Types: Administrative

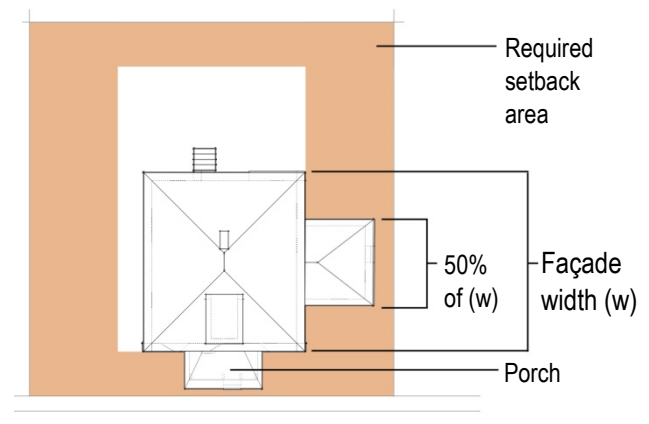
B. Pre-Application Procedure: Not required

C. Required Application Information: Sketch Plan (15.4.2) and any other relevant information to demonstrate undue and unnecessary hardship.

D. Conditions for Modification of Setbacks: Requests for deviation from required setbacks set forth in this ordinance by up to 10% of the required setbacks or 24 inches, whichever is greater, may be considered upon determination that one or more of the following conditions exists:

1. There are site or structural conditions that preclude strict adherence to the setback requirements, such as, but not limited to: the lot does not meet the dimensional standards established for the zoning district in which it is located; the lot has topographic limitations that require placement of the structure into the required setback area; or the structure is physically in line with an existing, legally established wall or walls of a principal structure already within the minimum setback area.
2. The part of the proposed structure that would encroach into the minimum setback area is less than 50% of the width of the affected building facade(s), provided the part of the structure that would encroach into a front setback shall either be open (such as a porch or screen room) or not subject to occupancy (such as a chimney).
3. The part of the proposed structure that encroaches into the minimum setback area is necessitated by a life-safety code, flood hazard reduction, Americans with Disabilities Act standard, or other public safety code requirements.
4. The proposed structure will allow the preservation of significant existing vegetation.
5. A good faith error was made in the location of a building foundation not exceeding 1 foot due to either field construction error or survey oversight.

E. All Decisions to be in Writing: Prior to rendering a decision, the Administrator shall notify the Town Manager in writing of any minor deviation for approval.



- F. Administrative Authority is Permissive Only:** The authority given to the Administrator to grant such modification shall be construed to be permissive and not mandatory and the Administrator may decline to make such modification. In the event this occurs, the applicant shall have the right to submit an application to the Board of Adjustment to grant a variance to these requirements in accordance with Section 15.13. Nothing in this section shall be construed as limiting the Administrator's duties and rights under this chapter, or an applicant's right to appeal the decision of the Administrator to the Board of Adjustment.
- G. Public Notification:** N/A
- H. Appeals:** Appeals of the decisions of the Administrator shall be heard by the Board of Adjustment in accordance with Section 15.12.
- I. Permit Validity:** N/A
- J. Permit Extension:** N/A

15.7. ENVIRONMENTAL PROTECTION PERMITS

15.7.1. Tree Clearing Permit

Pursuant to NCGS, prior to the commencement of any vegetation clearing or removal on any undeveloped property, the owner (or authorized agent) of such property must obtain a Tree Clearing Permit or demonstrate exemption from the requirements of this section as provided for in Section 15.7.1.A, below. For the purposes of the section, “undeveloped properties” shall include any property within the town’s jurisdiction that is not subject to an approved site and/or subdivision plan.

- A. Exemptions:** A Tree Clearing Permit shall not be required for the activities listed below.
 1. Normal forestry activities taking place on property that is taxed under the present-use value standard or conducted pursuant to a forestry management plan prepared or approved by a forester registered pursuant to Chapter 89B of the North Carolina General Statutes, and provided such activities are accomplished in compliance with this ordinance.
 2. Properties with a town-approved site and/or subdivision plan, provided such plan has not expired and that any clearing or vegetation removal is done in strict accordance with the approved site and/or subdivision plan.
 3. The removal of vegetation by public or private agencies within the lines of any public street rights-of-way, utility easements, or other town property, as may be necessary to ensure public safety, to obtain clear visibility at driveways or intersections, to perform authorized field survey work, or to preserve or enhance the symmetry and beauty of such town property.
 4. The town-initiated or approved removal of any vegetation which is in an unsafe condition, constitutes a nuisance or noxious weed, or which by its nature is injurious to sanitary sewers, electrical power lines, gas lines, water lines, stream or conveyance channels, or other public improvements, or vegetation which is infected with any injurious fungus, insect, or other pest.
 5. The removal of vegetation on a lot of record, less than 5 acres in size and zoned and/or used for residential purposes, provided such vegetation is not a portion of a required streetyard or other required riparian or landscaping buffer.
- B. Process Type:** Administrative

- C. **Permit Required Before Any Land Disturbing Activity:** No such land-disturbing activity shall take place until plans for vegetation clearing activity have been reviewed and approved in accordance with the procedures set forth below.
- D. **Pre-Application Procedure:** Applicants are encouraged to meet with the Administrator prior to submitting an application for a Tree Clearing Permit. The purpose of this meeting is to discuss the project, the proposed design strategies, and to answer questions of the applicant regarding the application and schedules for review.
- E. **Required Application Information:** Existing Conditions Map (15.4.1), Sketch Plan (15.4.2) (may be waived by Administrator as appropriate) & Construction Plans (15.4.4) (may be waived by Administrator as appropriate).
- F. **Determination of Compliance:** Following submittal of the application the information shall be reviewed by the Administrator for compliance with the requirements of this ordinance. Provided the application is complete, the application shall be reviewed and acted upon by the staff and notice given the applicant within 30 days of receipt of the application. All decisions shall be in writing and delivered via electronic mail, personal delivery, or first class mail to the property owner and party seeking determination, if different from the owner.
- G. **Public Notification:** N/A
- H. **Appeals:** Appeals of the decision of the Administrator shall be heard by the Board of Adjustment in accordance with Section 15.12 within 30 days after receipt of written notice of disapproval or conditional approval that is unsatisfactory to the applicant.
- I. **Permit Validity:** An approved Tree Clearing Permit shall be valid for a period of not more than one year.
- J. **Permit Extension:** Renewal of an expired Tree Clearing Permit shall require the same application procedure as the initial permit. No further development activity is to be performed until the new permit is issued. Any significant changes to the plan must be re-submitted and re-reviewed.

15.7.2. Land Disturbance Permit (Erosion and Sedimentation Control)

A Land Disturbance Permit is required to assure that land-disturbing activity undertaken in the Town of Wake Forest does not result in accelerated erosion and sedimentation. No land-disturbing activity shall take place until plans for controlling erosion associated with the activity have been reviewed and approved in accordance with the procedures set forth below.

- A. **Process Type:** Administrative
- B. **Pre-Application Procedure:** Prior to applying for a land disturbance permit and submitting plans, the applicant is required to meet with the Administrator. The purpose of this meeting is to discuss the project, the proposed land development strategies, and to answer questions of the applicant regarding the application and schedules for review.
- C. **Required Application Information:** Existing Conditions Map (15.4.1) & Construction Plans (15.4.4).
- D. **Determination of Compliance:** Following submittal of a soil erosion and sedimentation control plan and accompanying data, the application shall be reviewed by the Town of Wake Forest Department of Engineering for compliance with the requirements of this ordinance. Provided the plan is complete, applications shall be reviewed and acted upon by the staff and notice given the applicant within 30 days of receipt of the application. Any plan submitted for a land-disturbing activity for which the North Carolina Environmental Policy Act requires an environmental document must be

deemed incomplete until a complete environmental document is available for review. The Administrator must promptly notify the person submitting the plan that the 30 day time limit for review of the plan will not begin until a complete environmental document is available for review. Denial of the application must specifically state in writing the reasons for denial. Subsequent plan revisions shall be reviewed and acted upon by the staff and notice given the applicant within 15 days of receipt of the revision. If an application has been disapproved, the applicant has 12 months to submit revised plans addressing the reasons for disapproval or the plan is deemed null and void. All decisions shall be in writing and delivered via electronic mail, personal delivery, personal delivery, or first class mail to the property owner and party seeking determination, if different from the owner.

- E. Other Disapprovals:** The Town shall disapprove erosion and sedimentation control plans (part of construction plans) if implementation of the plan would result in a violation of the rules adopted by the Environmental Management Commission (State) to protect riparian buffers along surface waters. The Town may disapprove the plan upon finding that an applicant or a parent, subsidiary, or other affiliate of the applicant:
1. Is conducting or has conducted land-disturbing activity without an approved plan, or has received a notice of violation of a plan previously approved by the Town pursuant to this Ordinance and has not complied with the notice within the time specified in the notice.
 2. Has failed to pay a civil penalty assessed pursuant to this Ordinance by the time the payment is due.
 3. Has been convicted of a misdemeanor pursuant to NCGS 113A-64(b) or any provision outlined in this Ordinance pursuant to this article.
- F. Public Notification:** N/A
- G. Appeals:** Appeals of the decision of the Administrator shall be heard by the Board of Adjustment in accordance with Section 15.12 within 15 days after receipt of written notice of disapproval or conditional approval that is unsatisfactory to the applicant. Appeals of the decision of the Board of Adjustment may be taken to the North Carolina Sedimentation Control Commission as provided in NCGS 113A-61(c).
- H. Permit Validity:** When work under a land disturbance permit is not completed within 2 years following the date of issuance of the land disturbance permit, the land disturbance permit shall be deemed expired.
- I. Permit Extension:** Permits may be renewed in one year increments until the project is complete. The appropriate renewal fees shall apply. Any significant changes to the plan must be re-submitted and re-reviewed.

15.7.3. Floodplain Development Permits

No approval shall be granted for construction in an area designated as a Special Flood Hazard Area by the flood insurance rate maps, as provided by the Federal Emergency Management Agency without the issuance of a floodplain development permit. Because Special Flood Hazard Areas are determined by FEMA and State requirements, if activities are permitted in Special Flood Hazard Areas at the State or Federal level, then they are exempt from the requirements of this section.

- A. Process Types:** Administrative
- B. Permit Required Before Any Land Disturbing Activity:** No such land-disturbing activity shall take place in areas designated as Special Flood Hazard areas until plans

associated with the activity have been reviewed and approved in accordance with the procedures set forth below.

C. Pre-Application Procedure: Applicants are encouraged to meet with the Administrator prior to submitting an application for development in the designated flood hazard area. The purpose of this meeting is to discuss the project, the proposed design strategies, and to answer questions of the applicant regarding the application and schedules for review.

D. Required Application Information: Existing Conditions Map (15.4.1) (may be waived by Administrator as appropriate), Construction Plans (15.4.4), & As-Built Drawings – upon completion (15.4.5).

E. Additional Information Required for Floodplain Development Permits: The following specific items/information shall be presented to the Administrator in an application for a floodplain development permit:

1. Plan Information Requirements

a. A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:

- i. The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;
- ii. The boundary of the Special Flood Hazard Area or Future Conditions Flood Hazard Area as delineated on the FIRM or other flood map as determined in Section 12.4.1.C, or a statement that the entire lot is within the Special Flood Hazard Area or Future Conditions Flood Hazard Area;
- iii. Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Section 12.4.1.C;
- iv. The boundary of the floodway(s) or non-encroachment area(s) as determined in Section 12.4.1.C;
- v. The Base Flood Elevation (BFE) or Future Conditions Flood Elevation where provided as set forth in Section 12.4.1.C;
- vi. The old and new location of any watercourse that will be altered or relocated as a result of proposed development;
- vii. Certification of the plot plan by a registered land surveyor or professional engineer.

b. Proposed elevation and method thereof, of all development within a special Flood Hazard Area or Future Conditions Flood Hazard Area including but not limited to:

- i. Elevation in relation to mean sea level of the proposed reference level (including basement) of all structures;
- ii. Elevation in relation to mean sea level to which any non-residential structure in Zone AE, A or X (Future) will be flood-proofed; and
- iii. Elevation in relation to mean sea level to which any proposed utility systems will be elevated or floodproofed;

- c. If floodproofing, a Floodproofing Certificate (FEMA Form 81-65) with supporting data and an operational plan that includes, but is not limited to, installation, exercise, and maintenance of floodproofing measures.
- d. A foundation plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:
 - i. The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls);
 - ii. Openings to facilitate equalization of hydrostatic flood forces on walls, when solid foundation perimeter walls are used in Zones A, AE and X (future);
 - iii. Usage details of any enclosed areas below the regulatory flood protection elevation.
 - iv. Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage.
 - v. Copies of all other Local, State and Federal permits required prior to floodplain development permit issuance (Wetlands, Endangered Species, Erosion and Sedimentation Control, Riparian Buffers, Mining, etc.).
 - vi. Documentation for placement of Recreational Vehicles and/or Temporary Structures, when applicable.
 - vii. A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.

2. Certification Requirements

a. Elevation Certificates

- i. An Elevation Certificate (FEMA Form 81-31) is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of the elevation of the reference level, in relation to mean sea level. The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder prior to the beginning of construction. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit.
- ii. All residential dwellings to be constructed in or within 10 feet (linear) of the Special Flood Hazard Area and Future Conditions Flood Hazard Areas will be required to have the footing pinned by a professional land surveyor prior to construction. In addition, a survey will be required at the foundation and flooring system

inspection showing the elevations at the corners of the dwelling unit.

- iii. A final as-built Elevation Certificate (FEMA Form 81-31) along with a final registered survey of the property is required after construction is completed and prior to Certificate of Completion/Occupancy issuance. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Completion/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Completion/Occupancy.

- b. **Floodproofing Certificate:** If non-residential floodproofing is used to meet the regulatory flood protection elevation requirements, a Floodproofing Certificate (FEMA Form 81-65), with supporting data and an operational plan, is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation to mean sea level. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The floodplain administrator shall review the certificate data and plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit. Failure to construct in accordance with the certified design shall be cause to withhold the issuance of a Certificate of Completion/Occupancy.

- i. If a manufactured home is placed within Zone A, AE or X (Future) and the elevation of the chassis is more than 36 inches in height above grade, an engineered foundation certification is required per Section 12.4.2.B.3.
- ii. If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; a professional engineer's certified report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation shall all be submitted by the permit applicant prior to issuance of a floodplain development permit.

- 3. **Certification Exemptions:** The following structures, if located within Zone A, AE or X (Future), are exempt from the elevation/floodproofing certification requirements specified above:

- a. Recreational Vehicles meeting requirements of Section 12.4.2.B.5; and
- b. Accessory Structures less than 150 square feet meeting requirements of Section 12.4.2.B.6.

- F. Determination of Compliance:** Following submittal of the application and accompanying data, the information shall be reviewed by the Administrator for compliance with the requirements of this ordinance. Provided the application is complete, applications shall be reviewed and acted upon by the staff and notice given the applicant within 30 days of receipt of the application. All decisions shall be in writing and delivered via electronic mail, personal delivery, or first class mail to the property owner and party seeking determination, if different from the owner. An approved Floodplain/Watershed Development Permit shall include the following information:
1. A description of the development to be permitted under the floodplain development permit.
 2. The Special Flood Hazard Area or Future Conditions Flood Hazard Area determination for the proposed development per available data specified in Section 12.4.1.C.
 3. The regulatory flood protection elevation required for the reference level and all attendant utilities.
 4. The regulatory flood protection elevation required for the protection of all public utilities.
 5. All certification submittal requirements with timelines.
 6. A statement that no fill material or other development shall encroach into the floodway or non-encroachment area of any watercourse, as applicable.
 7. The flood openings requirements, if in Zones A, AE or X (Future)
- G. Public Notification:** N/A (Except as required by State or Federal Agencies)
- H. Appeals:** Appeals of the decisions of the Administrator shall be heard by the Board of Adjustment in accordance with Section 15.12 within 30 days after receipt of written notice of decision.
- I. Permit Validity:** Floodplain development permits shall be valid for one year. Failure to initiate construction, or otherwise begin the permitted use, within this time period shall render the permit void.
- J. Permit Extension:** Renewal of an expired floodplain development permit shall require the same application procedure as the initial permit. No further development activity is to be performed until the new permit is issued.

15.8. SITE PLANS/DESIGN REVIEW

15.8.1. Site Master Plan

- A. Applicability:** The Site Master Plan process shall apply to development activities meeting the development definition which are not otherwise approved by other development permits and approvals.
- B. Process Type:** Administrative.
- C. Pre-Application Procedure:** It is required that every applicant for a Site Master Plan permit meet with the Administrator in a conference prior to the submittal of an application. The purpose of this conference is to provide clarification and assistance in the preparation and submission of plans for approval. The applicant shall provide a Sketch Plan (15.4.2) to the Administrator prior to or at the pre-application conference. The provisions of a sketch plan will allow the Administrator an opportunity to review the proposal before the applicant expends funds on the preparation of a detailed Site Master Plan.
- D. Required Application Information:** See Site Master Plan Checklist.

- E. Determination of Compliance:** Once an application is deemed complete by the Administrator, the Administrator and Technical Review Committee shall review the application and approve, deny, or approve with conditions the Site Plan based on compliance with the standards contained in this ordinance. All decisions shall be in writing and delivered via electronic mail, personal delivery, or first class mail to the property owner and party seeking determination, if different from the owner. Following an approval or approval with conditions, the applicant shall be directed to proceed to the preparation of a Site Construction Plan (15.8.2). If the Administrator disapproves or approves conditionally the plan, the reasons for such action shall be stated in writing by the Administrator, and the applicant may make changes and submit a revised plan for consideration in accordance with the procedures set forth in this section.
- F. Public Notification:** None required.
- G. Appeals:** Appeals of the decisions of the Administrator or TRC shall be heard by the Board of Adjustment in accordance with Section 15.12 within 30 days after receipt of written notice of decision.
- H. Permit Validity:** Approval of a Site Master Plan shall be valid for 2 years from the date of approval. A Site Construction Plan shall be presented for approval prior to the end of this 2 year period.
- I. Permit Extension:** The Administrator may grant a single extension of this time period of up to one year upon submittal by the applicant of sufficient justification for the extension. Sufficient justification may include, but is not limited to, delays in other outside agency permits, financing institution delays, or other similar reasons beyond the control of the applicant. If an extension is denied, or a Site Construction Plan is not presented for approval within a granted extension period, the applicant may reapply for a Site Master Plan using the same process as if the application was being considered for the first time.

15.8.2. Site Construction Plan

- A. Process Type:** Administrative
- B. Pre-Application Procedure:** No meeting is required but applicants are encouraged to call or visit the Administrator to determine what information is required for the application.
- C. Required Application Information:** See Construction Plan Checklist.
- D. Determination of Compliance:** The Site Construction Plan shall be reviewed by the Technical Review Committee for compliance with the requirements of this chapter and for conformity with the approved Site Master Plan, if applicable. Provided the application is complete, applications shall be reviewed by the committee and written review comments will be given to the applicant within 45 days of receipt of the Site Construction Plan.
- E. Public Notification:** N/A
- F. Appeals:** Appeals of decisions of a member of the Technical Review Committee shall be heard by the Board of Adjustment in accordance with Section 15.12. An appeal must be made in writing by the applicant within 30 days of the receipt of the committee member's comments.
- G. Permit Required Before Any Land Disturbing Activity:** No such land-disturbing activity shall take place until a Site Construction Plan has been approved, unless otherwise approved by the Administrator.

- H. **Permit Validity:** Approval of a Site Construction Plan shall be valid for 2 years from the date of approval. A Final Plat (See Section 15.9.4) {} shall be recorded prior to the end of this 2 year period.
- I. **Permit Extension:** The Administrator may grant a single extension of this time period of up to one year upon submittal by the applicant of sufficient justification for the extension. Sufficient justification may include, but is not limited to, delays in other outside agency permits, financing institution delays, or other similar reasons beyond the control of the applicant.

15.8.3. Architectural Design Review

- A. **Applicability:** Any application for new buildings and structures or changes to existing buildings and structures, other than single family detached, duplex or townhomes uses, will be reviewed by the Administrator for architectural design compliance with the standards of this ordinance.
- B. **Process Types:** Administrative
- C. **Pre-Application Procedure:** No meeting is required but applicants are encouraged to call or visit the Administrator to determine what information is required for the application.
- D. **Required Application Information:** Sketch Plan (15.4.2) (may be waived by Administrator as appropriate) & Building Elevations for Design Review (15.4.7).
- E. **Determination of Compliance:** Once an application containing all needed elements is submitted, the Administrator shall review the application and approve or deny it based on compliance with the land development standards contained in this ordinance. All decisions shall be in writing and delivered via electronic mail, personal delivery, or first class mail to the property owner and party seeking determination, if different from the owner.
- F. **Public Notification:** N/A
- G. **Appeals:** Appeals of the decisions of the Administrator shall be heard by the Board of Adjustment in accordance with the procedures set out for Appeals in Section 15.12 within 30 days after receipt of written notice of decision.
- H. **Permit Validity:** Upon the approval of the application, the applicant shall have one year to obtain a building permit. Failure to secure building permits within this time shall render the compliance void. Any change to the approved plans that has not been authorized by the Administrator shall invalidate the approval and any subsequent building permits.
- I. **Permit Extension:** N/A.

15.9. SUBDIVISIONS

15.9.1. Subdivision Master Plan

- A. **Applicability:** The subdivision review process is required for all divisions of land, except those subdivisions exempt by state statute.
- B. **Process Types:** Administrative
- C. **Pre-Application Procedure:** It is required that every applicant for a Subdivision meet with the Administrator prior to the submittal of an application. The purpose of this meeting is to provide clarification and assistance in the preparation and submission of plats for approval. The applicant shall provide a Sketch Plan (15.4.2) to the Administrator prior to or at the pre-application meeting. The provision of a sketch plan will allow the Administrator an opportunity to review the proposal before the applicant expends funds on the preparation of a detailed Subdivision Plan.

- D. Required Application Information:** See Subdivision Checklist.
- E. Determination of Compliance:** Once an application is submitted and deemed complete, the Administrator shall review the application and approve or deny it based on compliance with the land development standards contained in this ordinance within 30 working days of its submittal. All decisions shall be in writing and delivered via electronic mail, personal delivery, or first class mail to the property owner and party seeking determination, if different from the owner.
- F. Public Notification:** N/A
- G. Appeals:** Appeals of the decisions of the Administrator shall be heard by the Board of Adjustment in accordance with Section 15.12. An appeal must be made in writing by the applicant within 30 days of the receipt of the Administrator's decision.
- H. Permit Validity:** Approval of a Subdivision Master Plan shall be valid for 2 years from the date of approval. If a Subdivision Construction Plan approval has not been obtained prior to the end of this 2 year period, the Subdivision Master Plan approval shall become void unless a Subdivision Construction Plan is not required. Subdivisions may be phased according to a schedule established by the applicant. If the approved Subdivision Master Plan provides for multiple phases within the subdivision, a Subdivision Construction Plan approval for any one phase shall extend the Subdivision Master Plan approval for all other phases for a period of 2 years from the date of the Subdivision Construction Plan approval for that phase.
- I. Permit Extension:** The Administrator may grant a single extension of this time period of up to one year upon submittal by the applicant of sufficient justification for the extension. Sufficient justification may include, but is not limited to, delays in other outside agency permits, financing institution delays, or other similar reasons beyond the control of the applicant. If an extension is denied, or a Site Construction Plan is not presented for approval within a granted extension period, the application may reapply for a Site Master Plan using the same process as if the application was being considered for the first time.

15.9.2. Subdivision Construction Plan

- A. Process Type:** Administrative
- B. Pre-Application Procedure:** No meeting is required but applicants are encouraged to call or visit the Administrator to determine what information is required for the application.
- C. Required Application Information:** See Subdivision Construction Plan Checklist
- D. Determination of Compliance:** The Subdivision Construction Plan shall be reviewed by the Technical Review Committee for compliance with the requirements of this chapter and for conformity with the approved Subdivision Master Plan. Provided the application is complete, applications shall be reviewed and acted upon by the committee and notice given the applicant within 30 days of receipt of the subdivision construction plan. All decisions shall be in writing and delivered via electronic mail, personal delivery, or first class mail to the property owner and party seeking determination, if different from the owner.
- E. Public Notification:** N/A
- F. Appeals:** Appeals of a decision of a member of the Technical Review Committee shall be heard by the Board of Adjustment in accordance with Section 15.12. An appeal must be made in writing by the applicant within 30 days of the receipt of the committee's decision.

- G. Phasing:** Subdivision Construction Plans for phased subdivisions shall be reviewed and recorded individually in accordance with the schedule presented by the applicant during the Subdivision Master Plan approval.
- H. Permit Required Before Any Land Disturbing Activity:** No such land-disturbing activity shall take place until a Subdivision Construction Plan has been approved, unless otherwise approved by the Administrator.
- I. Permit Validity:** Approval of a Subdivision Construction Plan shall be valid for 2 years from the date of approval. A Final Plat shall be recorded prior to the end of this 2-year period.
- J. Permit Extension:** The Administrator may grant a single extension of this time period of up to one year upon submittal by the applicant of sufficient justification for the extension. Sufficient justification may include, but is not limited to, delays in other outside agency permits, financing institution delays, or other similar reasons beyond the control of the applicant.

15.9.3. Final Plat

- A. Process Types:** Administrative
- B. Improvements to Be Installed or Guaranteed:** All required infrastructure improvements shall be either installed or financially guaranteed in accordance with Section 6.13 for applicable subdivision and site master plans.
- C. As-Builts Required:** Upon completion of a subdivision or site master plan project, and before a Final Plat shall be approved (unless financially guaranteed), the applicant shall certify that the completed project is in substantial accordance with the approved plans and designs, and shall submit actual "as built" plans (15.4.5) for all public infrastructure after final construction is completed.
- D. Required Application Information:** See Final Plat Checklist.
- E. Determination of Compliance:** The Final Plat shall be reviewed by the Administrator for compliance with the requirements of this chapter and, in the case of major subdivisions, for conformity with the approved Subdivision Construction Plan. Provided the application is complete, applications shall be reviewed and acted upon by the committee and notice given to the applicant within 30 days of receipt of the Final Plat. If the Administrator has not completed the review in this time period, the applicant may seek final approval from the Board of Commissioners at their next meeting. All decisions shall be in writing and delivered via electronic mail, personal delivery, or first class mail to the property owner and party seeking determination, if different from the owner.
- F. Public Notification:** N/A
- G. Appeals:** Appeals of the decisions of the Administrator shall be heard by the Board of Adjustment in accordance with Section 15.12. An appeal must be made in writing by the applicant within 30 days of the receipt of the Administrator's decision.
- H. Effect of Approval:** The approval of a Final Plat does not constitute acceptance for maintenance or other purposes of improvements in rights-of-way, such as utility lines, street paving, drainage facilities or sidewalks. Such improvements, when located within the corporate limits of the Town of Wake Forest, may be accepted only by action of the town following inspection and approval. Land designated as public open space or a park on a plat shall be considered to be offered for dedication, but not accepted until the Board of Commissioners has by expressed action done so.
- I. Phasing:** Final plats for phased subdivisions shall be recorded in accordance with the schedule presented by the applicant during the Subdivision Construction Plan approval.

- J. Permit Validity:** Final plats that have been granted approval must be recorded within 30 days following approval or the approval becomes invalid. No lots in a subdivision shall be sold prior to approval by the town and recording of the Final Plat for the subdivision.
- K. Permit Extension:** None.

15.10. SPECIAL USE PERMITS (SUP)

Special uses are land uses that are generally compatible with the land uses permitted by right in a zoning district, but which require individual review of their location, design, and configuration so as to evaluate the potential for adverse impacts on adjacent property and uses. Special uses ensure the appropriateness of the use at a particular location within a given zoning district. Applications requiring a Special Use Permit are noted in Section 2.3 & Chapter 3.

15.10.1. Application Procedures

- A. Process Type:** Quasi-Judicial (See also 15.5)
- B. Pre-Application Meeting:** Every applicant for a Special Use Permit is required to meet with the Administrator in a pre-application conference prior to the submittal of a formal application. The purposes of this conference are to provide additional information regarding the review process and assistance in the preparation of the application.
- C. Required Application Information:** An application for a Special Use Permit may be filed by the owner of the property or by an agent specifically authorized by the owner to file such application. Each application for a Special Use Permit shall contain, at a minimum, an Existing Conditions Map (15.4.1) (may be waived by Administrator as appropriate) and Master Plan (15.4.3). Other information necessary to show that the use or structure complies with the standards set forth in this ordinance shall also be provided.
- D. Determination of Compliance:** The Administrator shall review the application to ensure that it is complete, prepare a report and recommendation on the application, and schedule the matter for an evidentiary public hearing before the Board of Adjustment.
- E. Public Notification:** Level 1, 2, 4 & 5 required.

15.10.2. Consideration By Board of Commissioners

- A. Public Hearing and Consideration by the Board of Commissioners:** The Board of Commissioners shall conduct an evidentiary public hearing on the matter. Upon reviewing all pertinent information, the Board of Commissioners may approve, deny or approve with conditions the Special Use Permit.
- B. Review Period:** The Board of Commissioners shall take action (approve, deny, or approve with conditions) within 65 days of the evidentiary public hearing on the matter. Should the Board of Commissioners fail to act on the Special Use Permit application within the prescribed period, the application shall be considered approved.
- C. Findings of Fact:** In addition to determining that the application meets all other requirements of this ordinance (no variances are permitted) the Board of Commissioners must find the following in order to grant approval of a Special Use Permit:
 - 1. The proposed special use conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site.

2. The proposed use will not cause undue traffic congestion or create a traffic hazard.
3. Adequate utilities (water, sewer, drainage, electric, etc.) are available for the proposed use.
4. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.
5. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property.
6. The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare.
7. The proposed use will not substantially injure the value of adjoining or abutting property.
8. The proposed use is consistent with the officially adopted plans and policies of the town.

D. Additional Standards for Special Uses in Floodplain Hazard Areas: Applications for Special Use Permits in the Special Flood Hazard Areas and Future Conditions Flood Hazard Areas shall be subject to the following additional standards of review:

1. The Board of Commissioners shall determine the specific flood or erosion hazard of the site and shall evaluate the suitability of the proposed use in relation to the flood hazard.
2. In passing upon such applications, the Board of Commissioners shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance and:
 - a. The danger that material may be swept onto other lands to the injury of others.
 - b. The danger to life and property due to flooding or erosion damage.
 - c. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions
 - d. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - e. The importance of the services provided by the proposed facility to the community.
 - f. The necessity to the facility of a waterfront location, where applicable.
 - g. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
 - h. The compatibility for the proposed use with existing development anticipated in the foreseeable future.
 - i. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
 - j. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - k. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
 - l. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

- E. Additional Conditions:** The Board of Commissioners may place conditions on the use as part of the approval to assure that mitigation measures are associated with the use if written consent to the conditions is obtained by the applicant or the landowner. The conditions shall become part of the Special Use Permit approval and shall be included in the final site plan application.

15.10.3. Effect of Decisions

- A. Appeals:** An appeal from the decision of the Board of Commissioners regarding a Special Use Permit application may be made by an aggrieved party and shall be made to the Superior Court of Wake County in the nature of certiorari. Any such petition shall be filed with the clerk of the superior court within 30 days after the decision of the Board is filed with the Town Clerk, or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the secretary or chair of the Board at the time of its hearing of the case, whichever is later. The decision of the Board may be delivered to the aggrieved party either by personal service or by registered mail or certified mail return receipt requested.
- B. Permit Validity:** Special Uses that have been granted approval must begin site development within 2 years following approval or the approval becomes invalid.
- C. Permit Extension:** The Board of Commissioners may grant 1 extension of this time period of up to one year upon submittal by the applicant of sufficient justification for the extension. Sufficient justification may include, but is not limited to, delays in other outside agency permits, financing institution delays, or other similar reasons beyond the control of the applicant.
- D. Substantial Changes:** Any substantial change to a Special Use Permit as noted below shall be reviewed by the Board of Commissioners and approved or denied by the Board of Commissioners as an amended Special Use Permit. The following changes to a Special Use Permit shall require approval by the Board of Commissioners:
1. Modification of special performance criteria, design standards, or other requirements specified by the Special Use Permit.
 2. A change in land use or development type beyond that permitted by the approved Special Use Permit.
 3. When there is introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access.
 4. When there is an increase in the total number of residential dwelling units originally authorized by the approved Special Use Permit.
 5. When the total floor area of a commercial or industrial classification is increased more than 10% beyond the total floor area last approved by Board of Commissioners. Changes of less than 10% may be approved by the Administrator.
 6. Any change which alters the basic development concept of the Special Use Permit.

15.11. HISTORIC PRESERVATION

The historical heritage of the Town of Wake Forest is a valuable and important asset. By listing and regulating historic districts and landmarks, acquiring historic properties, and imposing delays in the demolition of historic structures, the Town of Wake Forest seeks:

- To safeguard the heritage of the town by preserving districts and landmarks therein that embody the special character of the Town and important elements of its culture, history, architectural history, or pre-history; and

- To promote the use and conservation of such districts and landmarks for the education, pleasure, and enrichment of the residents of the town, the County and the State as a whole; and
- To preserve property values and promote the general welfare of its citizens.

15.11.1. Designation of Historic Landmarks/Historic Districts

Upon complying with the required designation procedures set forth herein, the Board of Commissioners may adopt and from time to time amend or repeal an ordinance designating one or more local historic landmarks and/or districts. No property shall be recommended for designation as a landmark or included in a historic district unless it is deemed and found by the Historic Preservation Commission, hereafter referred to as the HPC, to be of special significance in terms of its historical, pre-historical, architectural or cultural importance, and to possess integrity of design, setting, location, workmanship, materials, feeling and/or association.

- A. Process Type:** Legislative.
- B. Inventory of Possible Landmarks:** As a guide for the identification and evaluation of landmarks, the HPC shall maintain an inventory of properties of historical, architectural, pre-historical and cultural significance within the land development jurisdiction of the town.
- C. Applicants:** An application for the designation of property or properties as a historic landmark or district may be submitted by any of the following:
 1. The Historic Preservation Commission (HPC),
 2. The Board of Commissioners,
 3. The Planning Board,
 4. The Planning Department, and/or
 5. Any resident within the land use jurisdiction of the town.
- D. Required Application Information:** Each application for designation as a historic landmark or district shall contain, at a minimum an Application and a Sketch Plan (15.4.2) that describes the boundaries of the proposed landmark or district and its particular historical, pre-historical, architectural or cultural significance.
- E. Opportunity for Comment from the North Carolina State Historic Preservation Office (SHPO)**
 1. Once a complete application is submitted, the Administrator shall prepare a report on the historic, architectural, pre-historical, educational or cultural significance of each building, structure, site, area or object proposed for designation or acquisition. Such report and application shall be forwarded to the SHPO.
 2. The State Historic Preservation Office shall be given an opportunity to review and comment upon the substance and effect of the designation of any landmark. All comments will be provided in writing. If the SHPO does not submit its comments to the HPC within 30 days following receipt by the department of the report, the Historic Preservation Commission and the Board of Commissioners shall be relieved of any responsibility to consider such comments.
- F. Creation of Ordinance for Designation**
 1. Once a potential landmark or district has been identified, the Administrator shall draft an ordinance for the designation of said property as an official local historic landmark or district.

2. The ordinance shall describe the property designated in the ordinance, the name or names of the owner or owners of the property, those elements of the property that are integral to its historical, architectural or pre-historical value, including the land area of the property so designated and any other information the governing board deems necessary.

G. Public Notification: Level 1, 2 & 3 required. Level 5 optional.

H. Legislative Public Hearing and Decision by the Board of Commissioners: The HPC and the Board of Commissioners shall hold a joint, legislative public hearing (or separate, legislative public hearings) on the proposed ordinance. Following the legislative public hearing(s), the Board of Commissioners may adopt the ordinance as proposed, adopt the ordinance with any amendments it deems necessary, or reject the proposed ordinance.

I. Post-Adoption Procedures

1. Upon adoption of the ordinance the owners and occupants of each landmark shall be given written notification of such designation insofar as reasonable diligence permits.
2. One copy of the ordinance and all amendments thereto shall be filed by the applicant in the offices of the Register of Deeds and the Tax Supervisor of Wake County.
3. A second copy of the ordinance and all amendments thereto shall be kept on file in the office of the Town Clerk and be made available for public inspection at any reasonable time.
4. A third copy of the ordinance and any amendments thereto shall be given to the building inspector for the town.
5. The fact that a building, structure, site or area has been designated a landmark shall be clearly indicated on all tax maps maintained by Wake County for such period as the designation remains in effect.
6. The designation and any recorded restrictions upon the property limiting its use for preservation purposes shall be considered by the tax supervisor in appraising it for tax purposes.
7. A suitable sign for each property designated as a landmark may be placed on the property at the owner's consent; otherwise, a sign may be placed on a nearby right-of-way.

15.11.2. Certificate of Appropriateness – Minor Works (Minor COA)

- A. Applicability:** Minor works are those exterior changes that do not involve substantial alterations, additions or removals that could impair the integrity of the property and/or historic district as a whole.
- B. Process Type:** Administrative
- C. Pre-Application Meeting:** No pre-application conference is required prior to applying for a Minor COA. Applicants are strongly encouraged to call or visit the Administrator prior to submitting an application to determine what information is required for the application.
- D. Required Application Information:** Sketch Plan (15.4.2) and Building Elevations for Design Review (15.4.7) (each may be waived by Administrator as appropriate).
- E. Determination of Compliance:** Once an application containing all needed elements is submitted, the Administrator shall review the application and approve or deny it based on compliance with the standards contained in this chapter and in any applicable Historic District Standards. All decisions shall be in writing and delivered via

electronic mail, personal delivery, or first class mail to the property owner and party seeking determination, if different from the owner.

- F. Public Notification:** N/A
- G. Appeals:** Appeals of the decisions of the Administrator shall be heard by the HPC (15.11.3 below).
- H. Permit Validity:** One year
- I. Permit Extension:** The Administrator may grant one extension of this time period of up to one year upon submittal by the applicant of sufficient justification for the extension. Sufficient justification may include, but is not limited to, delays in other outside agency permits, financing institution delays, or other similar reasons beyond the control of the applicant.

15.11.3. Certificate of Appropriateness – Major Works (Major COA)

- A. Applicability:** Any exterior change that does not qualify for a Minor COA according to the provisions of Section 15.11.2.A.
- B. Process Type:** Quasi-Judicial (See also 15.5)
- C. Pre-Application Meeting:** It shall be the policy of the HPC, in regard to applications involving new construction or extensive alterations and/or additions to existing structures, that a sub-committee of the commission or Town Staff shall be available to meet with persons involved in planned or pending applications in order to advise them informally, at an early stage in the development process. This advice shall be on the Historic District Design Standards, the nature of the area where the proposed project will take place and other relevant factors. In giving such advice, the members of the sub-committee or staff, collectively and individually, shall refrain from any indication of approval or disapproval. Advice or opinions given by any member of the sub-committee at such an informal meeting shall not be considered official or binding upon the commission.
- D. Required Application Information:** Each application for a Major Certificate of Appropriateness shall contain a Sketch Plan (15.4.2), Building Elevations and/or Existing Condition Photographs, and Proposed Materials for Design Review (15.4.7) (each may be waived by Administrator as appropriate). Other information necessary to show that the use or structure complies with the standards set forth in this ordinance and the Historic District Design Standards shall also be provided.
- E. Determination of Compliance:** The Administrator shall review the application to ensure that it is complete, prepare a report and recommendation on the application, and schedule the matter for an evidentiary public hearing before the HPC.
- F. Public Notification:** Level 1 & 3 required.
- G. Evidentiary Public Hearing:** The HPC shall hold an evidentiary hearing on the proposal. The applicant and other property owners likely to be materially affected by the application shall be given an opportunity to be heard.
- H. HPC Review:** Following the evidentiary public hearing the HPC may approve, deny or approve with conditions the application for a Major COA. No Major COA shall be granted unless the HPC finds that the application complies with the Secretary of Interior's Standards for Rehabilitation and the Wake Forest Historic District Design Standards.
- I. Findings of Fact:** The action on an application must be supported by specific findings of fact indicating the extent to which the application is or is not congruous with the special character of the historic district or property.
- J. Review Period by HPC:** Applications for COA's shall be acted upon within 180 days after a complete application is filed, otherwise the application shall be deemed

approved and a certificate shall be issued. An extension of time may be granted by mutual consent of the HPC and the applicant.

- K. Appeals:** According to the provisions of NCGS 160D, an appeal from the decision of the Historic Preservation Commission regarding a Major Certificate of Appropriateness application may be made in the nature of certiorari by an aggrieved party to the Board of Adjustment in accordance with Section 15.12 of this ordinance within 30 days of the decision of the commission.
- L. Permit Validity:** One year
- M. Permit Extension:** The Administrator may grant one extension of this time period of up to one year upon submittal by the applicant of sufficient justification for the extension. Sufficient justification may include, but is not limited to, delays in other outside agency permits, financing institution delays, or other similar reasons beyond the control of the applicant.

15.11.4. Certificate of Appropriateness – Demolition of Historic Structures

- A. Applicability and Authority:** A COA, approved and issued by the HPC subject to the provisions below, is required prior to the demolition, removal or destruction of any of the following historic structures:
 - 1. Locally Designated Historic Structures:** All locally designated historic landmarks or properties within a historic district pursuant to the authority granted in NCGS 160D, and
 - 2. Other Historic Structures:** All other historic structures located within the corporate limits and extraterritorial jurisdiction of the Town of Wake Forest pursuant to the authority granted in Session Law 2007-66, House Bill 827 ratified June 7, 2007 by the General Assembly of the State of North Carolina. Such structures shall include those which are:
 - a. Designated as a State or national landmark;
 - b. Individually listed in the National Register of Historic Places;
 - c. Individually identified as a contributing structure in a historic district listed in the National Register of Historic Places;
 - d. Certified or preliminarily determined by the Secretary of the Interior as contributing to the significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - e. Individually listed in the State inventory of historic places;
 - f. Individually listed in the county Register of Historic Places; or,
 - g. Individually listed in the Town of Wake Forest local inventory of historic places, as per Section 15.11.1.B above.
- B. Process Type:** Quasi-Judicial (See also 15.5)
- C. Pre-Application Meeting:** No meeting is required but applicants are encouraged to call or visit the Administrator to determine what information is required for the application.
- D. Required Application Information:** Each application shall contain a Sketch Plan (15.4.2) designating the extent of the proposed demolition, removal or destruction of historic structures.
- E. Determination of Compliance – Locally Designated Historic Structures:** For applications regarding “locally designated historic structures” as outlined in Section 15.11.4.A.1 above, the Administrator shall review the application to ensure that it is complete and schedule the matter for an evidentiary public hearing before the HPC.

- F. Determination of Compliance – Other Historic Structures:** For applications regarding “other historic structures” as outlined in Section 15.11.4.A.2 above, the Administrator shall review the application to ensure that it is complete and assign a Demolition Approval System Score (DASS) as described below. If, according to the DASS table below, a Certificate of Appropriateness is required to authorize the demolition, removal or destruction of a designated landmark or a building, structure or site within a historic district, the Administrator shall schedule the matter for an evidentiary public hearing before the HPC.

G. Demolition Approval System Score (DASS)

DASS Tier	Criteria for Assignment of Tier Category*	Required Action
Tier 1	- Appears on the Historic Building Survey Map of the town; OR - Located in an area on the state study list as a potential historic district	Staff shall determine if property is located in an area that is a potential historic district or if the property is a potential for listing on the state study list. If either is true an application for a COA shall be filed by the applicant for review by the HPC. The HPC shall grant a COA authorizing demolition or may order a delay of up to 365 days before demolition may commence. If neither is true (i.e. the site is not in a potential historic district and is not a potential for listing on the state study list) no COA is required and the demolition may proceed without delay.
Tier 2	- Certified or preliminarily determined by the Secretary of the Interior as contributing to the significance of a district preliminarily determined by the Secretary to qualify as a registered historic district; OR - Designated as “non-contributing” in a National Register historic district; OR - Individually listed in the state study list; OR - Individually listed in any county or local inventory of historic buildings or sites	An application for a COA shall be filed by the applicant for review by the HPC. The HPC shall grant a COA authorizing demolition or may order a delay of up to 365 days before demolition may commence.
DASS Tier	Criteria for Assignment of Tier Category*	Required Action
Tier 3	- Individually designated landmark; OR - Individually listed in National Register; OR - Designated as “contributing” in a National Register historic district	An application for a COA shall be filed by the applicant for review by the HPC. The HPC shall grant a COA authorizing demolition or may order a delay of up to 365 days before demolition may commence. (A Tier 3 DASS score will likely result in an automatic delay of 365 days.)
None	None of the above criteria apply.	No delay of demolition. No COA required.
* A property shall be classified in the highest Tier Category for which it meets the criteria		

- H. Public Notification: Level 1 & 3 required.**
- I. Evidentiary Public Hearing:** The HPC shall hold an evidentiary hearing on the proposal. The applicant and other property owners likely to be materially affected by the application shall be given an opportunity to be heard.
- J. HPC Review – Locally Designated Historic Structures:** An application for a Certificate of Appropriateness authorizing the demolition, removal or destruction of a “locally designated historic structure,” as outlined in Section 15.11.4.A.1 above, may not be denied or delayed except as provided below:

1. The effective date of such a certificate may be delayed for up to 365 days from the date of approval. The period of delay should be reduced by the HPC if it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return from such property by virtue of the delay.
2. During the delay period the HPC shall negotiate with the owner in an effort to find a means of preserving the building, structure or site.
3. If the HPC finds that a building, structure or site has no special significance or value toward maintaining the character of a district, it shall waive all or part of such period of delay and authorize earlier demolition or removal.
4. If the HPC has voted to recommend the designation of a landmark or the designation of an area as a historic district, and final designation has not been made by the Board of Commissioners, the demolition or destruction of any building, structure or site in the proposed district or of the designated landmark may be delayed by the commission for up to 365 days after the Board of Commissioners takes final action on the designation.
5. An application for a Major Certificate of Appropriateness authorizing the demolition of a building, structure or site determined by the State of North Carolina's Historic Preservation Officer as having statewide significance as defined in the criteria of the National Register of Historic Places may be denied except where the HPC finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.

K. HPC Review – Other Historic Structures: An application for a COA authorizing the demolition, removal or destruction of “other historic structures” as outlined in Section 15.11.4.A.2 above, shall be evaluated by the HPC based on 4 standards which will be weighed using a point scale of 0 to 2, where 0 means that the structure does not meet the standard, 1 means the structure moderately meets the standard, and 2 means the structure significantly meets the standard. A total score of 4 or greater will result issuance of a COA with an order for delay of demolition for 365 days from the date in the COA. A total score of less than 4 may result in the issuance of a COA with a delay of less than 365 days or no delay of demolition. The standards are as follows:

1. **Architectural Integrity**
 - a. The structure has maintained the integrity of its original architectural form.
 - b. Changes made to the structure over 50 years ago have gained historic significance.
2. **Architectural Style**
 - a. The structure has a distinctive architectural style.
 - b. It has superior craftsmanship.
 - c. The structure is the last or oldest example of a certain building type.
 - d. It is one of a cluster of buildings that are significant as a group.
3. **Cultural Significance:** The structure is culturally significant due to factors such as its historic use, an event, a person, a builder, or an architect associated with the structure.
4. **Structural Integrity**
 - a. The structure will be given a score of 2 points for structural integrity unless the applicant has provided an engineer's report stating otherwise.
 - b. Said report will be paid for by the applicant using a structural engineer recommended by the SHPO.

- c. The structural components – roof, wall, floor, and foundation systems will each have a value of ½ point.
 - d. If the report states that a system is structurally unsound the score of 2 will be reduced by ½ point per system rated at 50% or more unsound.
- L. HPC Decision and Findings of Fact:** The action on an application must be supported by specific findings of fact indicating the extent to which the application meets the provisions above. The HPC may choose to include previous documented time spent in the search for an alternative to demolition, such as moving the structure, as part of any required delay of demolition.
- M. Review Period by HPC:** Applications for COA shall be acted upon within 180 days after a complete application is filed, otherwise the application shall be deemed approved and a certificate shall be issued. An extension of time may be granted by mutual consent of the HPC and the applicant.
- N. Immediate Demolition – Other Historic Structures:** For applications regarding “other historic structures” as outlined in Section 15.11.4.A.2 above, the applicant may avoid a delay in demolition imposed by the HPC if the State Building Inspector orders the immediate demolition of the structure, or if the applicant makes a claim of unsafe conditions according to the following provisions.
 - 1. Any application for demolition of a Tier 2 or 3 structure must include documentation as to the condition of the property to support a claim of unsafe conditions.
 - 2. This documentation shall be in the form of a report from a structural engineer recommended by the SHPO and paid for by the applicant. This report shall specifically address the roof, wall, floor, and foundation systems rated as a percentage structurally unsound.
 - 3. If the structure to be demolished is an accessory structure, a similar report from the town building inspector may be submitted for the engineer’s report although the HPC may require that the applicant return with an engineer’s report at the applicant’s expense.
 - 4. The HPC may also require an engineer’s report for any Tier 1 property at their discretion and at the applicant’s expense based on the considerations of the specific site.
 - 5. A structure found to be unsafe shall not automatically be issued a COA with no delay of demolition. The COA may be issued with a delay of demolition and an order for stabilization or shoring in order to avoid demolition by neglect.
- O. Salvage of Materials – Other Historic Structures:** For applications regarding “other historic structures” as outlined in Section 15.11.4.A.2 above, the applicant shall make all materials available to salvagers prior to demolition according to the provisions below.
 - 1. Such materials may be sold to a salvage company or any other interested party, donated to “Habitat for Humanity” or similar organizations, given away to individuals, businesses, or other organizations, or any combination thereof.
 - 2. The applicant must publically advertise, at least two weeks prior, a date and time for any interested materials salvager or other interested parties to visit the building to be demolished and arrange to acquire any desired salvage materials. The requirement of advertising may be waived by staff or the HPC when the salvage is handled in another acceptable manner or the potential salvage is of minimal value.

3. The applicant shall time the collection of materials in a logical manner, such as doors, windows, fireplace surrounds and mantels, cabinets, fixtures, etc will be collected prior to wood flooring, although carpets could be collected early.
 4. At the time the salvaged materials are collected the applicant or their agent must be on site to assure that materials are not damaged in the acquisition of other materials.
- P. Appeals:** According to the provisions of NCGS 160D, an appeal from the decision of the HPC regarding a Major Certificate of Appropriateness application may be made by an aggrieved party in the nature of certiorari to the Board of Adjustment in accordance with Section 15.12 of this ordinance within 30 days of the decision of the commission.
- Q. Permit Validity:** One year
- R. Permit Extension:** The Administrator may grant one extension of this time period of up to one year upon submittal by the applicant of sufficient justification for the extension. Sufficient justification may include, but is not limited to, delays in other outside agency permits, financing institution delays, or other similar reasons beyond the control of the applicant.

15.12. APPEALS OF ADMINISTRATIVE DECISIONS

15.12.1. Applicability

This process is hereby established to provide an appeal process for the following:

- A.** Parties aggrieved by any order, requirement, decision or determination, made by an administrative officer charged with enforcing the provisions of this ordinance, and,
- B.** Parties aggrieved by the decision of the HPC regarding Major COA according to the appellate procedure outlined in NCGS 160D.

15.12.2. Filing Procedures

- A. Process Types:** Quasi-Judicial (See also 15.5)
- B. Filing Procedure:** An appeal of an administrative decision may be taken by any person aggrieved (or by their authorized agent), or by any officer, department or board of the town, to the Board of Adjustment. Such an appeal shall be made within 30 days of the receipt by such aggrieved party of the written notice of decision from the Administrator, or in the case of an office, department or board of the town, within 30 days of the filing of the written notice with the Town Clerk.
- C. Stay of Proceedings:** The filing of an appeal shall stay all proceedings in furtherance of the contested action unless the Administrator certifies that, in his/her opinion, by reason of facts stated in the certification, such a stay would cause imminent peril to life and property. In such a case, proceedings shall not be stayed except by restraining order or preliminary injunction granted by the Superior Court of Wake County in accordance with Rule 65 of the North Carolina Rules of Civil Procedure.
- D. Required Appeal Application Information:** Such relevant information as may reasonably allow the Board of Adjustment to understand the basis for the applicant's appeal. The Administrator shall similarly prepare a report detailing the regulations and interpretation behind the matter being appealed and their reason for their decision.
- E. Public Notification:** Level 1 & 2 required.

15.12.3. Formal Review

- A.** Upon receiving the application, the Board of Adjustment shall conduct an evidentiary public hearing on the appeal. Any party may appear in person or be represented by an agent at the evidentiary hearing.
- B.** After conducting the evidentiary public hearing, the Board of Adjustment shall adopt an order reversing or affirming, wholly or in part, or modifying the order requirements, decision or determination in question. It shall take a 4/5ths vote of the Board of Adjustment to reverse or modify the contested action.
- C.** The Board of Adjustment, in making its ruling, shall have all the powers of the Administrator from whom the appeal is taken, and may issue or direct the issuance of a permit.
- D.** The decision of the Board of Adjustment must be in writing and permanently filed in the minutes of that reviewing body as a public record. All findings of fact and conclusions of law must be separately stated in final decisions or orders of the Board of Adjustment, which must be delivered to parties of interest by certified mail.

15.12.4. Appeals

- A.** Any appeal from a decision of the Board of Adjustment may be made by an aggrieved party and shall be made to the Superior Court of Wake County in the nature of certiorari. Any such petition shall be filed with the clerk of the superior court within 30 days after the decision of the Board is filed with the Town Clerk, or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the secretary or chairman of the Board at the time of its hearing of the case, whichever is later. The decision of the Board may be delivered to the aggrieved party either by personal service or by registered mail or certified mail return receipt requested.
- B.** Any appeal from a decision relating to sedimentation and erosion control shall be made to the North Carolina Sedimentation Control Commission.

15.13. VARIANCES

15.13.1. Applicability

- A. Purpose:** The variance process administered by the Board of Adjustment is intended to provide limited relief from the requirements of this ordinance in those cases where strict application of a particular requirement will create a practical difficulty or unnecessary hardship prohibiting the use of the land in a manner otherwise allowed under this ordinance.
- B. Sufficient Grounds for Variance:** It is not intended that variances be granted solely to remove inconveniences or financial burdens that the requirements of this ordinance may impose on property owners in general or to increase the profitability of a proposed development, although such factors can be taken into consideration.
- C. Use Variances Not Permitted:** In no event shall the Board of Adjustment grant a variance which would allow the establishment of a use which is not otherwise allowed in a land development district or which would change the land development district classification or the district boundary of the property in question.
- D. Authority Limited to this Ordinance/Conflicts with other Laws Prohibited:** In no event shall the Board of Adjustment grant a variance which would conflict with any state code unless otherwise authorized by laws and regulations.

15.13.2. Filing Procedures

- A. Process Types:** Quasi-Judicial (See also 15.5)

- B. Pre-Application Procedure:** Every applicant for a variance is strongly encouraged to meet with the planning department in a pre-application conference prior to the submittal of a request for a variance. The purpose of this conference is to provide additional information regarding the review process and assistance in the preparation of the application.
- C. Filing Procedure:** An application for a variance may be filed by the owner of the property or by an agent specifically authorized by the owner to file such application.
- D. Required Application Information:** All information relevant to describing the applicant's request to the Board of Adjustment.
- E. Public Notification:** Level 1, 2 & 4 required.
- F. Determination of Compliance:** Staff shall review an application for a variance to determine if it is complete. If an application is complete, the Administrator shall schedule the matter for consideration at a meeting of the Board of Adjustment. The Administrator shall prepare a staff report regarding the submitted variance application.

15.13.3. Formal Review

- A. Action by the Board of Adjustment**
 - 1. Upon receipt of the request for a variance from the Administrator, the Board of Adjustment shall hold a quasi-judicial evidentiary hearing on the request.
 - 2. After conducting the evidentiary hearing, the Board of Adjustment may: deny the application; conduct an additional evidentiary public hearing on the application; approve the application; or approve the application with additional conditions. A concurring vote of four-fifths of the members of the Board of Adjustment shall be necessary to grant a variance.
 - 3. A decision by the Board of Adjustment shall be made within 45 days of the date of the evidentiary hearing.
 - 4. Any approval or denial of the request shall be accompanied by written findings of fact supporting the conclusion that the variance meets or does not meet each of the standards set forth below.
- B. Standard of Review:** The Board of Adjustment shall not grant a variance unless and until it makes all of the following findings:
 - 1. Carrying out the strict letter of the ordinance would result in an unnecessary hardship. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
 - 2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
 - 3. The hardship did not result from actions taken by the applicant of the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
 - 4. The requested variance is consistent with the spirit, purpose, and intent of this ordinance, such that the public safety is secured, and substantial justice is achieved.
- C. Additional Standards for Floodplain, Watershed and Stormwater Regulation**
Variance Requests: Variances from the standards set forth in this ordinance for flood

damage prevention, watershed protection and stormwater regulation may be granted subject to the following additional provisions:

1. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result or when the variance will make the structure in violation of other federal, state or local laws.
2. Variances shall only be issued upon:
 - a. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;
 - b. A showing of good and sufficient cause;
 - c. A determination that failure to grant the variance would result in exceptional hardship; and,
 - d. A determination that the granting of a variance will not result in a substantial increase in flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
3. In passing upon variances, the Board of Adjustment shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this chapter and:
 - a. The danger that material may be swept onto other lands to the injury of others.
 - b. The danger to life and property due to flooding or erosion damage.
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - d. The importance of the services provided by the proposed facility to the community.
 - e. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
 - f. The compatibility of the proposed use with existing and anticipated development.
 - g. The relationship of the proposed use to the land development plan and flood damage prevention program for that area.
 - h. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - i. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
 - j. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
4. Any applicant to whom a variance from the floodplain development regulations is granted shall be given written notice. This notice shall specify the difference between the base flood elevation and the elevation to which the structure is to be built and contain a written statement that such construction below the Base Flood Elevation increases risks to life and property, and that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance up to \$25 per \$100 of insurance coverage. Such notification shall be maintained with a record of all variance

actions. Variances records shall be provided to the Federal Emergency Management Agency upon request.

- D. Additional Conditions:** In granting any variance, the Board of Adjustment may attach such conditions to the approval as it deems necessary and appropriate to satisfy the purposes and objectives of this ordinance. The Board of Adjustment may also attach conditions in order to reduce or minimize any injurious effect of such variance upon other property in the neighborhood and to ensure compliance with other terms of this ordinance. Such conditions and safeguards must be reasonably related to the condition or circumstance that gives rise to the need for a variance.

15.13.4. Appeals

An appeal from the decision of the Board of Adjustment regarding a variance request may be made by an aggrieved party and shall be made to the Superior Court of Wake County in the nature of certiorari. Any such petition shall be filed with the clerk of the superior court within 30 days after the decision of the Board is filed with the Town Clerk, or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the secretary or chairman of the Board at the time of its hearing of the case, whichever is later. The decision of the Board may be delivered to the aggrieved party either by personal service or by registered mail or certified mail return receipt requested.

15.14. TEXT AMENDMENTS AND MAP AMENDMENTS (REZONINGS)

The Board of Commissioners may from time to time amend any part of the text of this ordinance or amend the Zoning Map of the town.

15.14.1. Application Procedures

- A. Process Types:** Legislative
- B. Applicants:** Map or text amendments may be submitted by any of the following:
 - 1. The Board of Commissioners,
 - 2. The Planning Board,
 - 3. The Planning Department, and/or
 - 4. Any resident or property owner within the land use jurisdiction of the town, a lessee or person holding an option or contract to purchase or lease land, or an authorized agent of the landowner, provided that any rezoning or text amendment requests that down zone property, thereby reducing allowable density or reducing the number of allowable uses, shall obtain written consent by all property owners of such impacted property.
- C. Pre-Application Procedure:** Before filing a petition of an amendment, an applicant (if an owner requesting a map amendment) shall meet with the Administrator to discuss the proposed amendment or request and to become more familiar with the applicable requirements and approval procedures of the town.
- D. Content of Application:** A petition for an amendment to the town's official zoning map or text shall be filed on a form provided by the Administrator. Such a petition shall contain all the information required on the form and must be determined to be complete by the Administrator prior to advancing it through the review process.
- E. Determination of Compliance:** Staff shall review an application for amendment to determine if it is complete. If an application is complete, the Administrator shall schedule the matter for consideration at a meeting of the Planning Board. The Administrator shall prepare a staff report and recommendation on the matter.

15.14.2. Review By Planning Board

- A. Public Comment Session Notification (Prior to Planning Board):** Level 1, as defined in Section 15.3, is required for all amendments to the UDO. Levels 3 and 4 are required for all map amendments (rezonings) that involve a specific parcel of land. Such actions include, but are not limited to, map amendments (rezonings), amendments to zoning district boundaries, and the application of new overlay zones. A Level 5 notification is required for Map Amendments.
- B. Level 3 Notification for Large Scale Amendments:** If the land development map amendment includes 50 or more properties, owned by at least 50 different property owners, the town may elect to utilize the expanded published notice provisions found in NCGS 160D, as outlined in Section 15.3.3.B of this chapter.
- C. Public Comment Session:** The Planning Board shall conduct a public comment session and receive public input on the proposed amendment. Following the comment session to receive public input on the amendment, the Planning Board shall make a recommendation to the Board of Commissioners regarding whether to approve or deny each proposed amendment and shall comment on the consistency of the request with the adopted plans.
- D. Delivery of Planning Board Recommendation:** If the Planning Board is able to reach a recommendation without further deliberation, the Planning Board shall submit a recommendation on the matter and refer it to the Board of Commissioners for their consideration at their regularly scheduled legislative public hearing directly following the public comment session. If the Planning Board determines that further deliberation on the matter is required, the Planning Board shall render a decision on its recommendation to the Board of Commissioners within 45 days of its first consideration on the matter. If no recommendation is received from the Planning Board within 45 days of its first consideration on the matter, the Board of Commissioners shall proceed in its consideration of the matter without a recommendation from the Planning Board.

15.14.3. Citizen Comments

- A. Written Statement of Citizen Concern:** If any resident or property owner in the Town submits a written statement regarding a proposed amendment, modification, or repeal to this ordinance to the Town Clerk at least two business days prior to the proposed vote on such change, the Town Clerk shall deliver such written statement to the Board of Commissioners. If the proposed change is the subject of a quasi-judicial proceeding under NCGS 160D, the Town Clerk shall provide only the names and addresses of the individuals providing written comment, and provisions of such names and addresses to all members of the Board of Commissioners shall not disqualify any member of the Board of Commissioners from voting.
- B. Withdrawal of Written Statement:** Any resident or property owner who submits a written statement of citizen concern may withdraw their written statement any time prior to the meeting at which the item will be considered.

15.14.4. Consideration By Board of Commissioners

- A. Public Hearing Notification:** Level 1 and 2, as defined in Section 15.3, are required for all amendments to the UDO. Levels 3 and 4 are required for all map amendments (rezonings) that involve a specific parcel of land. Such actions include, but are not limited to, map amendments (rezonings), amendments to zoning district boundaries, and the application of new overlay zones. A Level 5 notification is required for Map Amendments.)

- B. Level 3 Notification for Large Scale Amendments:** If the land development map amendment includes 50 or more properties, owned by at least 50 different property owners, the town may elect to utilize the expanded published notice provisions found in NCGS 160D, as outlined in Section 15.3.3.B of this chapter.
- C. Public Hearing Consideration by the Board of Commissioners:** Following receipt of a recommendation from the Planning Board, or after 45 days from the Planning Board public comment session if no recommendation is received, the Board of Commissioners shall conduct a legislative public hearing on the matter. Upon reviewing all of the pertinent information, the Board of Commissioners may:
 - 1. Adopt the proposed amendment by ordinance.
 - 2. Adopt the proposed amendment with modifications by ordinance.
 - 3. Reject the proposed amendment.
 - 4. Refer the proposed amendment back to the Planning Board for further consideration.

15.14.5. Plan Consistency

In accordance with G.S. 160D, all such amendments shall be made in accordance with the Community Plan and any other officially adopted applicable plan. The Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. When adopting or rejecting any zoning amendment, the Board of Commissioners shall adopt by resolution a statement describing whether its action is consistent with the adopted comprehensive plan and explaining why the Board of Commissioners considers the action taken to be reasonable and in the public interest.

15.14.6. Waiting Period For Subsequent Applications

- A.** After an application for an amendment has been approved or denied by the Board of Commissioners, there shall be a 6 month waiting period before an application shall be considered on the same issue.
- B.** This waiting period may be waived by the Board of Commissioners (three-fourths vote required) if it determines that there have been substantial changes in conditions or circumstances which may relate to the request.

15.15. CONDITIONAL ZONING (CD)

Conditional Districts (CD) (see Section 2.6) are districts with conditions voluntarily added by the applicant and approved in a legislative procedure by the Board of Commissioners in accordance with G.S. 160D via the conditional zoning process. Conditional Districts provide for orderly and flexible development under the general policies of this ordinance without the constraints of some of the prescribed standards guiding by-right development. Conditional zoning may be requested in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure.

15.15.1. Application Procedures

- A. Process Types:** Legislative
- B. Applicant and Property:** Conditional zoning shall only be considered upon the request of the owners and/or their representatives of all the property to be included in the specific Conditional District. A Conditional District shall consist of land under unified control which may be planned and developed as a single development or as an approved programmed series of development phases by multiple developers. "Unified control" means that all land to be included within a Conditional District shall be owned

or otherwise under the legal control of the applicant for a conditional zoning request. The applicant shall be legally capable of providing a commitment to the town that the Conditional District development will comply with all documents, plans, standards and conditions ultimately approved by the town.

- C. Fair and Reasonable Conditions:** Within an approved Conditional District, no use shall be permitted except pursuant to the conditions imposed by the applicant on the Conditional District in the approval of the rezoning. All conditions shall be in writing and signed by all property owners. The Board of Commissioners and the applicant may mutually agree to additional reasonable and appropriate conditions or safeguards to serve the purpose and intent of this section, and to preserve public welfare, and justice. The provisions of the Conditional District Master Plan shall replace all conflicting development regulations set forth in this ordinance which would otherwise apply to the development site. The Planning Board may recommend and the Board of Commissioners (with mutual approval of the applicant) may attach reasonable and appropriate conditions including, but not limited to, the location, nature, hours of operation, and extent of the proposed use(s). Conditions and site-specific standards shall be limited to those that address conformance of the development and use of the site to this ordinance and officially adopted plans and those standards and conditions that address the impacts reasonably expected to be generated by the development and use of the site. The applicant will have a reasonable opportunity to consider and respond to any conditions and site-specific standards proposed by either the Planning Board or the Board of Commissioners prior to final action.
- D. Content of Application:** A conditional zoning shall consist of the Existing Conditions Map (15.4.1), written and signed conditions, and Master Plan (15.4.3); as well as any other plans, drawings, renderings, elevations, maps and documents specifically included as development documents for approval by the Board of Commissioners. The Conditional District Master Plan, is a site specific that is a condition of the conditional zoning. In addition to those items required for Master Plans in Section 15.4.3, a Conditional District Master Plan shall, at a minimum, illustrate the following:
1. The underlying zoning districts and a full list of proposed uses consistent in character with those zoning districts. Such use classifications may be selected from any of the uses, whether permitted, by right or with supplemental standards, allowed in the general zoning district upon which the Conditional District is based. Uses not otherwise permitted within the general zoning district shall not be permitted within the Conditional District;
 2. General traffic routes (external and internal) to and from the development with major access points identified;
 3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios and impervious surface ratios as applicable to development type; and land areas devoted to each type of general land use and phase of development;
 4. A proposed development schedule if the project is to be phased.
- E. Exception for Conditional Zoning with Use Limitations Only:** If an applicant proposes a conditional zoning which meets the following criteria, no Conditional District Master Plan shall be required in the application:
1. The only proposed deviation in use from the underlying zoning is to impose additional limitations on the uses that will be allowed in the Conditional District.
 2. No other deviations from the standards of the underlying zoning are proposed in the Conditional District.

15.15.2. Formal Review

The procedure for approval of a conditional zoning shall follow the procedure for review of Text & Map Amendments (Rezoning) as outlined in Sections 15.4.2 through 15.4.6.

15.15.3. Effect of Approval/Changes

The applicant may proceed with development only after approval of the Conditional District Master Plan by the Board of Commissioners, followed by approval of any necessary Construction Plans and Plats, except that all subsequent approvals shall be completed by the Administrator. The development and use of all land within the Conditional District shall be in keeping with the approved Master Plan and all applicable provisions therein.

- A. Final Approval by Stages:** If so reflected on the Master Plan, the Board of Commissioners may allow the phasing of final development. Each phase of development shall adhere to all applicable provisions and standards of this section and the applicable Conditional District Master Plan.
- B. Substantial Changes:** Any substantial change to a Master Plan as noted below shall be reviewed by the Planning Board and approved or denied by the Board of Commissioners as an amended Conditional District. The following changes to a Conditional District Master Plan shall require approval by the Board of Commissioners:
 - 1. Land area being added or removed from the Conditional District.
 - 2. Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance.
 - 3. A change in land use or development type beyond that permitted by the approved Conditional District Master Plan.
 - 4. When there is introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access.
 - 5. When there is an increase in the total number of residential dwelling units originally authorized by the approved Conditional District Master Plan.
 - 6. When the total floor area of a non-residential classification is increased more than 10% beyond the total floor area last approved by Board of Commissioners. Changes of less than or equal to 10% may be approved by the Administrator.
 - 7. Any change which alters the basic development concept of the Conditional District Master Plan.
 - 8. **Other Changes:** All other changes to a Conditional District Master Plan shall receive approval from the Board of Adjustment.

15.16. Planned Unit Development (PUD)

Planned Unit Development (PUD) districts (see Section 2.7) are districts that permit variations to allow flexibility to creatively plan a site specific, high quality overall development of their land that is not possible through the strict application of the minimum standards of the Ordinance and are approved in a legislative procedure by the Board of Commissioners in accordance with G.S. 160D. Planned Unit Developments provide for orderly and flexible development under the general policies of this ordinance without the constraints of some of the prescribed standards guiding by-right development.

15.16.1. General Applicability

- A.** Before any development shall be designated as a Planned Unit Development (PUD) District on the Official Zoning District Map, it shall receive approval pursuant to the terms of this Section and Sec. 2.7 Planned Unit Developments.

- B. A Planned Unit Development (PUD) designation may be established on any land located in the Town and its ETJ that complies with all of the applicable standards of this Section.

15.16.2. Application Procedures

- A. **Process Types:** Legislative
- B. **Applicant and Property:** Planned Unit Development classification shall only be considered upon the request of the owners and/or their representatives of all the property to be included in the specific Planned Unit Development request. A Planned Unit Development shall consist of land under unified control which may be planned and developed as a single development or as an approved programmed series of development phases by multiple developers. "Unified control" means that all land to be included within a Planned Unit Development shall be owned or otherwise under the legal control of the applicant for a Planned Unit Development. The applicant shall be legally capable of providing a commitment to the town that the Planned Unit Development will comply with all documents, plans, standards and conditions ultimately approved by the town.
- C. **Fair and Reasonable Conditions:** Within an approved Planned Unit Development, no use shall be permitted except pursuant to the conditions imposed by the applicant on the Planned Unit Development in the approval of the zoning map change. The Board of Commissioners and the applicant may mutually agree to additional reasonable and appropriate conditions or safeguards to serve the purpose and intent of this section, and to preserve public welfare, and justice. The provisions of the Planned Unit Development Concept Plan shall replace all conflicting development regulations set forth in this ordinance which would otherwise apply to the development site. The Planning Board may recommend and the Board of Commissioners (with mutual approval of the applicant) may attach reasonable and appropriate conditions including, but not limited to, the location, nature, hours of operation, and extent of the proposed use(s). Conditions and site-specific standards shall be limited to those that address conformance of the development and use of the site to this ordinance and officially adopted plans and those standards and conditions that address the impacts reasonably expected to be generated by the development and use of the site. The applicant will have a reasonable opportunity to consider and respond to any conditions and site-specific standards proposed by either the Planning Board or the Board of Commissioners prior to final action. All conditions shall be in writing and signed by all property owners.
- D. **Content of Application:** A Planned Unit Development shall consist of the Existing Conditions Map (15.4.1), and Concept Plan (15.4.4); as well as any other plans, drawings, renderings, elevations, maps and documents specifically included as development documents for approval by the Board of Commissioners. The Concept Plan is a site-specific plan that is a condition of the Planned Unit Development zoning map change. A Planned Unit Development Concept Plan shall, at a minimum, illustrate the following:
 - 1. The underlying zoning district or overlay district uses and requirements shall not apply to the Planned Unit Development unless explicitly incorporated into the standards of the PUD Plan.
 - 2. General traffic routes (external and internal) to and from the development with major access points identified;
 - 3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios and impervious surface ratios as applicable to

development type; and land areas devoted to each type of general land use and phase of development;

4. A proposed development schedule if the project is to be phased.

15.16.3. Formal Review

The procedure for approval of a Planned Unit Development shall follow the procedure for review of Text & Map Amendments (Rezoning) as outlined in Sections 15.4.2 through 15.4.6.

15.16.4. Effect of Approval/Changes

The applicant may proceed with development only after approval of the Planned Unit Development Concept Plan by the Board of Commissioners, followed by any necessary approvals typically required of this ordinance. The development and use of all land within the Planned Unit Development shall be in keeping with the approved Concept Plan and all applicable provisions therein.

- A. Final Approval by Stages:** If indicated on the PUD Concept Plan, the Board of Commissioners may allow the phasing of final development. Each phase of development shall adhere to all applicable provisions and standards of this section and the applicable Planned Unit Development Concept Plan.

- B. Substantial Changes:** Any substantial change to a PUD Concept Plan as noted below shall be reviewed by the Planning Board and approved or denied by the Board of Commissioners as an amended Planned Unit Development. The following changes to a Planned Unit Development Concept Plan shall require approval by the Board of Commissioners:

1. Land area being added or removed from the Planned Unit Development.
2. Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance.
3. A change in land use or development type beyond that permitted by the approved Planned Unit Development Concept Plan.
4. When there is introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access.
5. When there is an increase in the total number of residential dwelling units originally authorized by the approved Planned Unit Development Concept Plan.
6. When the total floor area of a non-residential classification is increased more than 10% beyond the total floor area last approved by Board of Commissioners. Changes of less than or equal to 10% may be approved by the Administrator.
7. Any change which alters the basic development concept of the Planned Unit Development Concept Plan.
8. **Other Changes:** All other changes to a Planned Unit Development Concept Plan shall receive approval from the Board of Commissioners.

- C. Planned Unit Development Concept Plan Expiration:** The Applicant shall secure a valid building or construction permit(s) within five (5) years from date of approval of the Planned Unit Development unless otherwise specified. If such project is not complete or a valid building permit is not in place at the end of the five (5) year period, the Administrator shall notify the applicant of either such finding and a new TIA shall be required as well as an updated PUD Concept Plan must be submitted. The Administrator shall make a recommendation concerning the extension of the Planned Unit Development to the Board of Commissioners. The Board of Commissioners may then rescind the Planned Unit Development, or extend the life of the Planned Unit

Development for a specified period of time. The rescission of a Planned Unit Development shall follow the same procedure as was needed for approval.

15.17. COMPREHENSIVE PLAN AMENDMENT

The Board of Commissioners may from time to time amend any part of the text or maps of comprehensive plans of the town.

15.17.1. Application Procedures

- A. **Process:** Legislative
- B. **Applicants:** Map or text amendments may be submitted by any of the following:
 - 1. The Board of Commissioners,
 - 2. The Planning Board,
 - 3. The Planning Department, and/or
 - 4. Any resident or property owner within the land use jurisdiction of the town.
- C. **Pre-Application Procedure:** Before filing a petition of an amendment, an applicant (if an owner requesting a map amendment) shall meet with the Administrator to discuss the proposed amendment or request and to become more familiar with the applicable requirements and approval procedures of the town.
- D. **Content of Application:** A petition for an amendment to the town's comprehensive plans, map or text, shall be filed on a form provided by the Administrator. such a petition shall contain all the information required on the form and must be determined to be complete by the Administrator prior to advancing it through the review process. per NCGS 160D, if a petition for an amendment is submitted concurrently with a zoning map amendment (rezoning), a separate application and fee are not required for the plan amendment.
- E. **Determination of Compliance:** Staff shall review an application for amendment to determine if it is complete. if an application is complete, the Administrator shall schedule the matter for consideration at a meeting of the Planning Board. the Administrator shall prepare a staff report and recommendation on the matter.

15.17.2. Review By The Planning Board

- A. **Public Comment Session Notification (Prior to Planning Board):** Level 1, as defined in Section 15.3, is required for all amendments to the comprehensive plan. Levels 3 and 4 are only required for land use map amendments. Levels 3 and 4 are required for all map amendments that involve a specific parcel of land. A Level 5 notification is required for Map Amendments.
- ~~B. **Level 3 Notification for Large Scale Amendments:** If the land development map amendment includes 50 or more properties, owned by at least 50 different property owners, the town may elect to utilize the expanded published notice provisions found in NCGS 160D, as outlined in Section 15.3.3.B of this chapter.~~
- ~~C.B. **Public Comment Session:** The Planning Board shall conduct a public comment session and receive public input on the proposed amendment. Following the comment session to receive public input on the amendment, the Planning Board shall make a recommendation to the Board of Commissioners regarding whether to approve or deny each proposed amendment.~~
- ~~D.C. **Delivery of Planning Board Recommendation:** If the Planning Board is able to reach a recommendation without further deliberation, the Planning Board shall submit a recommendation on the matter and refer it to the Board of Commissioners for their consideration at their regularly scheduled legislative public hearing directly following~~

the public comment session. If the Planning Board determines that further deliberation on the matter is required, the Planning Board shall render a decision on its recommendation to the Board of Commissioners within 45 days of its first consideration on the matter. If no recommendation is received from the Planning Board within 45 days of its first consideration on the matter, the Board of Commissioners shall proceed in its consideration of the matter without a recommendation from the Planning Board.

15.17.3. Citizen Comments

- A. Written Statement of Citizen Concern:** If any resident or property owner in the Town submits a written statement regarding a proposed amendment to the comprehensive plan to the Town Clerk at least two business days prior to the proposed vote on such change, the Town Clerk shall deliver such a written statement to the Board of Commissioners.
- B. Withdrawal of Written Statement:** Any resident or property owner who submits a written statement of citizen concern may withdraw their written statement any time prior to the meeting at which the item will be considered.

15.17.4. Consideration By Board of Commissioners

- A. Public Hearing Notification:** Level 1 and 2, as defined in Section 15.3, are required for all amendments to the UDO. Levels 3 and 4 are only required for land use map amendments. Levels 3 and 4 are required for all map amendments (rezonings) that involve a specific parcel of land. Such actions include, but are not limited to, map amendments (rezonings), amendments to zoning district boundaries, and the application of new overlay zones. A Level 5 notification is required for Map Amendments.)
- B. Public Hearing Consideration by the Board of Commissioners:** Following receipt of a recommendation from the Planning Board, or after 45 days from the Planning Board public comment session if no recommendation is received, the Board of Commissioners shall conduct a legislative public hearing on the matter. Upon reviewing all of the pertinent information, the Board of Commissioners may:
 - 1. Adopt the proposed amendment.
 - 2. Adopt the proposed amendment with modifications.
 - 3. Reject the proposed amendment.
 - 4. Refer the proposed amendment back to the Planning Board for further consideration.

15.17.5. Waiting Period For Subsequent Applications

- A.** After an application for an amendment has been approved or denied by the Board of Commissioners, there shall be a 6 month waiting period before an application shall be considered on the same issue
- B.** This waiting period may be waived by the Board of Commissioners (three-fourths vote required) if it determines that there have been substantial changes in conditions or circumstances which may relate to the request

15.18. ANNEXATION AND EXTRATERRITORIAL JURISDICTION (ETJ) EXPANSION

15.18.1. Annexation Applicability

NCGS allows the Town to extend its corporate boundaries through annexation. annexation may be initiated by the Town or by the owners of the subject property. the

process contained within this ordinance pertains to voluntary annexation, requested by the property owner.

Annexation is required prior to the provision of Town services as well as water and sewer services. Annexation does not guarantee the availability of such services. annexation is required prior to construction plan approval for those developments requesting Town services and water and sewer service. annexation is required before or concurrent with rezoning and development applications for property within the Town's urban service areas or annexation agreement areas.

15.18.2. Annexation Petition Procedures

- A. Process:** Legislative
- B. Applicants:** Voluntary annexation petitions may only be submitted by the property owner(s).
- C. Content of Application:** See annexation checklist.
- D. Determination of Compliance:** The Board of Commissioners shall direct the Town Clerk to investigate the annexation petition, and upon finding it sufficient, to certify the sufficiency of the annexation petition. the sufficiency of the annexation petition shall be in accordance with the statutory requirements. the Board of Commissioners shall set the date for the public hearing. after certifying the sufficiency, the Administrator shall prepare a staff report and recommendation on this matter.
- E. Public Notification:** Shall be conducted in accordance with NCGS
- F. Public Hearing:** Shall be conducted in accordance with NCGS.
- G. Board of Commissioners Decision:** Following a legislative public hearing, the Board of Commissioners shall take one of the following actions:
 - 1. Approve the annexation request.
 - 2. Table the annexation request pending the submittal of additional information.
 - 3. Deny the annexation request.

15.18.3. Effect of Annexation

- A. Effectiveness:** The subject property shall be considered annexed effective the date listed in the adopted ordinance approving the annexation. Once annexed, the area and its owners and occupants are subject to the same debts, laws, ordinances, and regulations and are entitled to the same privileges and benefits as other parts of the town. .
- B. Notification:** The adopted ordinance along with the legal description and property map shall be recorded with the Register of Deeds and filed with the Secretary of State.

15.18.4. Extraterritorial Jurisdiction Expansion

NCGS 160D allows the Town to extend the boundaries of the ETJ area. The notification period and process, including for any associated rezoning, and boundary amendment procedures outlined in NCGS 160D shall be followed.



Planning Board Agenda Item Report

Agenda Item No.: 2021-500-
Submitted by: Courtney Tanner
Submitting Department: Planning
Meeting Date: January 31, 2022

SUBJECT

Community Plan Open House on Tuesday, Feb. 1
11 am-1 pm and 6:30-8:30 pm
Flaherty Park Community Center, 1226 N. White St.

Recommendation:

Item Summary:

ATTACHMENTS

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