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 Special Flood Hazard Districts, 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 Board of Adjustment shall interpret the district boundaries of this Ordinance in accordance with Section 15.X.

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.

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.

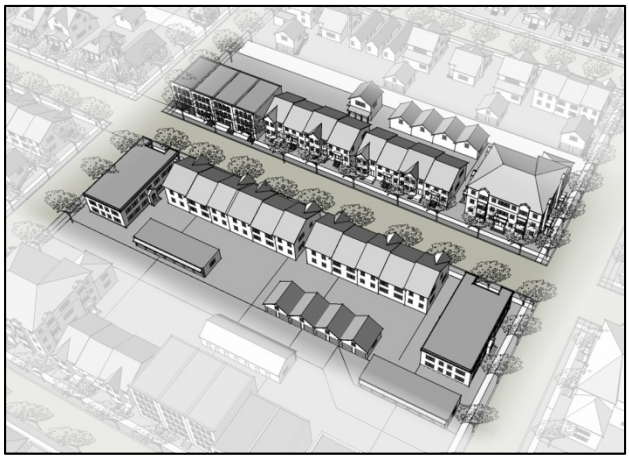
Suburban Area
The transition area between countryside and town is called the Suburban Area. This area consists primarily of single family homes. Although this area is primarily a residential area, it may have other development types, such as schools and other civic uses.

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.

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.

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) *Previous District(s): R10 & R8 in urban contexts* 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) *Previous District(s): R5 in urban contexts, MF, RA-C* 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 multi-family 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) *Previous District(s): O-I & NB in urban contexts, RA-C* 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) *Previous District(s): RA-UC* 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.	

2.2.3 TABLE OF URBAN DISTRICT DEVELOPMENT STANDARDS

Base Districts	UR	RMX	NMX RA-HC	UMX
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
B. Private Frontage (Section 5.3.2)				
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
2. Open Space (min) per CH 7	5%	5%	2% for projects 5 acres or greater	2% for projects 5 acres or greater
3. Recreational Space (min) per CH 7	2%	2%	2% for projects 5 acres or greater	2% for projects 5 acres or greater
4. Maximum Development Size if not in TND	80 acres	40 acres	n/a	n/a
D. PRINCIPAL BUILDING				
1. Principal Front Setback	20 ft max.	18 ft max.	12 ft max / 5 ft max. (RA-HC only)	6 ft max.
2. Street Side/Secondary Front Setback	10 ft min.	6 ft min.	12 ft max.	6 ft max.
3. Side (from adjacent lot) Setback*	5 ft min.	0 ft		
4. Rear Setback*	20 ft min.	5 ft	0 ft	0 ft
5. Frontage Buildout	n/a	n/a	60%	70%
E. ACCESSORY STRUCTURE				
1. Side Setback*	5 ft min.	0 ft or 5 ft**	0 ft or 5 ft**	n/a
2. Rear Setback	5 ft min.	5 ft	5 ft	n/a
3. Garage Setback from Alley	15 ft from face of garage to centerline of alley			
3. Other Standards	20 ft min. behind building frontage line		Rear Yard Only	
F. PARKING CONFIGURATION				
1. Parking Requirements	By Use - See Section 9.2			
2. Parking Location	By Building Type - See Section 9.3			
G. HEIGHT				
1. Min. Height	None	None	16 ft	2 stories
2. Max. Height	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)

** May be increased subject to building code standards*
*** For attached structures*

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 2.6.

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.
B. Rural Holding District (RD) *Previous District(s): RD*	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) *Previous District(s): R20, R15, R10, R5* *R-20, R-15 convert to GR3* *R-10 converts to GR5* *R-5 converts to GR10*	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) *Previous District(s): NB*	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) *Previous District(s): HB*	The Highway Business District is generally located on the major thoroughfares in town and provides opportunities for the provision of high-density housing, 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.

BASE DISTRICT	DESCRIPTION
F. Institutional Campus Development (ICD) *Previous District(s): ICD*	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 ten (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) *Previous District(s): 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	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	10 acres	10 acres	20 acres
2. Development/District Exterior Setback/Buffer	n/a	n/a	n/a	n/a	30 ft Setback from exterior streets and 20 ft from surrounding parcels	50 ft Buffer (Note: Along frontage of existing streets a 50 ft setback shall apply)	150 ft Buffer
3. Density (max)	1 unit per acre or Subject to Watershed Protection Overlay	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
4. Open Space (min) per CH 7	10%	10%	n/a	n/a	25%	n/a	n/a
5. Recreational Space (min) per CH 7	2.5%	2.5%	n/a	n/a	n/a	n/a	n/a
6. Building Floor Area (Max)	n/a	n/a	60,000 sf	100,000 sf (may exceed max with SUP)	n/a	n/a	n/a
7. Development Floor Area (Max)	n/a	n/a	125,000 sf	n/a	n/a	n/a	n/a
B. LOT STANDARDS							
1. Lot Area (min)	40,000 sq ft	GR3: 10,000 sq ft GR5: 7,500 sq ft GR10: 5,000 sq ft	None except 15 acres for Shopping Centers	20,000 sf	n/a	40,000 sf (interior lots only)	5 acres (interior lots only)
2. Lot Width at Front Setback (min)	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	30 ft	n/a	30 ft	n/a
2. Street Side/Secondary Front Setback (min)	20 ft	20 ft	20 ft	30 ft	n/a	30 ft	n/a
3. Side (from adjacent lot) Setback (min)	10 ft	10 ft	15 ft	10 ft	n/a	15 ft	n/a
4. Rear Setback (min)	25 ft	25 ft	20 ft	30 ft	n/a	20 ft	n/a
D. ACCESSORY STRUCTURE							
1. Side Setback	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
2. Rear Setback	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
3. Other Standards	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 Requirements							
2. Parking Location (per Section 9.3)	Type V - Unrestricted	Type V - Unrestricted	Type III (Parking in Front Yard setback not permitted)	Type V – Unrestricted (Parking in first 10 ft of Front Yard setback not permitted)	Type III	Type V – Unrestricted (Parking in Front Yard setback not permitted)	Type V - Unrestricted
3. Parking in Exterior Setback (ICD, LI, HI)	n/a	n/a	n/a	n/a	Not permitted except as part of an approved CD plan	Not permitted	Not permitted
F. BUILDING HEIGHT							
1. Principal Building (max)	35 ft	3 stories	3 stories	3 stories	35 ft	35 ft	35 ft
2. Accessory Structure (max)	35 ft	2 stories	2 stories	2 stories	35 ft	35 ft	35 ft
3. Additional Height Permitted w/Additional Setback (Subject to SUP)	n/a	n/a	n/a	90 ft height permitted in US-1 Corridor Area	1 ft additional height permitted with each 1 ft horizontal setback	n/a	n/a

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. Manufacturing/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 MATRICES

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.

B. Uses Not Listed: In the event that a particular use is not listed in the Use Matrix, 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

Uses listed as (P) or (PS) requiring an Enhanced Transportation Impact Analysis (Section 6.11.1) are subject to the Major Site Plan Review Process (Section 15.8.2).

See Appendix A – Typical Development Review Process Chart for more information regarding how the development process will be administered according to the use allowances established below.

	RURAL		SUBURBAN								URBAN				
USE TYPES	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX
A. RESIDENTIAL	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX
Dwelling-Single Family	–	P	P	P	P	–	–	P	–	–	P	P	–	–	–
Dwelling-Duplex	–	–	–	P	P	–	–	P	–	–	P	P	–	–	–
Dwelling-Multifamily	–	–	–	–	P	–	–	P	–	–	PS	P	P	P	P
Dwelling-Accessory	–	PS	PS	PS	PS	–	–	PS	–	–	PS	PS	PS	PS	PS
Family Care Home (6 or fewer residents)	–	PS	–	PS	PS	PS	–	PS	–	–	PS	PS	PS	PS	PS
Live-Work Units	–	–	–	–	PS	P	P	PS	–	–	PS	PS	PS	P	P
Manufactured Housing – Class A	–	PS	–	PS	PS	–	–	–	–	–	SUP	–	–	–	–
Manufactured Housing – Class B & C	–	SUP	–	SUP	SUP	–	–	–	–	–	–	–	–	–	–
Manufactured Home Park	–	SUP	–	–	–	–	–	–	–	–	–	–	–	–	–
Residential Care Facilities (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
Bed and Breakfast Homes (Up to 8 Rooms)	–	SUP	SUP	SUP	–	–	–	PS	–	–	SUP	PS	PS	PS	PS
Boarding or Rooming House (12 or less persons)	–	–	PS	PS	–	PS	PS	PS	–	–	PS	PS	PS	PS	PS
Dormitory	–	–	–	–	–	–	–	P	–	–	–	–	–	–	–
Hotel/Inn (Less than 20 Rooms)	–	–	–	–	SUP	P	P	P	–	–	–	P	P	P	P
Hotel/Inn (No Room Limit)	–	–	–	–	–	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
ATM	–	–	–	–	–	P	P	P	P	P	–	P	P	P	P
Banks, Credit Unions, Financial Services	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P
Business Support Services	–	–	–	–	–	P	P	P	P	–	–	P	P	P	P
Dry Cleaning & Laundry Services	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P
Funeral Homes/Crematoria	–	P	–	–	–	P	P	–	–	–	–	P	P	P	P
Home Occupation	–	PS	PS	PS	PS	P	P	P	–	–	PS	PS	P	P	P
Medical Clinic	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P
Personal Services	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P
Personal Services, Restricted	–	–	–	–	–	–	P	–	–	–	–	–	–	–	–
Post Office	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P
Professional Services	–	–	–	–	–	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
D. COMMERCIAL/ENTERTAINMENT	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX
Adult Establishment	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Alcoholic Beverage Sales Store	–	–	–	–	–	P	P	–	–	–	–	P	P	P	P
Amusements, Indoor	–	–	–	–	–	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
Amusements, Outdoor	–	–	–	–	–	–	P	–	P	–	–	–	–	–	–
Billiard/Pool Hall	–	–	–	–	–	–	P	–	–	–	–	–	–	–	–
Bar/Tavern	–	–	–	–	–	P	P	–	–	–	–	–	P	P	P
General Commercial	–	–	–	–	–	PS	P	P	–	–	–	PS	P	P	P
General Commercial – Use Greater than 100,000 sf	–	–	–	–	–	–	SUP	–	–	–	–	–	–	–	–
Internet Sweepstakes Facilities	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Night Club	–	–	–	–	–	P	P	–	–	–	–	–	–	P	P
Open Air Retail	–	–	–	–	–	P	P	SUP	–	–	–	PS	PS	PS	PS
Outside or Display Sales	–	–	–	–	–	PS	P	PS	–	–	–	PS	PS	PS	PS
Pawnshops	–	–	–	–	–	P	P	–	–	–	–	–	P	P	P
Racetrack	–	–	–	–	–	–	–	–	P	P	–	–	–	–	–
Restaurant	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P
Riding Stables	–	P	P	–	–	–	–	–	–	–	–	–	–	–	–
Shooting Range, Outdoor	–	SUP	–	–	–	–	–	–	SUP	SUP	–	–	–	–	–
Theater, Indoor Movie or Live Performance	–	–	–	–	–	P	P	P	–	–	–	–	P	P	P
Theater, Outdoor	–	–	–	–	–	–	P	P	–	–	–	–	PS	PS	PS

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

F. EDUCATIONAL/INSTITUTIONAL	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX
Child/Adult Day Care Home (8 or less persons)	–	P	P	P	P	P	P	P	–	–	P	P	P	P	P
Child/Adult Day Care Center (More than 8 persons)	–	PS	–	–	–	PS	PS	PS	–	–	–	PS	PS	PS	PS
College/University	–	–	–	–	–	–	–	P	–	–	–	–	–	–	–
Community Support Facility	–	PS	PS	PS	PS	PS	P	P	–	–	PS	PS	PS	PS	SUP
Correctional Institution	–	–	–	–	–	–	–	–	SUP	SUP	–	–	–	–	–
Halfway Homes	–	–	–	–	–	SUP	–	–	–	–	–	SUP	–	SUP	–
Hospital	–	–	–	–	–	–	P	P	P	–	–	–	–	–	–
Schools – Elementary & Secondary	–	PS	PS	PS	PS	PS	PS	PS	–	–	PS	PS	PS	PS	PS
Schools – Vocational/Technical	–	–	–	–	–	–	–	P	–	–	–	P	P	P	P
Studio – Art, dance, martial arts, music	–	–	–	–	–	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
Drive-Thru/Drive-In Facility	–	–	–	–	–	PS	P	–	–	–	–	–	SUP	SUP	SUP
Gas/Fueling Station	–	–	–	–	–	PS	P	–	–	–	–	–	–	PS	PS
Heavy Equipment/Manufactured Home Rental/Sales	–	–	–	–	–	P	P	–	P	–	–	–	–	–	–
Parking Lot/Structure – Principal Use	–	–	–	–	–	P	P	P	P	P	–	P	P	P	P
Theater, Drive-In	–	–	–	–	–	–	P	–	P	–	–	–	–	–	–
Vehicle Rental/Leasing/Sales	–	–	–	–	–	P	P	–	P	–	–	–	–	PS	PS

	RURAL		SUBURBAN								URBAN				
USE TYPES	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX
Vehicle Rental – Moving Trucks	–	–	–	–	–	P	P	–	–	–	–	PS	PS	PS	PS
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
Industry, Light	–	–	–	–	–	–	P	–	P	–	–	–	–	–	–
Industry, Heavy	–	–	–	–	–	–	–	–	P	P	–	–	–	–	–
Landfill	–	–	–	–	–	–	–	–	–	P	–	–	–	–	–
Light Manufacturing Workshops	–	–	–	–	–	P	P	–	P	P	–	P	P	P	P
Materials Recovery & Waste Transfer Facilities	–	–	–	–	–	–	–	–	SUP	P	–	–	–	–	–
Recycling Collection Stations	–	–	–	–	–	P	P	P	P	P	–	–	–	–	–
Storage - Outdoor Storage Yard	–	–	–	–	–	–	P	–	P	P	–	–	–	–	–
Storage – Self-Service	–	–	–	–	–	PS	PS	–	P	P	–	–	–	–	–
Storage – Warehouse, Indoor Storage	–	–	–	–	–	–	–	–	P	P	–	–	–	–	–
Wholesaling and Distribution	–	–	–	–	–	–	–	–	P	P	–	–	–	–	–

I. AGRICULTURE	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX
Animal Production	–	SUP	SUP	–	–	–	–	–	–	–	–	–	–	–	–
Backyard Pens/Coops	–	P	PS	PS	PS	PS	PS	PS	–	–	PS	PS	PS	PS	PS
Nurseries & Garden Centers	P	P	P	P	–	–	–	P	–	–	–	–	–	–	–
Gardens (Community and Private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Kennels, Outdoor	–	SUP	–	–	–	–	PS	–	P	P	–	–	–	–	–
Produce Stands	–	PS	PS	PS	PS	PS	PS	PS	–	–	PS	PS	PS	PS	PS
Swine Farms	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–

J. INFRASTRUCTURE	OS	RD	GR3	GR5	GR10	NB	HB	ICD	LI	HI	UR	RMX	RA-HC	NMX	UMX
Airstrip	–	SUP	SUP	–	–	–	–	–	SUP	SUP	–	–	–	–	–
Wireless Communications Facility, Micro	–	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Wireless Communications Facility, Mini	–	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Wireless Communications Facility, Macro	–	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	PS	SUP	SUP	SUP	SUP	SUP
Monopole Wireless Communications Tower	–	SUP	–	SUP	SUP	SUP	P	P	P	P	SUP	SUP	SUP	SUP	SUP
Utilities – Class 1	–	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
Utilities – Class 3	–	–	–	–	–	–	–	–	P	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. Local Historic District and Landmarks Overlay (HL-O)	In order to establish a process in designated historic districts 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 (SH-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 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. 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 Water Supply Watershed Protection Overlay (FL-CA & FL-WMA) *Previous District(s): R-40W*	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).
E. Richland Creek Water Supply 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 Water Supply Watershed Protection Overlay (SC-CA) *Previous District(s): R-80W*	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.

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 NCGS §160A-400 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:

- Designation of Historic Landmarks/Districts – 15.11.1
- Certificates of Appropriateness-Minor – 15.11.2
- Certificates of Appropriateness-Major – 15.11.3

D. Certificate of Appropriateness

4. **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.

5. **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.

6. **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.

7. **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.

8. **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.

9. **Use of Design Guidelines:** The Commission shall adopt, utilize, and amend, as needed, guidelines, not inconsistent with Part 3B Article 19 of Chapter 160A of the N. C. 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 guidelines 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.

10. **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 Guidelines 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.

11. **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 three hundred and sixty-five (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.

12. **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 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 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.

- Highway US-1 (SH1-O)
- Dr. Calvin Jones Highway (SH2-O)

B. Exceptions to Location: Exceptions to the district depth and location can be applied:

- Where identifiable conditions exist to screen the visibility of motorists, or
- At an intersection targeted for shopping center development.

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 2.4.3.F-G, 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 Yard to Preserve Natural Vegetation or its Planted Equivalent (Measured Perpendicular to the Right-of-way)	Supplement Plantings if Limited or No Vegetation Exists in SH-O Yard
Frontage of the existing or proposed right-of-way	50 ft	Five (5) trees per fifty (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	Three (3) trees per fifty (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	Three (3) trees per fifty (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

D. Dimensional Requirements:

1. **Yards Abutting Major Access Corridor:** 100 feet (Off-Street Parking shall be setback a minimum of 50 feet)
2. **Minimum Lot Size:** 80,000 square feet for non-residential development. Residential development lot size shall comply with underlying zoning district.
3. **Mean Lot Width:** 200 feet

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.

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 Planning Board, 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 5.3.2) 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; and

E. SC-CA (Smith Creek Critical Area) District.

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 dua
GR3	6 dua
GR5	10 dua
GR10	16 dua
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 (schools, 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.

2.5.2 CONVENTIONAL DISTRICT RETROFITS FLOATING OVERLAY [RESERVED]

A. Purpose and Intent: Over time a number of conventional suburban areas will be expected to be retrofitted to more mixed-use, sustainable forms of development once their supporting street infrastructure undergoes conversion to a complete street that accommodates a balance between multiple modes of operation including pedestrian, bicycle, automobile, and possibly transit. In order to accommodate these conversions in an orderly progression, there are designated certain parallel form-based districts that may be applied as floating overlay districts as stipulated below.

B. Process and Applicability: The table below outlines the base districts that have a corresponding form-based floating overlay district. Applicants may choose to develop properties in these base districts according to the standards of the base district or the standards of a corresponding floating overlay district. Once a corresponding floating overlay district is selected for use, that property shall be considered rezoned to the district selected, and the Official Zoning Map shall be amended to reflect this change. This shall be an administrative rezoning and shall not require any legislative action. Following the administrative rezoning, the rezoned property shall comply with the provisions of the selected form-based district, and the district designation may only be subsequently changed through a standard rezoning process as outlined in Section 15.14.

Base District	Corresponding Floating Overlay District
General Residential (GR3, GR5, GR10)	Urban Residential (UR) Residential Mixed Use (RMX) – GR10 only
Neighborhood Business (NB)	Neighborhood Mixed-Use (NMX)
Highway Business (HB)	Residential Mixed-Use (RMX) and /or Neighborhood Mixed-Use (NMX) and/or Urban Mixed-Use (UMX)

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 G.S. 160A-382. 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. This Conditional District 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 CD zoning amendment 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 District 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 and Infrastructure Standards	
7	Recreation Facility Fees, Parks and Open Space Land	May substitute required open space for recreation facilities fees per Board of Commissioners approval. Amount required may not be reduced.
8	Tree Protection, Buffers and Landscaping	No further modifications permitted.
9	Parking and Driveways	
10	Lighting	
11	Signs	No further modifications permitted.
12	Erosion, Flood, Stormwater and Watershed Standards	No further modifications permitted.

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