

Notes for Planning Board / Board of Commissioners:

Summary of Changes to Wake Forest UDO & MSSD since Delivery of 3.1.2013 Adoption Draft

(Revised 5/17/13)

Minor Typos & Corrections – The following changes have no effect on either the specific standards imposed by the UDO & MSSD or the application/administration of standards.

Code Reference	Change
UDO Table of Contents	Edited as needed to reflect correct page numbers.
Cover & Chapter Footers	Edited to reflect the draft date.
1.5	The North Carolina General Statutes reference was changed for consistency with other NCGS references in the UDO.
1.7.2.A	Language was changed to clarify that previously granted plan approvals and previously granted permits are subject to the same conditions.
2.1.B	“Special Flood Hazard Districts” do not exist as separate overlays. Language corrected to reflect this.
2.2.5	The notations under the table were simplified to make them easier to understand.
3.2.1	The “GR5” notation was removed from the supplemental standards for multifamily dwellings because multifamily dwellings are not permitted in the GR5 District.
3.9.5	The “NMX “ and “UMX” notations were removed and an “HB” notation was added to the supplemental standards for Storage Self-Service to correspond with the use allowances in the most recent use table.
4.3.3.A	The order of 4.3.3.A.2 and 4.3.3.A.3 was switched so that the “Calculating Yards” provisions are appropriately located with the companion diagram.
5.5.4.A	Language adjusted to clarify the applicability of the section reference.
5.5.4.B	Language simplified to clarify regulatory intent and the applicability of the section reference.
5.6.5.A	Typo corrected
5.7.3.A	Subsection title changed to better reflect applicable provisions.
6.3.6	The “Subdivision Surveys” section was moved here from the MSSD. Subsequent sections were renumbered as necessary.
6.5.2.G	Typo corrected
6.5.3.F	Typo corrected and the reference to a “Type 2 Trail” was clarified.
6.8.3	Manual of Specifications, Standards and Design was abbreviated to MSSD.
6.10.2.C	Typo corrected
6.10.2.E	Typo corrected
6.11.1	Typo corrected
6.11.2.I	Typo corrected
8.2.4.B	Typo corrected
9.3	Reference to additional parking restrictions in Chapter 5 added to the notation under the Permitted Parking Locations table.
9.8.1.C.2	Typos corrected
10.3.8.C.3	Typo corrected
11.4.2.B	Typo corrected
11.6.2	Typo corrected
14.1.1.G	Typo corrected
15.2.4	The “Permit Validity Period” for Vested Rights applications was corrected to

	match the text for that section.
15.7.3	Typo corrected
15.7.3.E.2.a.ii	Typo corrected
15.8.2, 15.9.2	Language was added to clarify the process by which the Planning Board and Board of Commissioners reach a recommendation/decision.
15.8.4.G	The section reference was clarified
15.10.3.D	Typos corrected
15.13.3.A.4	Language clarified and typos corrected
15.13.3.C.4	Typo corrected
15.14.7	Typo corrected
15.16.1	Typo corrected and language adjusted to clarify vested rights sunset period as set out in NCGS.
15.16.2	Language was added to clarify the process by which the Planning Board and Board of Commissioners reach a recommendation/decision
15.16.3	Language adjusted to clarify vested rights sunset period as set out in NCGS.
16.3.5.D	The North Carolina General Statutes reference was changed for consistency with other NCGS references in the UDO.
MSSD Table of Contents	Chapter 3 title corrected
MSSD Chapter 1	References to the MSSD Appendix A were clarified to avoid confusion with the UDO.
MSSD 2.2.8.A.2	Language added to clarify when the 1-year 24-hour storm is intended to be evaluated for detention basins.
MSSD 3.6	The “Subdivision Surveys” section was moved to the UDO.
MSSD Chapter 7	References to Chapter 3 title were corrected

Substantive Changes – The following changes have some substantive effect on the specific standards imposed by the UDO & MSSD or the application/administration of standards. In most cases that effect is extremely minor. Only the rows highlighted in red represent a significant departure from the language in the previous draft of the UDO. Those changes were made in response to staff and citizen comments received during the first public hearing and open house.

Code Reference	Change
1.5	“Rezoning” were added to processes that must be consistent with adopted plans and policies.
2.3.3	Staff determined that the “Billiard/Pool Hall use was redundant with other use designations and unnecessary. The use “Billiard/Pool Hall” was eliminated and incorporated into the “Amusements, Indoor” use.
2.5.2	In response to citizen concerns regarding the Conventional District Retrofits tool, language was added to require a Neighborhood Meeting to be held by any applicant choosing to pursue development under an urban district designation within 300 feet of single family residences.
5.5.1	The applicability of design standards for residential buildings was restricted to comply with the proposed HB 150 currently under consideration by the NC General Assembly.
8.5.3.A	The text for “Option 2” was corrected to require 2 understory trees as indicated in the companion diagram.
15.3.5	Minor change made to clarify the procedure for submitting meeting notes from

	required Neighborhood Meetings.
15.5.2.E & F	Minor changes were made to the standards for quasi-judicial hearings in accordance with the Town Attorney's recommendations.
15.8.2.M, 15.8.5.J, 15.9.2.M, 15.10.4.A, 15.12.4, 15.13.4	Minor changes were made to the standards for appeals in accordance with the Town Attorney's recommendations.
15.10.3.C	The 65-day maximum period for Board of Commissioners review on quasi-judicial decisions was carried over to Special Use Permit applications.
15.10.3.D.2	In accordance with a written request received from Ms. Anne Marie Selaya, the finding of fact regarding traffic issues was changed to read, "The proposed use will not cause undue traffic congestion or create a traffic hazard." Town Staff and the Town's consultant support this change in language.
15.10.3.D.8	In accordance with a written request received from Ms. Anne Marie Selaya, an additional finding of fact was included in the criteria for approval of a SUP stating, "The proposed use is consistent with the officially adopted plans and policies of the town." Town Staff and the Town's consultant support this change in language.
15.11.3.K, 15.11.4.O	The applicable appeals process language was adjusted in accordance with the Town Attorney's recommendations.
15.12.2	Changes were made to the filing procedures for appeals of administrative decisions in accordance with the Town Attorney's recommendations.
15.13.B	Changes were made to the "Sufficient Grounds for Variance" language in accordance with the Town Attorney's recommendations.
15.13.3.B.1	Changes were made to the "unnecessary hardship" language in accordance with the Town Attorney's recommendations.
15.14.7	The window for an appeal to the superior court was reduced to 30 days in accordance with the Town Attorney's recommendations.
16.2.3.C.2	Language regarding the responsibility for stormwater management violations that was unintentionally left out of the original draft has been carried over.
16.2.5	Unnecessary language was eliminated and the Board of Commissioners action against illegal subdivisions of land was clarified in accordance with the Town Attorney's recommendations.
16.3.5.D	A clarification was added regarding liens imposed as a result of violations in accordance with the Town Attorney's recommendations
16.3.9	Unnecessary language was eliminated and the provisions for injunctive relief were edited in accordance with the Town Attorney's recommendations.
17.3	Staff determined that the "Billiard/Pool Hall use was redundant with other use designations and unnecessary. The definition for "Billiard/Pool Hall" was eliminated and incorporated into the "Indoor Amusements, Indoor" definition.
17.3	Definition of "Critical Root Zone" was updated to correspond with the Critical Root Zone detail in MSSD Section 5.3.
17.4	A definition for "Townhouse" was added. The definition includes a clarification, in accordance with a written request from Ms. Anne Marie Selaya, that townhomes are classified as multifamily dwellings for the purposes of the UDO. This was always the intent of the UDO and Town Staff and the Town's consultant support this addition/clarification.
MSSD 2.2.8	The language was adjusted to reflect the intent of the MSSD to apply on-site detention language to all non-single family residential development.
MSSD 2.2.8.B.5	The minimum drawdown time for the first inch of post development runoff was decreased to 1 day in accordance with the Phase II Stormwater Standards.