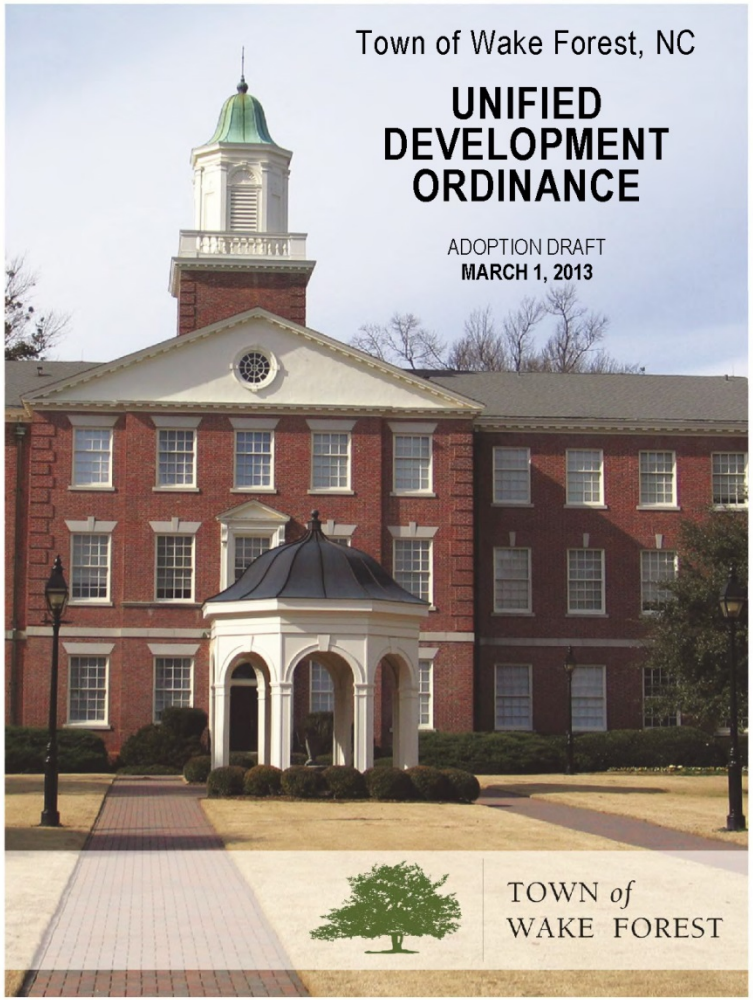
Unified Development Ordinance

Town of Wake Forest, NC

Public Hearing

4/2/2013

- Why Update Now?
- Ordinance Unification
- Overview of Changes
  - Standards *(The Rules)*
  - Administration *(The Process)*
- Code Rewrite Process



Why Update Now?

- Development pause appears to be ending
- Shifts in demographics and community preference
- Current Zoning Ordinance adopted in 1977, Current Subdivision Ordinance adopted in 1974
- Many amendments and companion ordinances since then (piecemeal and inconsistent)
- Recent planning efforts – especially the Wake Forest Community Plan

Demographic Shifts & Trends

Global Financial Crises

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Global Peak Oil

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Global Climate Change

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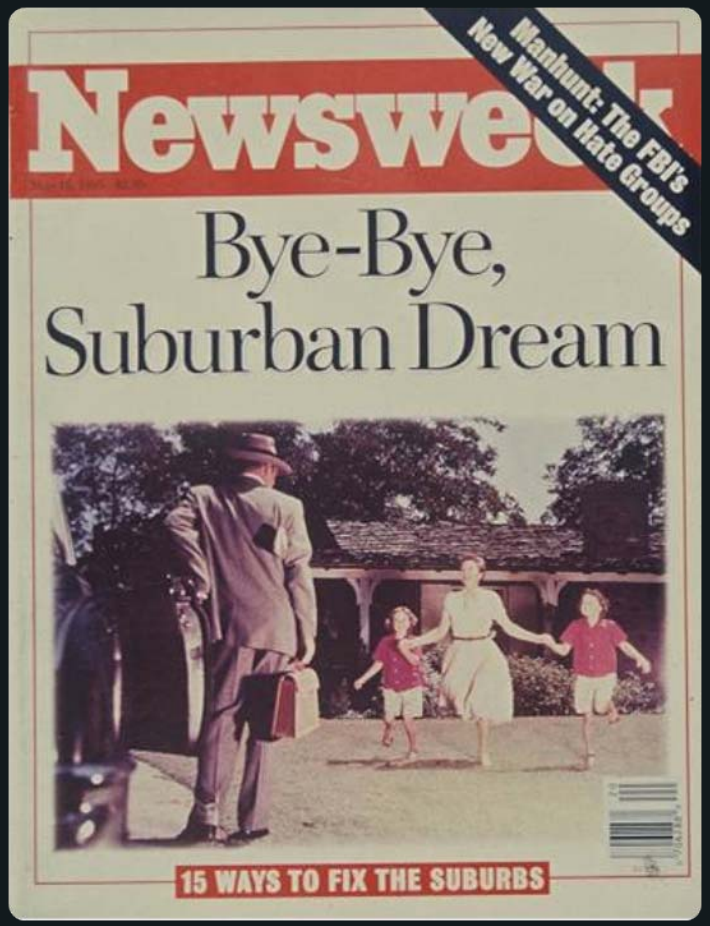


The New Normal

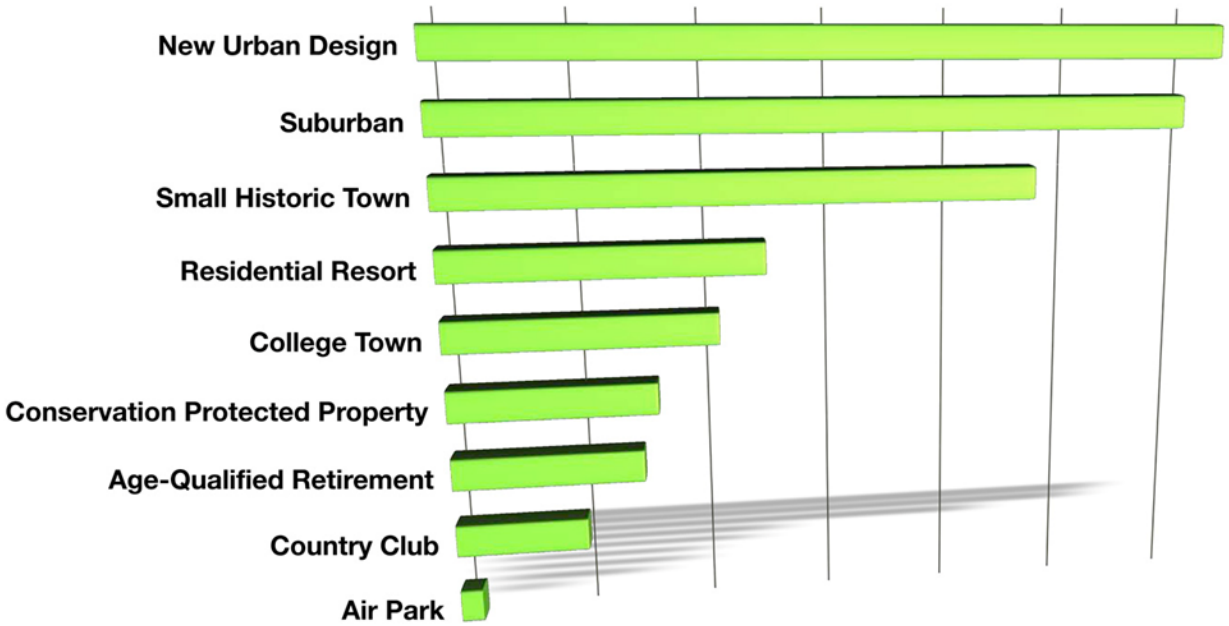
Demographic Shifts & Trends

- Gen Y (25% of population)
  - Attitudes towards homeownership are different than their parents – Renting is perfectly OK
  - Propensity toward a sense of community, diversity, and places (either virtual or actual) to gather and share information, ideas and opinions
- Boomers (24% of population)
  - Favor a traditional neighborhood with the ability to walk to most services
  - Increasingly prefer smaller households that are easier to maintain

Source: Housing in America- The Next Decade by John McIlwain (Urban Land Institute)

Demographic Shifts & Trends

Community Type Preference



Source: N= 5,000 most recent responder households registering with Center For Carolina Living.

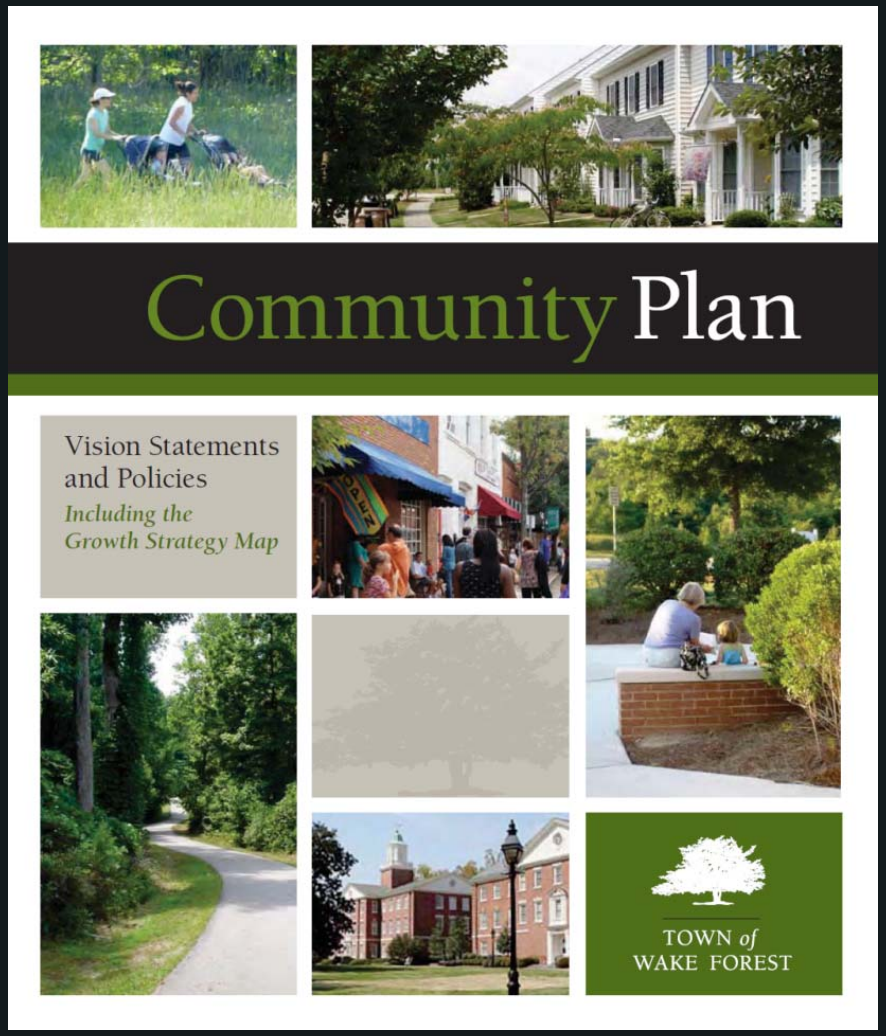
carolinaliving.com

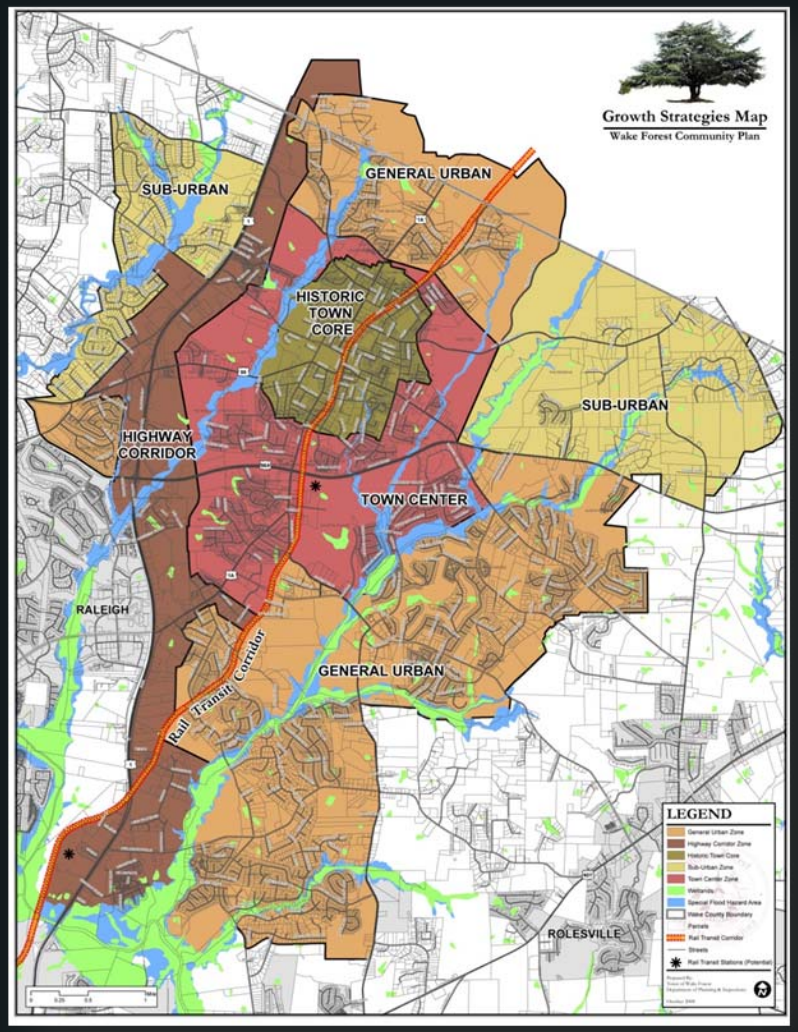
DELIVERING MARKETING, RESEARCH AND LEAD GENERATION SERVICES SINCE 1986

50

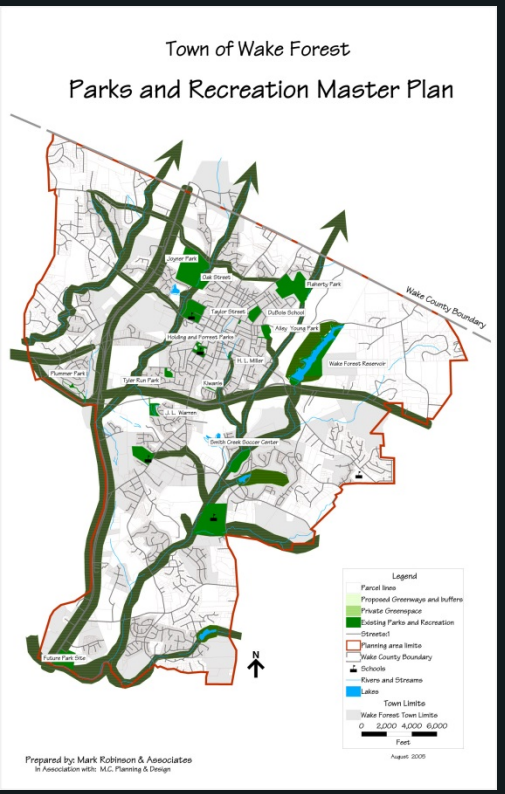
Current regulations make this a challenge

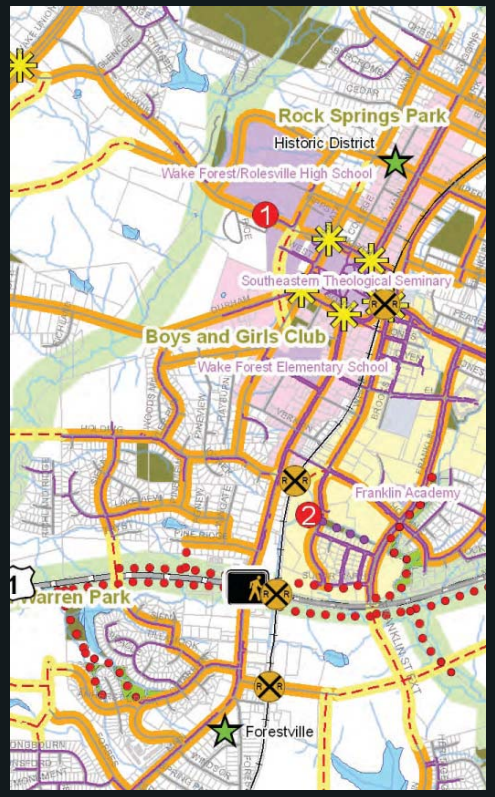
The Plan Sets the Vision – Community Plan





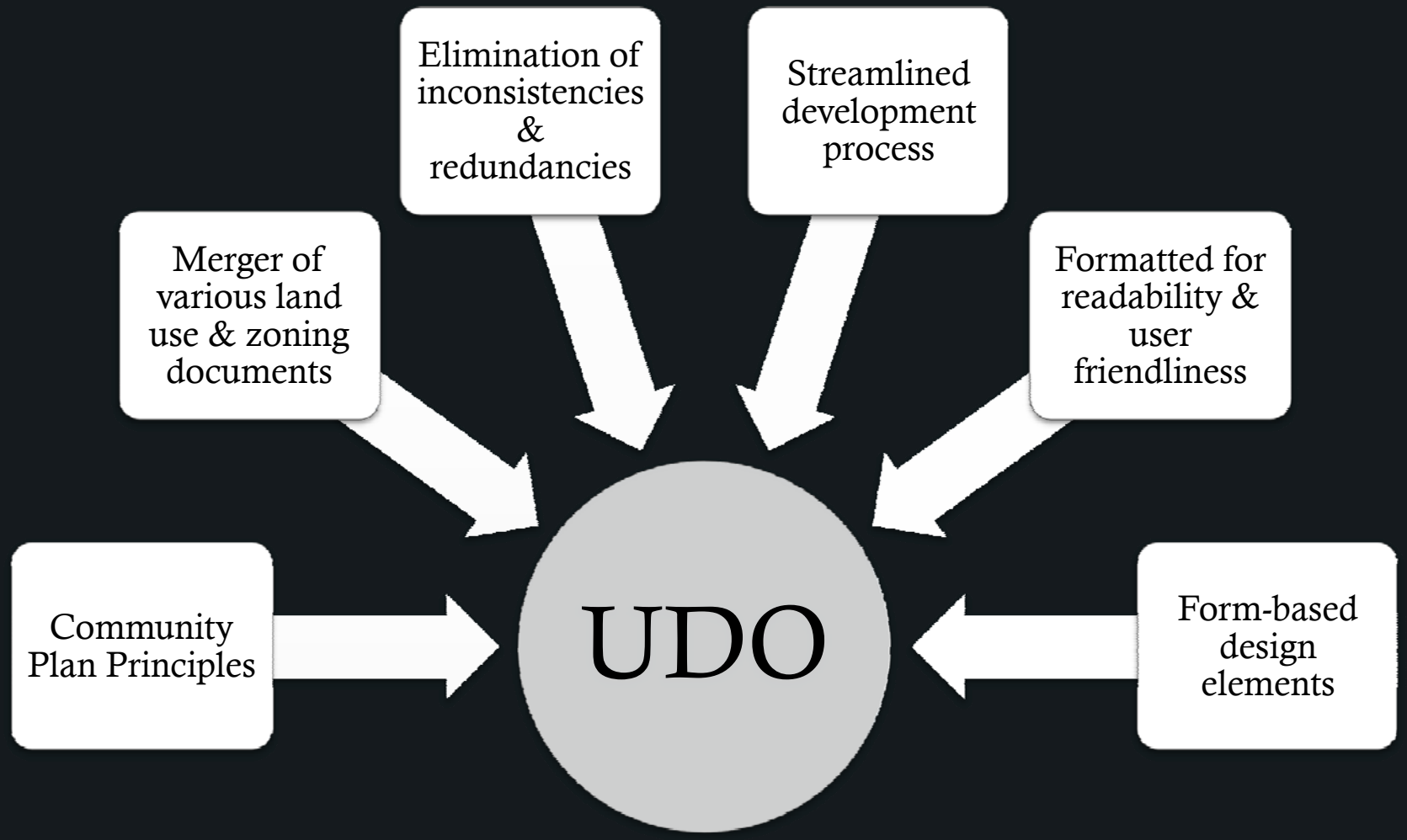
The Plan Sets the Vision – Other Plans





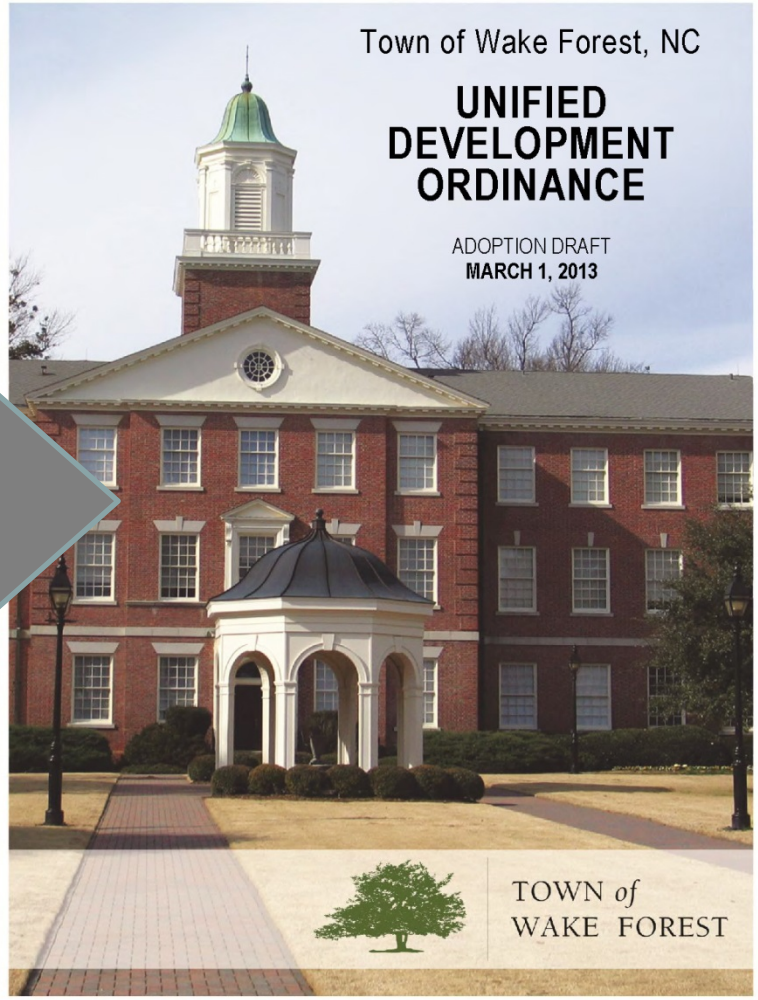
- Renaissance Plan
- Transportation Plan Update
- Pedestrian Plan
- Bicycle Plan
- Open Space & Greenway Plan Update
- Northeast Neighborhood Plan

The UDO Implements the Plan



Ordinance Unification

- Zoning Ordinance
- Subdivision Ordinance
- Phase II Stormwater Ordinance
- Erosion & Sediment Control
- Flood Damage Prevention Ordinance
- Manual of Specifications, Standards & Design



UDO Structure – Table of Contents

- Chapter 1 – Purpose & Applicability
- Chapter 2 – District Provisions
- Chapter 3 – Supplemental Use Standards
- Chapter 4 – General Provisions
- Chapter 5 – Building Design Standards
- Chapter 6 – Subdivision & Infrastructure Standards
- Chapter 7 – Recreation Facility Fees, Parks & Open Space Land
- Chapter 8 – Tree Protection, Buffers & Landscaping
- Chapter 9 – Parking & Driveways
- Chapter 10 – Lighting
- Chapter 11 – Signs
- Chapter 12 – Erosion, Flood, Stormwater & Watershed Standards
- Chapter 13 – Nonconformities
- Chapter 14 – Administrative Agencies
- Chapter 15 – Administration
- Chapter 16 – Violations & Penalties
- Chapter 17 – Definitions

District and Lot Provisions

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- Chapter 2 – District Provisions
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General Standards

- Chapter 1 – Purpose & Applicability
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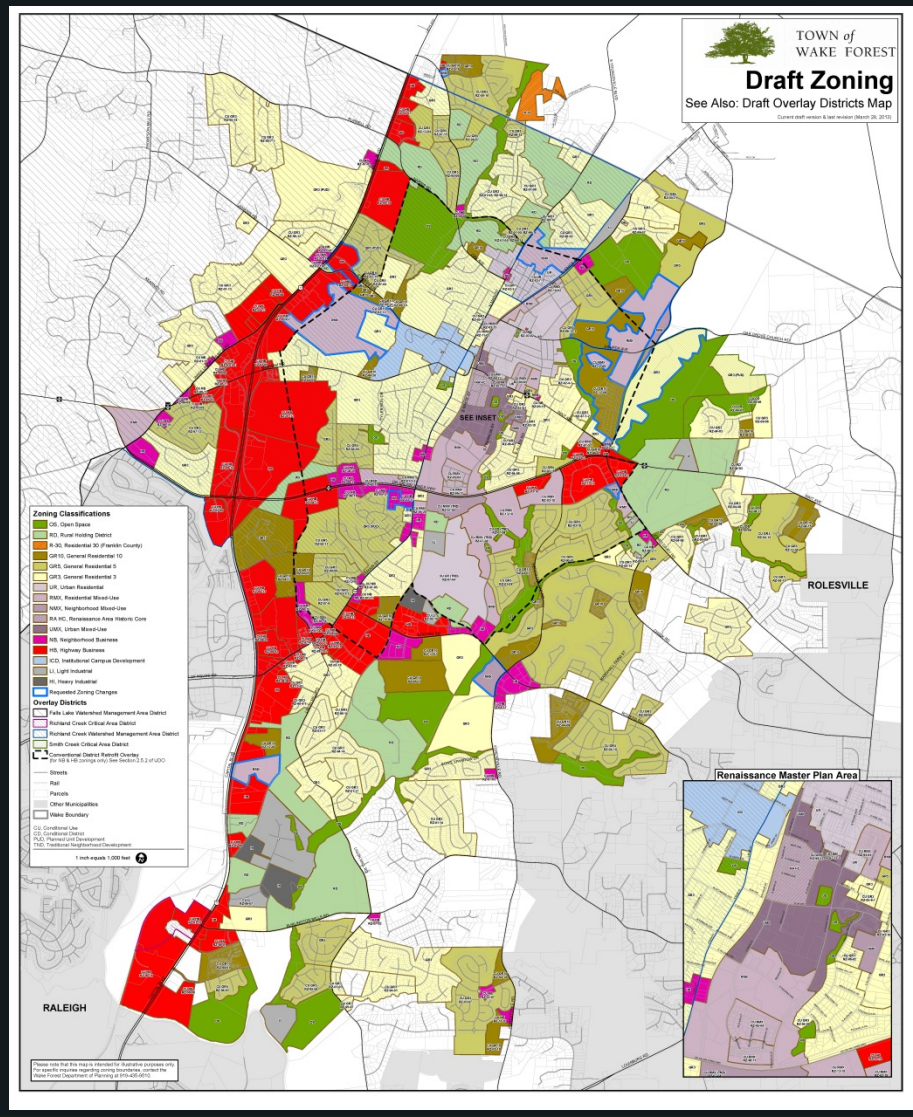
Base Districts

- UDO Approach
  - Maintains districts that are working and/or are unlikely to change
  - Combines similar districts to eliminate redundancy
  - Creates form-based districts to precisely implement desired development outcomes



Base Districts

- 5 Urban (Form-Based) Districts
  - Urban Residential (UR)
  - Residential Mixed-Use (RMX)
  - Neighborhood Mixed-Use (NMX)
  - Renaissance Area Historic Core (RA-HC)
  - Urban Mixed-Use (UMX)
- 10 Suburban (Conventional) Districts
  - Open Space (OS)
  - Rural Holding (RD)
  - General Residential (GR3, GR5 & GR10)
  - Neighborhood Business (NB)
  - Highway Business (HB)
  - Institutional Campus Development (ICD)
  - Light Industrial (LI)
  - Heavy Industrial (HI)

District Types

Urban (Form-Based)

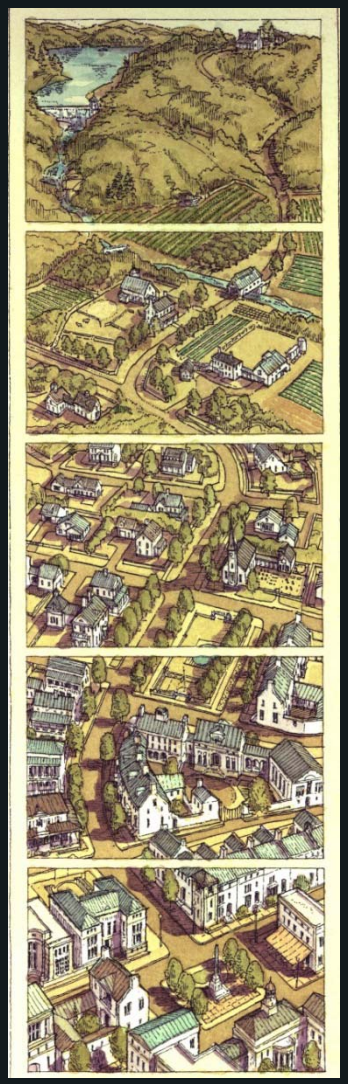
- Encourages mixed-use, compact & walkable development
- Generally, the districts are:
  - More permissive in terms of use restrictions
  - More restrictive in terms of building and development design requirements
  - Focused on the design of the streetscape and public realm; and the role of individual buildings in shaping the public realm

Suburban (Conventional)

- Allow existing suburban areas to remain in conformity

Form-Based Zoning

- Put the Right Rules in the Right Place
- Eliminates one-size-fits-all standards in favor of context sensitive rules that vary from location to location
- Focus on rules that create Places for People and Protect the Natural Infrastructure



Conventional vs. Form-Based Zoning

Conventional vs. Form-Based Zoning

Urban (Form-Based) Districts

Enabling walkable urbanism is the key

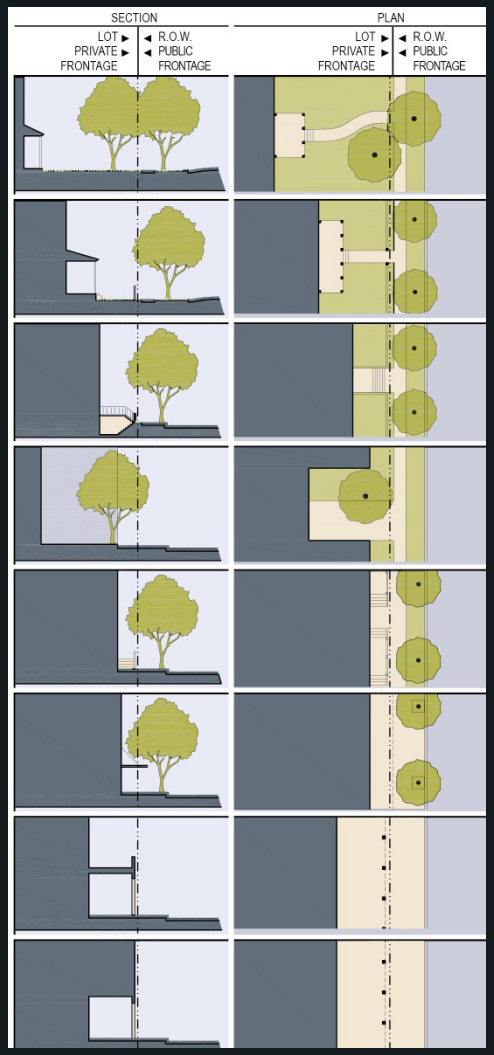
Simplified Use Table

- New, consolidated use categories
- Supplemental Use Standards for uses with known negative impacts (and reduced # of Special Use Permit applications)

	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**	**P**	P	–	–	PS	P	P	P	P
Dwelling-Accessory	–	PS	PS	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	PS	PS	–	–	PS	–	–	SUP	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
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	–	–	–	–	–	–	–	–
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

Frontage Standards

- Frontage Types regulate the Streetscape Environment
- Permitted Frontage Types by District
- Shopfront Overlay

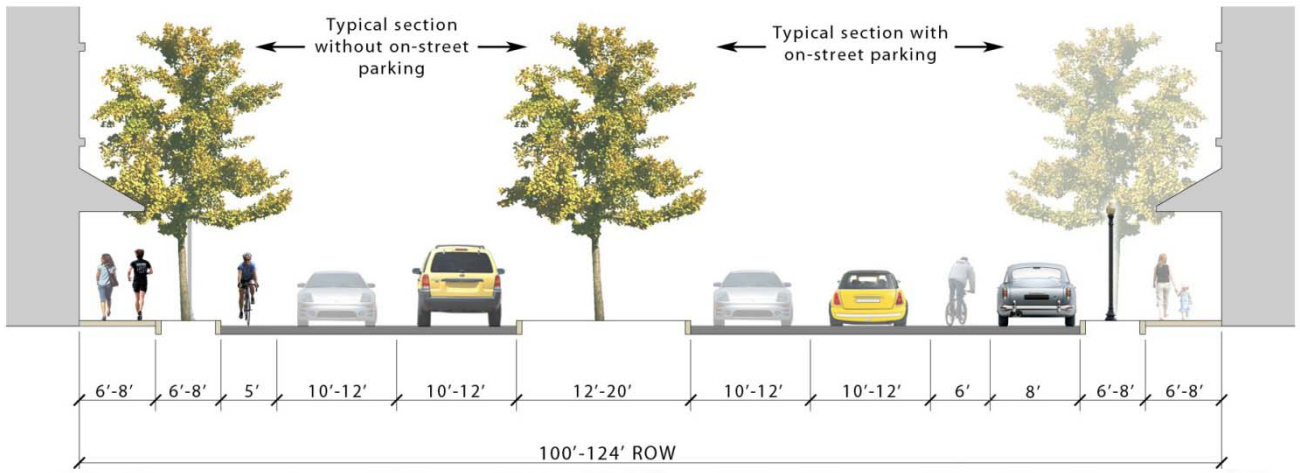


Frontage Types Diagram

Street Standards

- Broad range of street types to accommodate walkable neighborhoods and mixed-use development
- “Kit Of Street Parts” that is calibrated to the appropriate context

Street Standards



6.7.2.B Urban Boulevard

Boulevards provide multi-lane access to commercial and mixed-use developments. Boulevards also serve to carry regional traffic throughout the town.

1.	Right-of-Way Width	100 - 124 ft (Curb & Gutter)
2.	Lane Widths	10-12 ft
3.	Median Width	12-20 ft
4.	Design Speed	30-35 mph
5.	Traffic Lanes	4 lanes
6.	Parking Lanes	Both sides @ 8 feet marked (If Provided)
7.	Curb Radius	15-25 ft (See MSSD)
8.	Walkway Type	6 ft sidewalk both sides (Residential districts), 8 ft all other districts
9.	Planter Type	Continuous planting strip - 6 ft (curb) or 8 ft (swale)
10.	Pedestrian Facilities	Intersection bulb outs (Required) & Mid-block crosswalks
11.	Curb Type	Vertical curb & gutter or approved alternative (Additional right-of-way may be required for natural drainage sections)
12.	Landscape Type	1 canopy tree per 50 ft of street frontage (See also 8.6.1)
13.	Bicycle Facilities	5 ft Bike Lane (See also 6.10) or 6 ft w/on-street parking

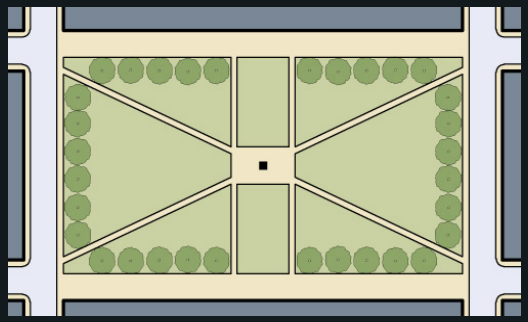
Parks & Open Space Standards

- Dedication standards ensure a range of park & open space types
- Neighborhood Park design standards
  - Required types
  - Location
  - Accessibility/Visibility
  - Usability
  - Minimum amenities

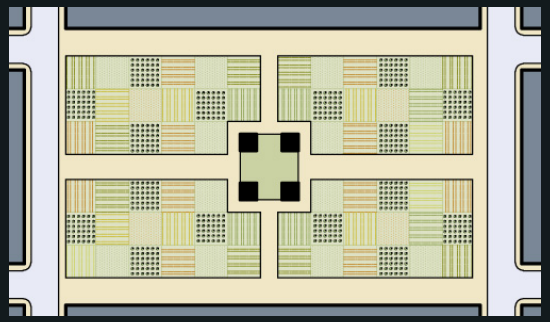
Parks & Open Space Standards

- Neighborhood Park Types

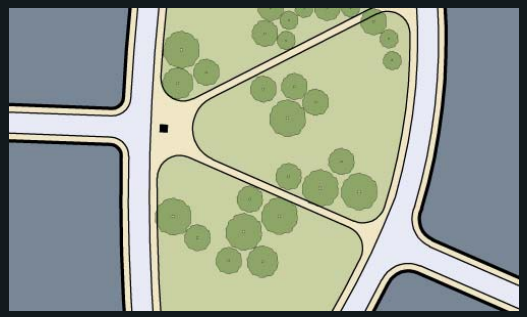
Park/Greenway



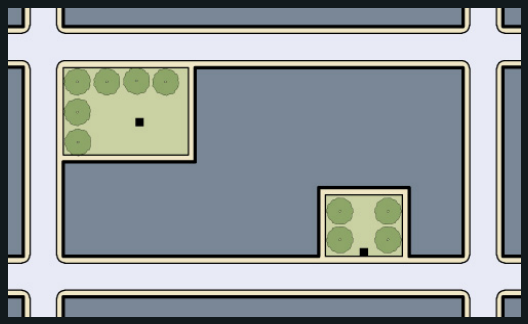
Square



Community Garden



Green



Playground

Parking – Prioritize Location over Quantity

9 PARKING AND DRIVEWAYS *[Revises Section Z-VII.1-2]*

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.

9.3 PERMITTED PARKING LOCATIONS

The following tables detail the 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
RD	U	U	–	–	–	–	–
GR3 & GR5	U	U	–	–	–	–	–
GR10	C	D	B	B	–	–	–
NB	C	D	B	B	C	C	–
HB	C	–	C	C	U	C	–
ICD	B	D	B	B	B	B	
LI	–	–	–	–	U	U	U
HI	–	–	–	–	U	U	U
UR	B	D	B	–	–	–	–
RMX	B	D	B	B	B	B	–
NMX & RA-HC	B	D	B	B	B	B	–
UMX	B	–	A	A	A	A	–

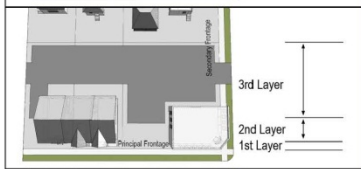
Permitted Parking Configurations
(Also see diagrams below)

Location A – *Parking permitted in 3rd Layer only*
Location B – *Parking permitted in 2nd and 3rd Layers only*
Location C – *Parking permitted in 2nd and 3rd Layers. Parking in 1st Layer restricted to one drive aisle with two bays.*
Location D – *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.*
U – *Unrestricted*

PERMITTED PARKING CONFIGURATION DIAGRAMS

Location A
Parking permitted in 3rd Layer only

1st Layer – distance from right-of-way to front of building
2nd Layer – 20 feet
3rd Layer – remainder of lot



Location B
Parking permitted in 2nd and 3rd Layers only

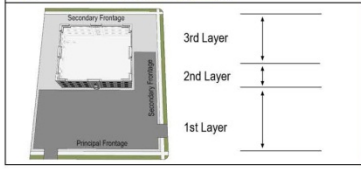
1st Layer – distance from right-of-way to front of building
2nd Layer – 20 feet
3rd Layer – remainder of lot

Location C
Parking permitted in 2nd and 3rd Layers. Parking in 1st Layer restricted to one drive aisle with two bays.

1st Layer – distance from right-of-way to front of building
2nd Layer – 20 feet
3rd Layer – remainder of lot

Location D
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.

1st Layer – distance from right-of-way to front of building
2nd Layer – 20 feet
3rd Layer – remainder of lot



U – *Unrestricted*

1st Layer – distance from right-of-way to front of building
2nd Layer – 20 feet
3rd Layer – remainder of lot

Parking – Reduce Required Pavement

- Reduced overall minimum parking requirements
- Added bicycle parking requirements
- Maximum parking cap for large lots (more than 150 spaces)
- Coordinates parking requirements with Use Table

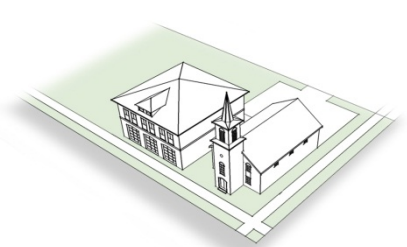
9.4.1 PARKING REQUIREMENTS BY USE TABLE

The following table details the required minimum and maximum (where applicable) parking ratios by major land use. All area calculations use gross leasable area (GLA). For uses not covered in this table, the parking requirements shall be those of the most similar use as determined by the Administrator. For bicycle parking, the use of a single "inverted U" bicycle parking rack will count as two bicycle parking spaces. The minimum required bicycle parking spaces shall be two spaces or one rack and the maximum required shall be 20 spaces.

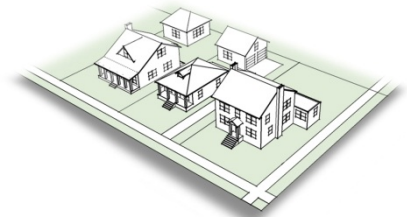
Use Category	Minimum Required Auto Spaces	Bicycle Parking Spaces Required
Residential		
Dwelling-Single Family & Two Family	One per unit, or two per unit if parking is provided in an enclosed garage	No requirement
Dwelling-Townhome & Multifamily	1.5 per unit	1 per 40 auto spaces
Dwelling-Accessory	One per unit	No requirement
Live-Work Units	One per 600 sf	1 per 40 auto spaces
Residential Care Facilities	One per 2 units	1 per 40 auto spaces
All Other Residential Uses	No requirement	No requirement
Lodging		
All Lodging Uses	One per room	1 per 50 auto spaces
Office/Service		
Child/Adult Day Care Centers (More than 8 persons)	One space per classroom	1 per 50 auto spaces
Medical Clinic	One per Examination Room	1 per 50 auto spaces
All Other Office/Service Uses	One per 600 sf	1 per 50 auto spaces
Commercial		
Restaurant	One per 400 sf	1 per 50 auto spaces
All Other Commercial Uses	One per 400 sf	1 per 40 auto spaces
Entertainment/Recreation		
Amusements (Indoor)	No requirement	1 per 40 auto spaces
Amusements (Outdoor)	No requirement	1 per 40 auto spaces
Recreational Facility (Indoor)	No requirement	1 per 40 auto spaces (minimum of 4 racks)
Theater (Indoor & Outdoor)	One per eight seats	1 per 40 auto spaces
All Other Entertainment/Recreation Indoor Uses	No requirement	1 per 40 auto spaces
All Other Entertainment/Recreation Outdoor Uses	No requirement	1 per 40 auto spaces
Civic/Institutional		
Religious Institution (RA-HC, NMX, UMX)	No requirement	1 per 50 seats
Religious Institution (All Other Districts)	One per 8 seats in the main assembly hall	1 per 50 seats
Schools – Elementary & Secondary	One per 8 seats in the main assembly hall or gymnasium*	1 per 50 students
Studio – Art, dance, martial arts, music	One per 400 sq ft	1 per 20 auto spaces
All Other Civic/Institutional Uses	No requirement	1 per 40 auto spaces
Manufacturing/Wholesale/Storage		
Storage – Self-Service	No requirement	No requirement
All Other Manufacturing/Wholesale/Storage Uses	No requirement	1 per 50 auto spaces
Agricultural		

Building Standards by Type

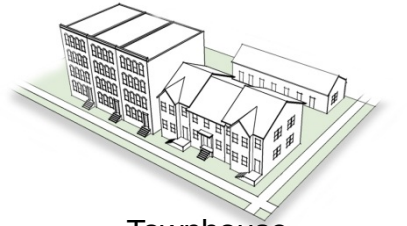
- Civic / Institutional
- Detached House
- Townhouse
- Apartment
- Commercial
- Industrial
- Non-Classified



Civic/Institutional

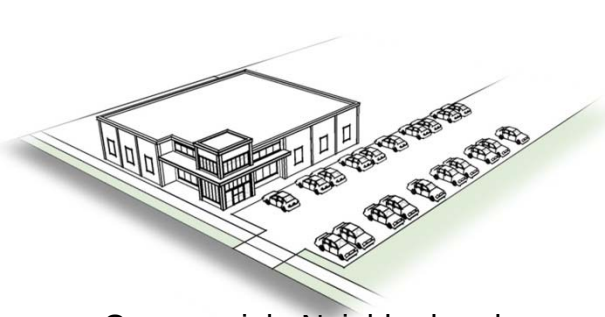


Detached House

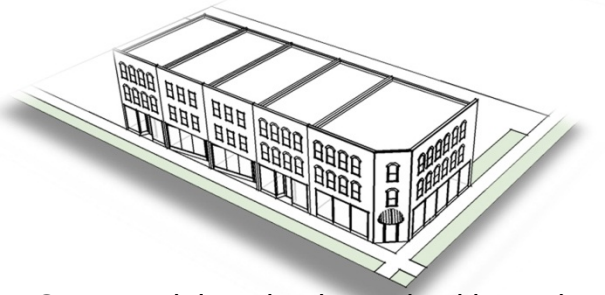


Townhouse

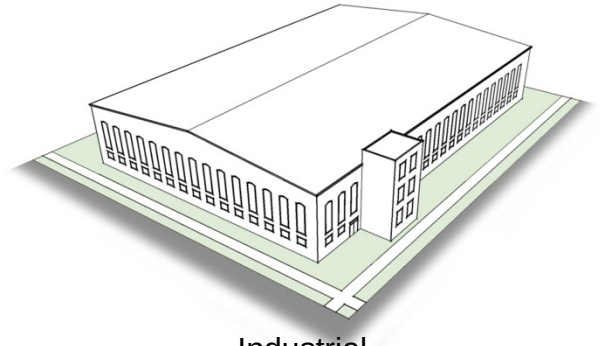
Apartment



Commercial - Neighborhood



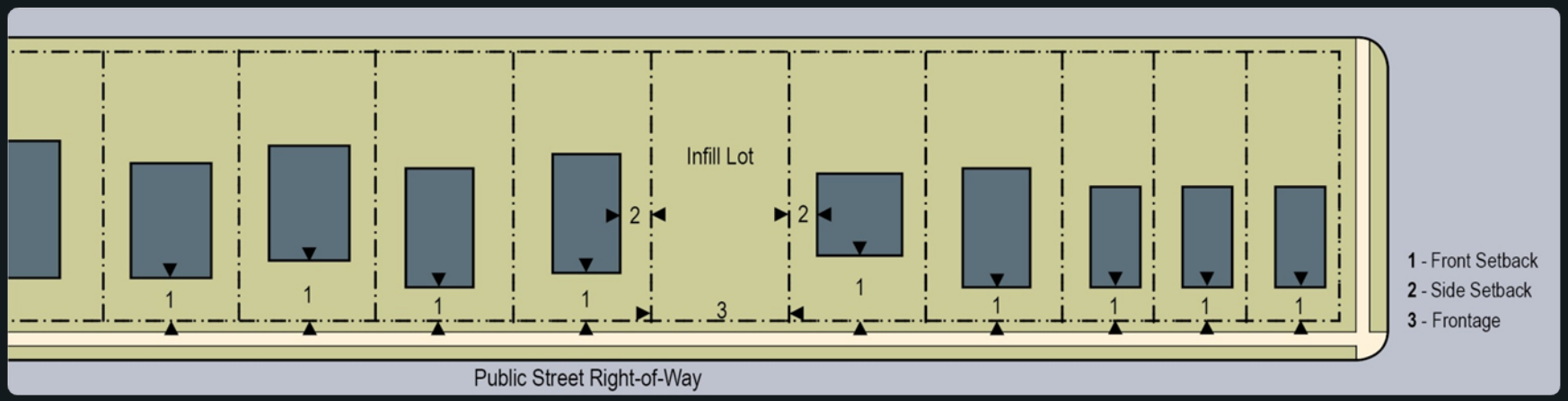
Commercial – Mixed-Use (multi-story)



Industrial

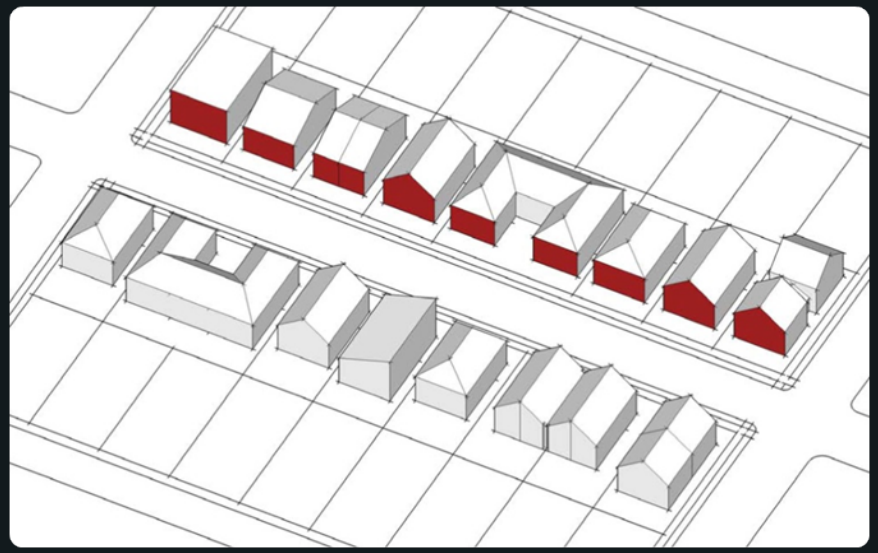
Dimensional Standards

- Reduced front and side setbacks – encourage a more coherent & attractive pedestrian environment
- Flexibility for infill lots



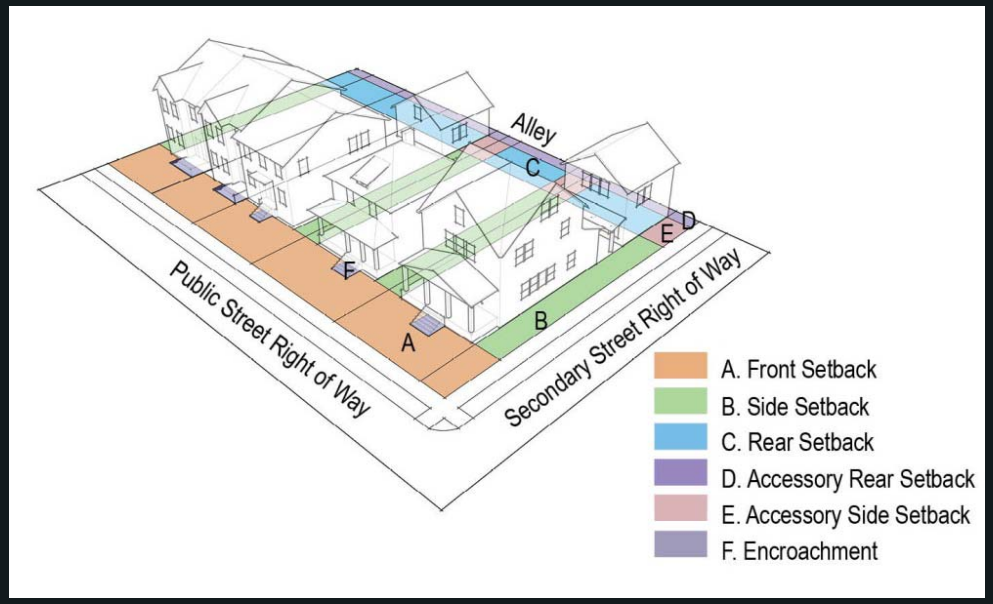
Discretionary Review Standards

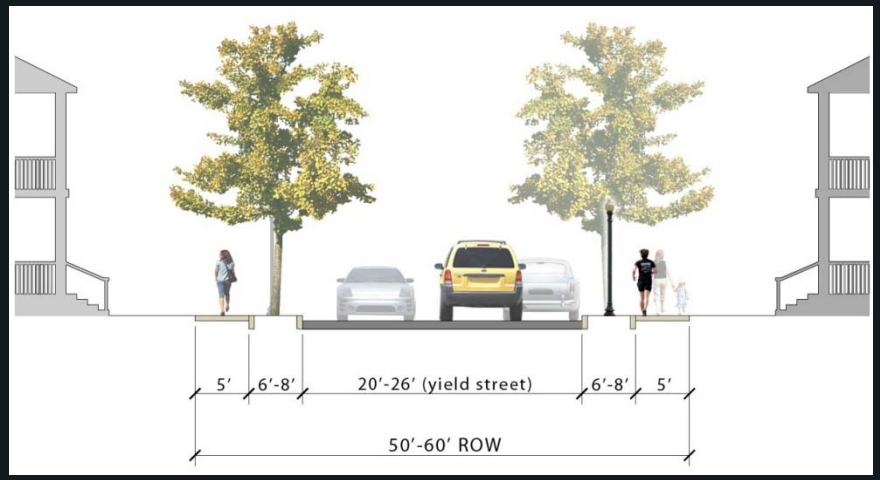
- Established to guide DRB review
- Focused on ensuring compatibility
  - Street Frontage
  - Rhythm of Development
  - Building Frontage
  - Front Setback Pattern
  - Landscaping and Trees
  - Viewshed Protection
  - Architectural Features
  - Street Vistas

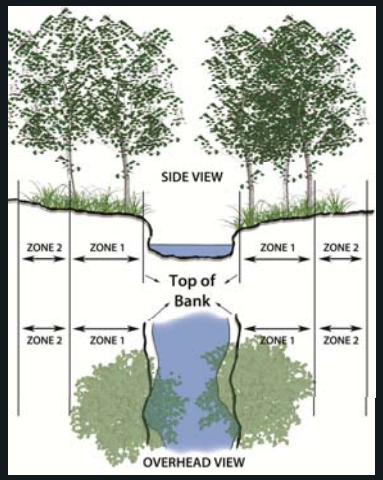


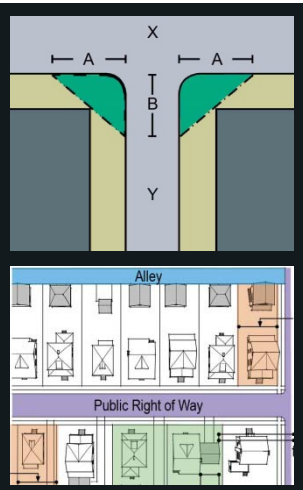
Tables & Graphics

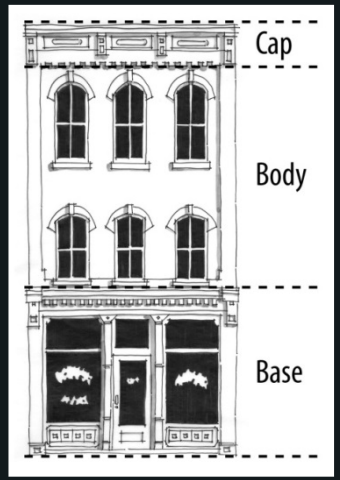
- Generous use of tables & graphics to condense regulatory narrative and clearly illustrate the rules









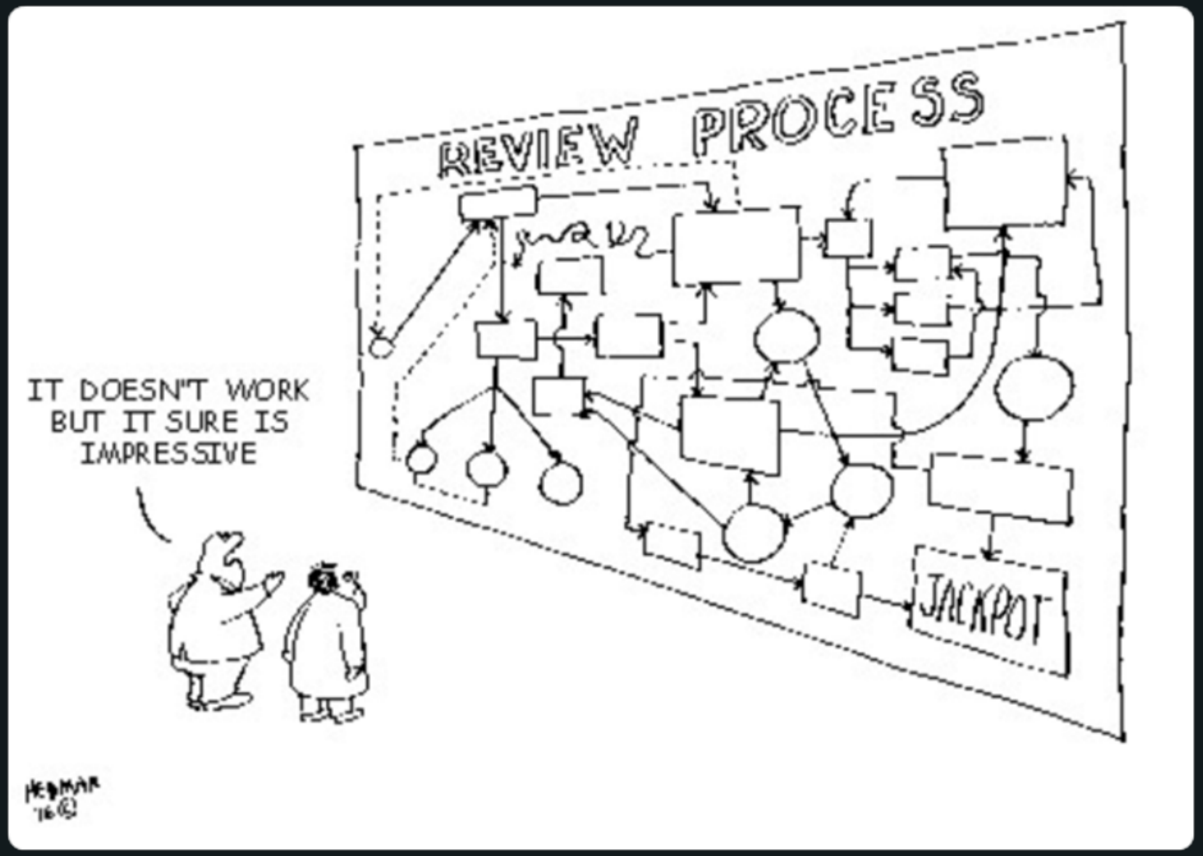


Current Process

- Redundant permit/process types
- Overabundance of Special Use Permits
- No consolidated chart of processes
- Lack of organizational hierarchy
- Gaps & inconsistencies
- Assignment of administrative, quasi-judicial and legislative processes is unclear
- Lack of predictability and clear workflow for applicants

Process vs. Vision

The more complicated the PROCESS
the greater the lack of VISION



Process Driven

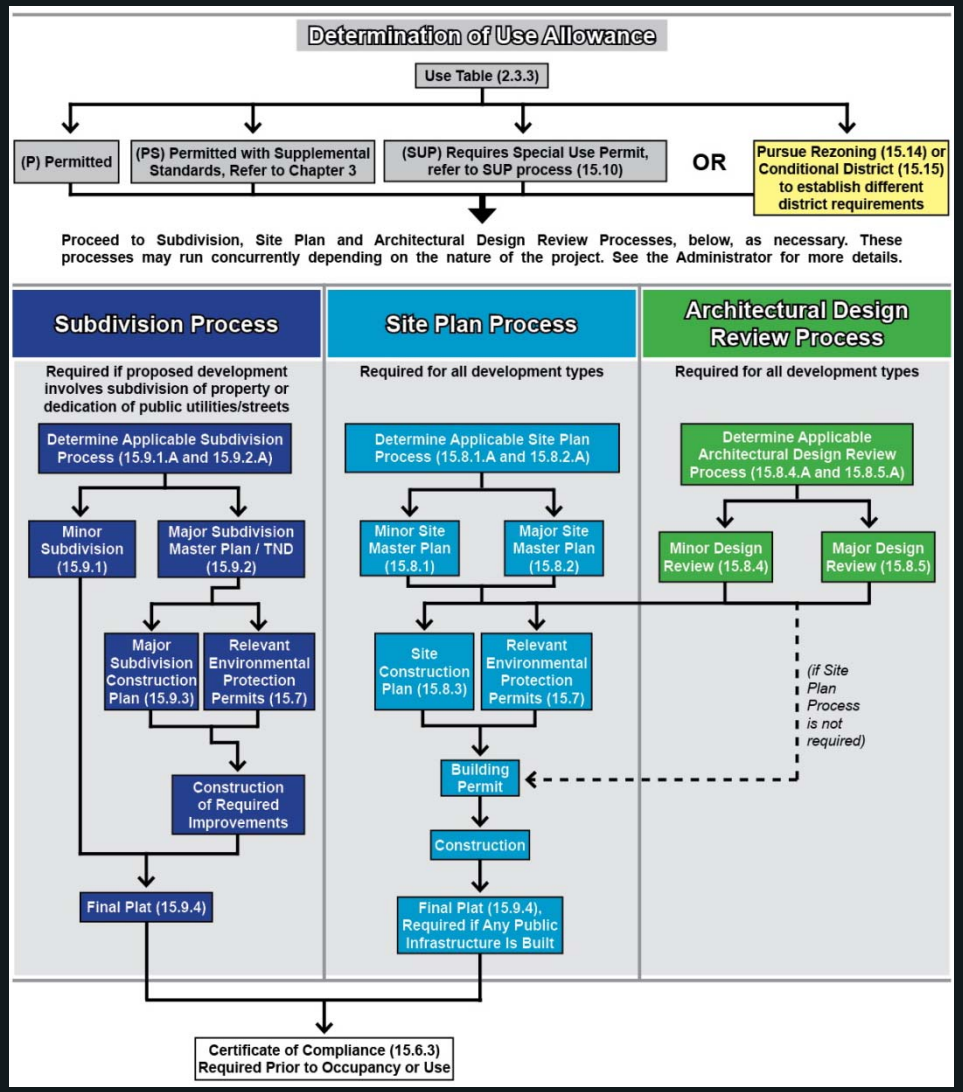
Image Credit: DPZ

Vision Driven

The Result of Process

Updated Process

- Combines processes to eliminate redundancies
- Allows more by-right approvals
- Creates a Design Review Board (DRB) to administer discretionary design standards
- Defines a clear workflow for applicants
- Establishes prerequisite approvals and concurrent processes
- Provides clear & direct guidance for administration by staff & boards in accordance with state law



Administrative vs. Discretionary Decisions

- Senate Bill 44 – 2009 General Assembly
  - Enforces strict controls on all *site plan review* processes (must be quasi-judicial if not administrative)
  - Enforces strict controls on all *subdivision review* processes (must be quasi-judicial if not administrative)
  - Suggests that all permit processes that require/permit discretionary review necessitate a quasi-judicial process
  - Decisions based on Findings of Fact using "Competent Evidence"

Administrative vs. Discretionary Decisions

- Better Clarity of Standards & Increased Focus on the Public Realm Streamlines the Process

Supplemental Use Standards

+

Building & Site Design Standards

Fewer Special Use Permits

Tools for Development Flexibility

- Conditional Districts
  - *Legislative*
  - Combines Conditional Use District & Conditional Use Permit processes
- Traditional Neighborhood Development
  - *By-Right or Quasi-Judicial* (100 acre threshold)
  - Specific parameters for density & neighborhood design
  - Land allocation related to established form-based districts
- Conventional District Retrofits
  - *By-Right*
  - Some NB & HB include a parallel form-based district designation

Project Schedule

1:Reconnaissance

- Review Existing Code/Plan Material
- Stakeholder Interviews
- Thoroughly tour the community

2: Analysis

- Determine Drafting Approach
- Diagnosis Report & Annotated Outline
- Public Workshop

3: Draft

- Incorporate Input & Feedback
- Reformat/ Reorganize
- Prepare Revisions to Ordinances
- Open Houses

4: Adoption

- Revised Ordinances
- Formal Adoption Hearings
- Final Ordinances

January – April 2010

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April 2010 – March 2013

Project Schedule

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4: Adoption

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- Final Ordinances

March 2013 – May 2013

Review & Revision Process

- UDO Review Committee
  - 11 citizens and 7 town staff members
  - Wide variety of backgrounds and viewpoints
    - Architects, Engineers, Developers, Politicians, Planners…
  - Thoroughly vetted – *line-by-line*
  - *28 month review process*

UDO Adoption Schedule

- April 8th – UDO Open House
  - City staff & consultants will be on-hand to answer questions and track comments
- May 7th – Second Public Hearing
- May 21st – Scheduled Adoption Date

Comments are welcome throughout the process!