

What is the major architectural design review process?

The Wake Forest Unified Development Ordinance (UDO) establishes building design standards for all developments throughout the Town of Wake Forest's jurisdiction. Certain development projects as outlined in Section 15.8.5 of the UDO require specific architectural standards for review and approval by the Design Review Board. The review of these particular projects is considered a "major architectural design review." These requests can only be approved if certain specified findings per the UDO are met. The decision making process for a major architectural design review is "quasi-judicial" and is subject to demanding procedural rules, including the requirement of a formal evidentiary public hearing.

What developments require the major architectural design review process?

The major architectural design review process applies to the following:

- RA-HC Zoning District: All development 6,000 square feet or greater in gross floor area (not in a Historic Overlay District)
- All Zoning Districts Except RA-HC: Non-residential development or expansion 10,000 square feet or greater in gross floor area
- All mixed-use or non-residential projects in the UR, RMX, NMX, or UMX Zoning Districts
- All projects involving civic/institutional building types according to the provisions of Section 5.4 of the UDO (excluding any Recreation Facility under 2,500 square feet and any expansion or addition to an existing Recreation Facility)
- Multifamily developments containing 8 or more units
- Appeals from a decision of the Administrator in a Minor Architectural Design Review



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A Citizen's Guide to the Major Architectural Design Review Process





Where does the major architectural design review process begin?

A landowner or developer submits an application to the Wake Forest Planning Department. Once a meeting date is assigned (usually the second Thursday of the month), public hearing notices are published in the local newspaper two weeks prior to the meeting, the property is posted with a public hearing notice sign and informational letters about the proposal are mailed to property owners within 100 feet of the subject property.

Who conducts the hearing for major architectural design review?

Requests for major architectural design review are heard at the public hearing of the Wake Forest Design Review Board. The Design Review Board Chairperson conducts the meeting.

Who can speak at the public hearing for a major architectural design review?

Typically, only those parties whose legal rights are directly affected are entitled to participate. The person who initiates the application for a major architectural design review is considered a “party” to the proceedings whose legal rights are directly affected. Those offering testimony are placed under oath. This should remind those speaking of the seriousness of the matter and the necessity of presenting factual information, not opinions or speculation. The oath is administered by the chairperson.



What can be said or presented in favor or against a major architectural design review application?

When addressing the Design Review Board during a major architectural design review hearing, speakers must present competent evidence related to the findings as outlined in the Wake Forest Unified Development Ordinance. All evidence submitted to the board must be “competent” to support the findings required to approve a major architectural design review application. If someone makes a statement used as evidence to establish a fact, the person making the statement must be present at the hearing to testify. As such, letters, emails, or similar information may not be submitted into the record as evidence unless the authors are present at the meeting. Petitions against or in favor of an application are not considered evidence and are not permitted to be submitted into the record.

How long can I speak at the hearing?

In Wake Forest, the time limit is typically five minutes per speaker. There is no limit on the number of speakers, but the board may request that all speakers present new information rather than repeat information given by others.

What can I expect to happen during the public hearing?

Once the public hearing is opened, town staff will review their report of the proposed request. Next, the applicant will address the Design Review Board and present evidence in support of the request. At this time, the board is permitted to question the applicant to clarify the information presented. Once the applicant is finished, citizens are able to present evidence either in support of, or against, the application. Citizens may question, or cross examine, the applicant and, vice-versa.

What is considered competent evidence?

Only “competent evidence” can be submitted at major architectural design review hearings. Competent evidence is information that is verifiable and from a source that can be considered an expert.

Can I contact a board member and discuss a major architectural design review application?

No. Members of the Design Review Board are not allowed to discuss the case or gather evidence outside of the public hearing. Only facts presented to the board at the hearing may be considered. Board members are not permitted to discuss the case with applicants or neighbors outside of the hearing.

What are the specified findings required to approve a major architectural design review application?

The following findings of facts must be made in order to approve a major plan review application:

- The proposed plan is consistent with the adopted plans/policies of the town and complies with all applicable requirements of this ordinance;
- The proposed plan 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; and
- The proposed plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

Once the public hearing is closed, the Design Review Board will vote to approve, approve with conditions, or deny the application. The Design Review Board has up to 65 days to take action.

For further questions, contact the Wake Forest Planning Department at 919-435-9510 or visit www.wakeforestnc.gov.