District Provisions

2.1 OFFICIAL ZONING MAP

2.1.1 ZONING MAP

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

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

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

2.1.2 INTERPRETATION OF BOUNDARIES

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

A. District boundary lines are generally intended to be along or parallel to property lines, lot lines, the center line of street, alleys, railroads, easements, other rights-of-way, and creeks, streams, or other water channels.

B. In the absence of specified distances on the map, dimensions or distances shall be determined by the scale of the Official Zoning Map.

C. Where the Zoning Map shows a district boundary dividing a lot, each part of the lot shall conform to the standards established by this ordinance for the land development or overlay district in which that part is located.

D. When the street or property layout existing on the ground is at variance with that shown on the Official Zoning Map, the Planning Board shall interpret the district boundaries of this ordinance in accordance with Section 14.4.

2.2 DISTRICT PROVISIONS

2.2.1 URBAN (FORM-BASED) DISTRICTS GENERAL OVERVIEW

A number of the key districts for the Town of Wake Forest are ordered and classified according to the Rural-Urban Transect. The Transect is a method of classifying the natural and built environments as a continuum of six conditions, ranging from rural to urban. The value of the Transect is that it classifies development form with the appropriate land use and development context. For example, a rural street typically has no curbs or sidewalks and its buildings are often irregularly spaced. An urban street, depending on the intensity of urbanism, may have curbs and gutters, regularly placed street trees, sidewalks, and building forms that are more regular in form and spacing. Each urban zoning category has detailed provisions for the mix of uses, building type, density, height, street design, the design of parks and open space, the mix of uses, building design, parking, streetscape and other aspects of the human environment. In order to implement the intent of this ordinance, there are hereby created several base districts with the designations and general purposes listed under each and the specifically permitted uses, special uses, dimensional standards and permitted building types included. Each base district has a corresponding Conditional District designation which shall be administered in accordance with Section 2.6.

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.

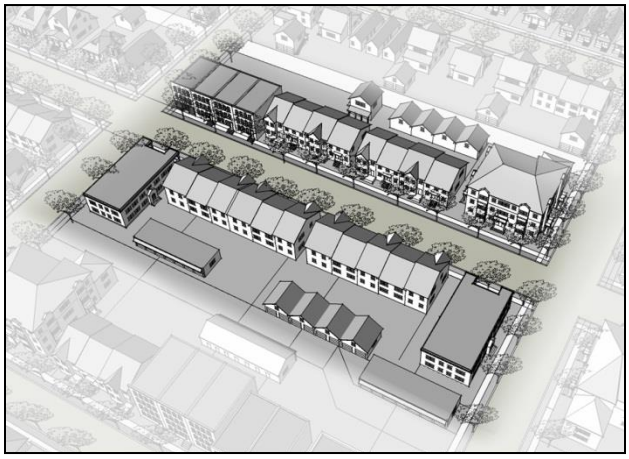
Suburban Area
The transition area between countryside and town is called the Suburban Area. This area consists primarily of single family homes. Although this area is primarily a residential area, it may have other development types, such as schools and other civic uses.

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 & O-I 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 multifamily structures in relatively high density neighborhoods within walking or biking distance from mixed-use centers as well as some limited commercial uses in pedestrian-scaled, residential-style structures.	
C. Neighborhood Mixed-Use (NMX) *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.	
F. Planned Unit Development (PUD) The Planned Unit Development (PUD) district is designed to promote a compatible mix of uses to instigate an integrated and sustainable development consistent with the Town's unique character. This district shall also encourage design flexibility; multi-modal connectivity between uses; sensitivity to natural resources and environmental features; and facilitate the efficient provisions of infrastructure, utilities and adequate public facilities.	

2.2.3 TABLE OF URBAN DISTRICT DEVELOPMENT STANDARDS

Base Districts	UR	RMX	NMX RA-HC	UMX	PUD
A. BUILDING TYPE (Section 5.4 – 5.8)	Civic/Institutional Detached House Townhouse	Civic/Institutional Detached House Townhouse Apartment Commercial	Civic/Institutional Townhouse Apartment Commercial	Civic/Institutional Townhouse Apartment Commercial	Civic/Institutional Detached House Townhouse Apartment Commercial
B. PRIVATE FRONTAGE (Section 5.3)					Refer to Section 2.7
1. Common Lawn	Permitted	Permitted	Prohibited	Prohibited	--
2. Porch & Fence	Permitted	Permitted	Prohibited	Prohibited	--
3. Terrace or Light Court	Permitted	Permitted	Permitted	Permitted	--
4. Forecourt	Permitted	Permitted	Permitted	Permitted	--
5. Stoop	Permitted	Permitted	Permitted	Permitted	--
6. Shopfront/Awning	Prohibited	Permitted	Permitted	Permitted	--
7. Gallery	Prohibited	Prohibited	Permitted	Permitted	--
8. Arcade	Prohibited	Prohibited	Permitted	Permitted	--
C. DEVELOPMENT STANDARDS					
1. Max. Density *(Units/Acre)*	10 dua	24 dua	n/a	n/a	n/a
2. Open Space (min) per CH 7	5%	5%	2% for projects 5 acres or greater	2% for projects 5 acres or greater	15%
3. Park Space (min) per CH 7	2%	2%	2% for projects 5 acres or greater	2% for projects 5 acres or greater	2%
4. Minimum and Maximum Development Size if not in TND	80 acres maximum	40 acres maximum	n/a	n/a	10 acres minimum
D. PRINCIPAL BUILDING					
1. Principal Front Setback	20 ft max.	18 ft max.	12 ft max (NMX) 5 ft max. (RA-HC)	6 ft max.	Per UDO Section 2.7
2. Street Side/Secondary Front Setback	5 ft min.	5 ft min.	12 ft max.	6 ft max.	Per UDO Section 2.7
3. Side (from adjacent lot) Setback*	5 ft min.	0 ft min.			Per UDO Section 2.7
4. Rear Setback	20 ft min. OR 5ft min. w/ rear alley access	5 ft min.	0 ft min.	0 ft min.	Per UDO Section 2.7
5. Frontage Buildout	n/a	n/a	60%+	70%+	Per UDO Section 2.7
E. ACCESSORY STRUCTURE					
1. Side Setback*	5 ft min.	5 ft min. OR 0 ft for attached structures	5 ft min. OR 0 ft for attached structures	n/a	Per UDO Section 2.7
2. Rear Setback*	5 ft min.	5 ft min.	5 ft min.	n/a	Per UDO Section 2.7
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 9.4				
2. Parking Location	By Building Type - See Section 9.3				
G. HEIGHT					
1. Min. Height	None	None	16 ft	2 stories	Per UDO Section 2.7
2. Max. Height	3 stories	6 Stories (May Exceed with an SUP)	6 Stories (May Exceed with an SUP) (3 Stories along White Street from Elm to Roosevelt)	6 Stories (May Exceed with an SUP)	6 Stories or 60 feet, whichever is less (may exceed with an SUP)

** May be increased subject to building code standards* *+ For primary street frontage only*

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, MF, O-I* *R-20 & R-15 convert to GR3* *R-10 converts to GR5* *R-5, MF & O-I convert to GR10 where applicable*	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, O-I*	The Neighborhood Business District is established as a district in which the principle use of land is for retail trade and services purposes of a lower intensity than the Highway Business (HB) District. Such districts are generally located near residential areas and cater to the everyday needs of nearby residential neighborhoods, stressing accessibility by automobiles, bicycles, and pedestrians.
E. Highway Business (HB) *Previous District(s): HB*	The Highway Business District is generally located on the major thoroughfares in town and provides opportunities for the provision of offices, services and retail goods. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development while encouraging the creation of new pedestrian-friendly, mixed-use areas that avoid strip commercial development and establish more resilient land development patterns.
F. Institutional Campus Development (ICD) *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 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***	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. Park 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	50,000 sf	100,000 sf (may exceed max with SUP)	n/a	n/a	n/a
7. Development Floor Area (Max)	n/a	n/a		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 max. 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	8 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 (min)	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
2. Rear Setback (min)	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
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 Location	By Building Type - See Section 9.3						
2. Specific Restrictions	n/a	n/a	Parking in Front Yard setback not permitted	Parking in first 10 ft of Front Yard setback not permitted	Parking in Exterior setback not permitted except as part of an approved CD plan	Parking in Front Yard & Exterior setback not permitted	Parking in Exterior setback 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

** For townhomes this standard applies to the entire townhome development, not individual townhome lots. Different requirements may apply if located in a Special Highway Overlay District.*

**** Subject to the provisions of the Watershed Protection Overlay Districts (where applicable)*

2.3 USES PERMITTED

2.3.1 USE CATEGORIES

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

A. Residential: Premises available for long-term human habitation by means of ownership and rental, excluding short-term leasing or rental of less than 1 month.

B. Lodging: Premises available for short-term human habitation, including daily and weekly rental.

C. Office/Service: Premises available for the transaction of general business and the provision of services, but excluding retail sales and manufacturing, except as a minority component.

D. Commercial/Entertainment: Premises available for the commercial sale of merchandise, prepared foods, and food and drink consumption, but excluding manufacturing.

E. Civic: Premises available for organizations dedicated to religion, government, arts and culture, recreation and sports, and other similar areas of public assembly.

F. Educational/Institutional: Uses and premises dedicated to education, social service, health care, and other similar functions.

G. Automotive: Uses and premises accessed predominately by or dedicated to the sale, maintenance, servicing and/or storage of automobiles or similar vehicles.

H. Industry/Wholesale/Storage: Premises available for the creation, assemblage, storage, and repair of items including their wholesale or retail sale.

I. Agricultural: Premises for growing crops, raising animals, harvesting timber, and harvesting fish and other animals from a farm, ranch or their natural habitat and all related functions.

J. Infrastructure: Uses and structures dedicated to transportation, communication, information, and utilities.

2.3.2 INTERPRETATION OF USE 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) which require an Enhanced Transportation Impact Analysis (according to Section 6.11.1), and all residential developments over 100 units, are subject to the Major Site Plan Review Process established in 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**	**PUD**
A. RESIDENTIAL	**OS**	**RD**	**GR3**	**GR5**	**GR10**	**NB**	**HB**	**ICD**	**LI**	**HI**	**UR**	**RMX**	**RA-HC**	**NMX**	**UMX**	**PUD**
Dwelling-Single Family	–	P	P	P	P	–	–	P	–	–	P	P	–	–	–	P
Dwelling-Duplex	–	–	–	P	P	–	–	P	–	–	P	P	–	–	–	P
Dwelling-Townhome	–	–	–	–	P	–	–	P	–	–	P	P	P	P	P	P
Dwelling-Multifamily	–	–	–	–	P	–	–	P	–	–	PS	P	P	P	P	P
Dwelling-Accessory	–	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	PS	PS
Live-Work Units	–	–	–	–	PS	P	P	PS	–	–	PS	PS	PS	P	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	PS
B. LODGING	**OS**	**RD**	**GR3**	**GR5**	**GR10**	**NB**	**HB**	**ICD**	**LI**	**HI**	**UR**	**RMX**	**RA-HC**	**NMX**	**UMX**	**PUD**
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	–	–	–	–	–	–	–	P
Hotel/Inn (Less than 20 Rooms)	–	–	–	–	SUP	P	P	P	–	–	–	P	P	P	P	P
Hotel/Inn (No Room Limit)	–	–	–	–	–	P	P	P	–	–	–	–	P	P	P	P
C. OFFICE/SERVICE	**OS**	**RD**	**GR3**	**GR5**	**GR10**	**NB**	**HB**	**ICD**	**LI**	**HI**	**UR**	**RMX**	**RA-HC**	**NMX**	**UMX**	**PUD**
ATM	–	–	–	–	–	P	P	P	P	P	–	P	P	P	P	P
Banks, Credit Unions, Financial Services	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
Business Support Services	–	–	–	–	–	P	P	P	P	–	–	P	P	P	P	P
Dry Cleaning & Laundry Services	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
Funeral Homes/Crematoria	–	P	–	–	–	P	P	–	–	–	–	P	P	P	P	–
Home Occupation	–	PS	PS	PS	PS	P	P	P	–	–	PS	PS	P	P	P	P
Medical Clinic	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
Personal Services	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
Personal Services, Restricted	–	–	–	–	–	–	P	–	–	–	–	–	–	–	–	–
Post Office	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
Professional Services	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
Small Equipment Repair/Rental	–	–	–	–	–	P	P	–	P	P	–	–	P	P	P	–
Veterinary Services	–	–	–	–	–	P	P	P	P	P	–	PS	PS	PS	PS	PS
D. COMMERCIAL/ENTERTAINMENT	**OS**	**RD**	**GR3**	**GR5**	**GR10**	**NB**	**HB**	**ICD**	**LI**	**HI**	**UR**	**RMX**	**RA-HC**	**NMX**	**UMX**	**PUD**
Adult Establishment	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Alcoholic Beverage Sales Store	–	–	–	–	–	P	P	–	–	–	–	P	P	P	P	P

	RURAL		SUBURBAN								URBAN					
USE TYPES	**OS**	**RD**	**GR3**	**GR5**	**GR10**	**NB**	**HB**	**ICD**	**LI**	**HI**	**UR**	**RMX**	**RA-HC**	**NMX**	**UMX**	**PUD**
Amusements, Indoor	–	–	–	–	–	P	P	–	P	–	–	–	P	P	P	P
Amusements, Outdoor	–	–	–	–	–	–	P	–	P	–	–	–	–	–	–	–
Bar/Tavern	–	–	–	–	–	P	P	–	–	–	–	–	P	P	P	P
General Commercial	–	–	–	–	–	P	P	P	–	–	–	P	P	P	P	P
General Commercial – Use Greater than 100,000 sf	–	–	–	–	–	–	SUP	–	–	–	–	–	–	–	–	P
Internet Sweepstakes Facilities	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Night Club	–	–	–	–	–	P	P	–	–	–	–	–	P	P	P	P
Open Air Retail	–	–	–	–	–	P	P	SUP	–	–	–	PS	PS	PS	PS	P
Outside or Display Sales	–	–	–	–	–	PS	P	PS	–	–	–	PS	PS	PS	PS	PS
Pawnshops	–	–	–	–	–	P	P	–	–	–	–	–	P	P	P	P
Racetrack	–	–	–	–	–	–	–	–	P	P	–	–	–	–	–	–
Restaurant	–	–	–	–	–	P	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	P
Theater, Outdoor	–	–	–	–	–	–	P	P	–	–	–	–	PS	PS	PS	PS

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

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

G. AUTOMOTIVE	**OS**	**RD**	**GR3**	**GR5**	**GR10**	**NB**	**HB**	**ICD**	**LI**	**HI**	**UR**	**RMX**	**RA-HC**	**NMX**	**UMX**	**PUD**
Drive-Thru/Drive-In Facility	–	–	–	–	–	PS	P	–	–	–	–	–	SUP	SUP	SUP	SUP
Gas/Fueling Station	–	–	–	–	–	PS	P	–	–	–	–	–	–	PS	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	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**	**PUD**
Vehicle Rental – Moving Trucks	–	–	–	–	–	P	P	–	–	–	–	PS	PS	PS	PS	–
Vehicle Services – Minor Maintenance/Repair	–	–	–	–	–	PS	P	–	P	P	–	–	–	PS	PS	PS
Vehicle Services – Major Repair/Body Work	–	–	–	–	–	–	P	–	P	P	–	–	–	–	–	–

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

I. AGRICULTURE	**OS**	**RD**	**GR3**	**GR5**	**GR10**	**NB**	**HB**	**ICD**	**LI**	**HI**	**UR**	**RMX**	**RA-HC**	**NMX**	**UMX**	**PUD**
Animal Production	–	SUP	SUP	–	–	–	–	–	–	–	–	–	–	–	–	–
Backyard Pens/Coops	–	P	PS	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	P
Kennels, Outdoor	–	SUP	–	–	–	–	PS	–	P	P	–	–	–	–	–	–
Produce Stands	–	PS	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**	**PUD**
Airstrip	–	SUP	SUP	–	–	–	–	–	SUP	SUP	–	–	–	–	–	–
Wireless Telecommunications Tower	–	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Wireless Telecommunications Facility (Non-Tower)	–	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Utilities – Class 1	–	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities – Class 2	–	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
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 protecting the associated highway corridors at the time of development. This will be achieved by requiring buildings and structures to be sufficiently set back from future rights-of-way to provide adequate storage for vehicles until they can safely enter the highway as well as additional lanes, if necessary. It is the intent of this district to ensure that development occurring in the special highway overlay district shall be in harmony with and shall preserve the natural beauty and character of the existing landscape as well as be consistent with the adopted corridor plans for US 1 and the NC-98/Dr. Calvin Jones Highway Bypass accordingly.
C. Required Shopfront (SF)	In order to implement vibrant, pedestrian-friendly areas in Form-based Districts, the Required Shopfront Overlay District has been created to ensure that the ground floor of buildings in designated blocks are designed using either Shopfront & Awning, Gallery, or Arcade private frontage.
D. Falls Lake Watershed Protection Overlay (FL-CA & FL-WMA) *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 Watershed Protection Overlay (RC-CA & RC-WMA)	The Richland Creek Watershed Protection regulations are established as an overlay district to preserve water quality in the Richland Creek water supply watershed in order to provide safe drinking water. The intent of this district is to establish regulations which ensure the availability of public water supplies at an acceptable level of water quality for present and future residents. Two districts are hereby created: The Richland Creek-Critical Area (FL-CA) and the Richland Creek -Watershed Management Area (FL-WMA).
F. Smith Creek Watershed Protection Overlay (SC-CA) *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

1. **COA Required:** No exterior feature of any building or other structure in an HL-O (including masonry walls, fences, light fixtures, utility structures, steps, pavement, signs, landscape and color or other appurtenant features), shall be erected, altered, restored, moved or demolished until after an application for a Certificate of Appropriateness has been submitted to and approved by the Historic Preservation Commission. A Certificate of Appropriateness is required to be issued by the Commission prior to the issuance of a building permit or other permit granted for the purposes of constructing, altering, moving or demolishing structures. Any building permit or such other permit not issued in conformity with this section shall be invalid. A Certificate of Appropriateness shall be required whether or not a building or other permit is required. The Town of Wake Forest and other public entities shall be required to obtain a Certificate of Appropriateness prior to any changes in the character of public facilities, utilities, or public buildings.
2. **COA Conditions of Approval:** In approving a Certificate of Appropriateness, the Commission may attach reasonable conditions necessary to carry out the purposes of this ordinance.
3. **Exterior Features:** For purposes of this ordinance, "exterior features" shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building or other structure, and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures, as well as historic signs, significant landscape, archaeological and natural features of the area, and shall apply to all sides of any such structures that can be seen from any adjacent street (excluding rear lanes or alleys) or public park. In the case of outdoor advertising signs, exterior features" shall mean the style, material, size, and location of all such signs.
4. **Limitation on Review of Interior Features:** Notwithstanding this ordinance, jurisdiction of the Commission over interior spaces shall be limited to specific interior features of architectural, artistic, or historical significant in publicly owned landmarks, and of privately owned historic landmarks for which consent for interior review has been given by the owner. If an owner's consent for interior review has been filed in the office of the Wake County Register of Deeds and indexed according to the name of the owner of the property in the grantee and grantor indexes, such consent shall bind future owners and/or

successors in title. The ordinance establishing the historic designation shall specify the interior features to be reviewed and the specific nature of the Commission's jurisdiction over those features.

5. **Normal Maintenance and Repair/Certain Changes Not Prohibited:** Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of a historic landmark or property located within a district that does not involve a change in design, material, or outer appearance thereof. Nor shall this ordinance be construed to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe or dangerous condition. Nothing herein shall be construed to prevent a property owner from making any use of their property not prohibited by other statutes, ordinances, or regulations. Nothing in this ordinance shall be construed to prevent the maintenance of or, in the event of an emergency, immediate restoration of any existing above-ground utility structure without approval by the Commission.

6. **Use of Design 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.

7. **Administrative Approval for Minor Works Allowed:** The Commission staff may issue a Certificate of Appropriateness for minor works as listed in the Commission's Design 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.

8. **Delay in Demolition of Designated Properties:** Any application for a Certificate of Appropriateness authorizing the relocation, demolition, or destruction of a building or structure within a HL-O may not be denied. However, the effective date of such a Certificate of Appropriateness may be delayed for a period of up to 365 days from the date of approval of the Certificate of Appropriateness. The Commission may reduce the period of delay where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period the Historic Preservation Commission may negotiate with the property owner and any other parties in an effort to find a means of preserving the building, structure or site.

9. **Properties of Statewide Significance:** The Commission may deny an application for a Certificate of Appropriateness authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Office to have statewide significance, as defined in the criteria of the National Register of Historic Places, unless the Commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.

E. Demolition by Neglect: Demolition by neglect of any designated historic landmark or property located within a district shall constitute a violation of this ordinance. For the purposes of this ordinance "demolition by neglect" shall generally mean the failure to properly maintain a structure, whether intentionally or not, such that it falls into such disrepair that it may become uninhabitable. The local governing body may take appropriate actions to prevent demolition by neglect, as outlined in Section 16.2.8, provided such actions include appropriate safeguards to protect the property owner from undue economic hardship.

F. Permitted Uses: All uses permitted in the applicable land development district underlying a historic overlay district are permitted in the HL-O.

2.4.3 SPECIAL HIGHWAY OVERLAY (SH1-O AND SH2-O)

A. Applicability: The Special Highway Overlay Districts (SH-O) shall apply to all properties located on either side of a major access corridor (as noted below) beginning at the centerline of the existing right-of-way. The depth of the district is 1,000 feet and shall follow identifiable boundaries whenever possible measured on either side of the right-of-way of the major access corridor. All such locations shall be noted on the official zoning map.

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

B. Exceptions: Exceptions to the district depth, location, landscaping and buffering can be applied in the following instances:

- Where identifiable conditions exist to screen the visibility of motorists, or
- At an intersection targeted for shopping center development.
- A PUD district may propose acceptable alternative standards within an SH-O district, as it speaks to minimum yard dimensions and supplemental planting standards so long as they are in keeping with the overall intent of this ordinance.

C. Landscaping and Buffering: It is the intent of this section that the frontage along the designated thoroughfares to the extent practical be left in an undisturbed or enhanced state of vegetation, and that sufficient areas of natural buffer remain so that the proposed use will be visually in harmony with the natural wooded character of the area. Removing or denuding of natural forest vegetation along major access corridors is strongly discouraged; however, it is understood that conditions may exist as stated in Section 2.4.3.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 Street Yard to Preserve Natural Vegetation or its Planted Equivalent	Supplement Plantings if Limited or No Vegetation Exists in SH-O Yard
Frontage of the existing or proposed right-of-way	*50 ft average	5 trees per 50 feet of SH-O yard
Frontage of the existing or proposed right-of-way of any access/frontage road adjacent to any major access corridor	*30 ft average	3 trees per 50 feet of SH-O yard
Street frontages of streets that intersect with a major access corridor for a distance of 200 feet	*30 ft average	3 trees per 50 feet of SH-O yard

Yard Type/Lot Condition in the SH-O Districts	Required Street Yard to Preserve Natural Vegetation or its Planted Equivalent	Supplement Plantings if Limited or No Vegetation Exists in SH-O Yard
Those portions of front, rear or side yards that are not adjacent to a major access corridor or not part of the 50 foot SH-O yard and are not devoted to the uses, buildings and structures of a permitted use	Preservation of all existing vegetation	See Section 8.3

**May use existing vegetation within right-of-way to meet street yard width requirement.*

D. Dimensional Requirements:

1. Yards Abutting Major Access Corridor: 100 feet (Off-Street Parking shall be setback a minimum of 50 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.

4. For projects with an associated Traffic Impact Analysis (TIA), the maximum number of driveways shall be determined though TIA requirements as well as Town and NCDOT approvals.

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

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

2. Is necessitated by the configuration and/or topography of the land, which makes it impractical to comply with the yard and setback requirements of this section for specific areas of the parcel;

3. Does not reduce the required yard or setback by more than 50%.

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

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

2. Is necessitated by the configuration and/or topography of the land, which makes it impractical to comply with the yard and setback requirements of this section;

3. Is no greater than is necessary to allow for reasonable development of the tract;

4. Will not adversely affect the value of adjoining or abutting property, or that the use is a public necessity; and

5. Is necessitated to preserve existing natural vegetation considered to be a landmark or in an advanced stage of growth, removal of which would visually affect the natural wooded character of the area.

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

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

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

2.4.4 REQUIRED SHOPFRONT (SF)

A. Intent: While retail/restaurant uses are not required uses, the intent of the Required Shopfront Overlay is to provide a building frontage that would not preclude those uses at some point in the future through the depth of the first and second layer.

B. Permitted Frontages: If a block face is designated on the Zoning Map as "Required Shopfront," then all new development along that designated street frontage must provide one of the following Private Frontages (per Section 5.3) at sidewalk level along the entire length of the frontage:

1. Shopfront & Awning,

2. Gallery, or

3. Arcade.

2.4.5 WATER SUPPLY WATERSHED PROTECTION OVERLAY DISTRICTS

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

A. FL-CA (Falls Lake Critical Area) District;

B. FL-WMA (Falls Lake Watershed Management Area) District;

C. RC-CA (Richland Creek Critical Area) District;

D. RC-WMA (Richland Creek Watershed Management Area) District; 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.

2.6 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 dedication of public 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.

2.7 Planned Unit Development (PUD)

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

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

A. General Applicability: Before any development shall be designated as a Planned Unit Development district on the Official Zoning Map, it shall receive approval pursuant to the terms of this Section and Sec. 15.16 Planned Unit Development

B. Permitted Uses, Development Standards and Minimum Requirements: In return for greater flexibility in site design, PUD Districts are expected to deliver exceptional quality community designs that preserve critical environmental resources; provide high quality community amenities; incorporate creative design in the layout of buildings and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high quality architecture; and provide

greater efficiency in the layout and provision of roads, utilities, and other infrastructure.

1. **Permitted Uses.** Permitted uses in any PUD district may include any uses permitted as specified in Section 2.3.3 Use Table, excluding non-permitted uses. The uses proposed in the PUD concept plan may include any residential, commercial/mixed uses or industrial uses or combination of uses deemed appropriate for the real estate.

2. **Development Standards.** All PUD Concept Plans shall specify development standards applicable to each permitted uses in the PUD (see Section 15.4.3 for exact requirements). Development standards applicable to the PUD shall be those specified in the PUD Concept Plan filed with the zoning map change. The concept plan shall establish the following development standards:
   - **a.** The location of uses proposed by the PUD must be shown in the PUD Concept Plan with a maximum density for each type of residential use; a maximum number of units for multi-family dwellings; and a maximum square footage for each type of non-residential use.
   - **b.** The dimensional standards in Sec. 4.3, *Basic Lot and Use Standards* may be varied in the PUD Concept Plan. The PUD shall demonstrate compliance with all other dimensional standards of this ordinance, North Carolina Building Code, and North Carolina Fire Code.
   - **c.** Pedestrian ways, bikeways and other transportation systems that encourage cluster and compact development.
   - **d.** Land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient compact network of streets. Cul-de-sacs shall be avoided to the greatest extent possible.
   - **e.** Identified active open space areas and those significant natural and environmental features that will be protected and preserved in their natural state.
   - **f.** Architectural and design criteria that provide higher quality than routine developments. All residential uses proposed shall provide typical architectural elevations representative of the residential structures to be built to ensure the Standards of this Section are met.
   - **g.** Phasing. The PUD Concept Plan shall include a phasing plan for the development and associated infrastructure improvements as outlined in Section 6.3. If development of the PUD is proposed to occur in more than one phase, then guarantees shall be provided that project improvements, including improvements required by the TIA and NCDOT. In phases that include residential, amenities that are necessary and desirable of the project, or that are of benefit to the Town, are constructed within that phase of the project.

3. **Minimum Requirements.**
   - **a.** Open Space. Each PUD district shall clearly identify areas of required open space within the PUD concept plan. Open space areas shall conform to Section 7: *Recreation Facility Fees, Parks & Open Space Land* of the UDO.
   - **b.** Landscaping, Buffering and Tree Preservation. All landscaping, buffering and tree preservation shall be required in accordance with Section 7: *Recreation Facility Fees, Parks & Open Space Land* and Section 8: *Tree Protection, Buffers and Landscaping* of the UDO except that variations from these standards may be permitted so long as areas normally required may be made up on other portions of the PUD. Such buffers and tree protection areas shall be indicated on the final plat, which shall include information regarding ownership, maintenance and use limitations.
   - **c.** Off-street Parking and Loading. The PUD Concept Plan shall demonstrate compliance

with the standards of Sec. 9 *Parking & Driveways*, except that variations from these standards may be permitted if a comprehensive parking and loading plan for the PUD is submitted as part of the PUD Concept Plan that is determined to be suitable for the PUD, and generally consistent with the intent and purpose of the off-street parking and loading standards.

d. Signs. Signage shall demonstrate compliance with Sec. 11 *Signs*, except that the standards can be varied if a master signage plan is submitted for review and approval concurrent with the PUD concept plan and is determined by Town staff to be suitable for the PUD and generally consistent with the intent and purpose of the sign standards of the UDO.

e. Public Facilities. The improvements standards and guarantees applicable to the public facilities that will serve the site shall comply with Section 6: *Subdivision and* Section 7: *Recreation Facility Fees, Parks & Open Space Land* as well as the following standards:

i. The PUD Concept Plan demonstrates a safe and adequate on-site transportation circulation system. The on-site transportation circulation system shall be integrated with the off-site transportation circulation system of the Town. The PUD Plan shall be consistent with the Wake Forest Transportation Plan and the *Wake Forest Manual of Specifications, Standards and Design* and show required right-of-way widths and road sections. A Traffic Impact Analysis (TIA) shall be required.

ii. The PUD Concept Plan demonstrates a safe and adequate on-site system of potable water and wastewater lines that can accommodate the proposed development and are efficiently integrated into off-site potable water and wastewater public improvement plans. The PUD Concept Plan shall include a proposed water and wastewater plan.

iii. Adequate off-site facilities for potable water supply, sewage disposal, solid waste disposal, electrical supply, fire protection and roads shall be planned and programmed for the development proposed in the PUD Concept Plan.

iv. The development is conveniently located in relation to schools and public safety protection services.

f. Natural Resources and environmental protection. The PUD Concept Plan for PUD demonstrates compliance with the current regulatory standards of this Ordinance related to natural resource and environmental protection in Sec. 12.3 *Erosion and Sedimentation Control Regulations*, 12.4 *Flood Damage Prevention*, 12.5 *Stormwater Management*, 12.6 *Water Supply Watershed Protection Regulations*, & 12.7 *Watercourse (Riparian Buffer Areas)* .

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

h. Complies with other relevant portions of UDO. The PUD Concept Plan demonstrates compliance with all other relevant portions of the UDO.