

What is the UDO?

The Unified Development Ordinance (UDO) combines into a single document the Town's zoning, subdivision, land use, grading, storm water management, and historic preservation regulations. It outlines the requirements for all development activity.

What's the difference between the UDO and the Comprehensive Plan?

The Comprehensive Plan is a policy document that sets out the vision and goals for the community on topics such as land use, housing, transportation, historic preservation, and special areas of town. The Plan guides important decisions but is not the law. The UDO is a regulatory document that pertains to a wide range of development activity and land use decisions.

Why is the UDO being updated?

The UDO is being updated to implement the policies and recommendations of the Comprehensive Plan that have recently been updated or adopted, such as the 2021 Northeast Community Plan, 2022 Community Plan, 2022 Historic Preservation Plan, and 2022 Housing Affordability Plan. The UDO update also includes the examination of best practices and trending topics as well as compliance with state, federal, and case law.

What do zoning districts regulate?

Zoning districts regulate which uses are allowed in which districts and may include supplemental use standards. For example, a supplemental use standard may require that a certain use only be allowed in a certain district if it is located on a higher classified street rather than a local street.

Zoning districts also regulate dimensional and bulk standards, which include required lot size and width; building setbacks; building height; and building frontage. Other development standards related to form and development layout, such as parking configuration and building design, may utilize different requirements for different zoning districts.

Why are new zoning districts being created and why are some existing zoning districts being replaced?

The current zoning districts have been analyzed for alignment with the Land Use Plan and Map within the Community Plan and Northeast Community Plan. In order to meet the goals and vision of these plans, some existing zoning districts are proposed to be changed while new zoning districts are also proposed to address gaps. Additionally, some existing zoning districts that are similar to one another are proposed to be consolidated.

What's an overlay district?

Overlay districts set standards for certain areas that are in addition to the base zoning district. Overlay districts often pertain to protecting or promoting something unique to a certain area. ➤





If my zoning allows for more uses than what's listed in the covenants of my neighborhood, which uses are allowed?

Local government regulations and HOA regulations are separate. HOA regulations often provide an additional layer of requirements and can be enforced by the HOA. The Town does not enforce HOA regulations. If the HOA covenants restrict uses beyond what is permitted by the zoning district, the covenant rules supersede the zoning use regulations because they are more restrictive.

Why does the Town not enact a moratorium on development?

North Carolina General Statutes limit the authority of municipalities to establish a temporary moratorium on development. The Town is prohibited from establishing development moratoria for the purpose of developing and adopting new or amended plans or development regulations governing residential uses.

What can the Town do to promote tree preservation?

The Town of Wake Forest does not have legal authority to prohibit clear-cutting of land under North Carolina law. For proposed development, the Town can require minimum landscape standards, such as the types, location, and size of new vegetation.

Can the Town require homes to look a certain way?

North Carolina local governments cannot require certain design standards for single family detached, duplex, and townhome developments, including type or style of materials, windows, doors, roof style, and color. The Town can require design standards in historic districts.

What can the Town do to promote water quality and habitat preservation?

Local governments cannot under state law enforce riparian stream buffer regulations that are stricter than what the State allows. The Town can regulate the amount of impervious surface area permitted in different parts of the town and the provision of stormwater control measures for water quality and quantity. In some areas, the Town can regulate additional water contaminants, such as nitrogen and phosphorus.

What types of infrastructure improvements can the Town require of new development?

Case law requires that improvements required of a development be both reasonably proportional and related to their impacts. This means that developments make improvements to the subject site and the street frontage for the subject site. Development cannot be required to resolve existing issues.

The Town requires development to make transportation improvements for their portion of sites in accordance with the adopted Comprehensive Transportation Plan. This can include right-of-way dedication, installation of sidewalk or multi-use paths, curb and gutter, street widening, greenways, and contributions towards medians. Through impact analyses, the Town and NCDOT may in some cases be able to require turn lanes, signal timing adjustments, and contributions towards new traffic signals.

Development is responsible for the installation of new streets (and associated elements such as street trees and street lighting) and water and sewer infrastructure. Public infrastructure is eventually taken over for maintenance by the Town or other public agency after completion.