

WAKE FOREST

# UDO

comprehensive  
update



from *IDEAS* to *IMPLEMENTATION*

Board of Commissioners Work Session  
November 5, 2024

# Today's Meeting

- Introductions
  - *Project Background*
- Draft UDO Overview
  - *Proposed Structure*
  - *Proposed Changes from Current UDO*
  - *Proposed Changes to Draft UDO*
- Next Steps





# INTRODUCTIONS



# UDO Update Process

- **Step 1:** Project Kick Off
- **Step 2:** Begin Public Engagement
- **Step 3:** Existing UDO Analysis & Preliminary Recommendations
- **Step 4:** Draft UDO Sections & Review Meetings
- **Step 5:** Manual of Specifications, Standards, & Design (MSSD) Comprehensive Update & Reorganization
- **Step 6:** Draft & Final UDO & MSSD
- **Step 7:** UDO Adoption



# Refinement of Draft UDO

- Two public open houses hosted
- Meetings with TRG, BoC, & PB
- Final revisions to text based on feedback from public, TRG, BoC, & PB
- Revised draft published online for public review & comment
- PB Public Comment Session and approval recommendation
- List of proposed revisions to Draft UDO based on feedback from PB, public, development community, staff, and Downtown Plan alignment prepared
- BoC Work Session to confirm proposed revisions





# DRAFT UDO OVERVIEW



# Draft UDO Overview

- Chapter 1: General Provisions
- Chapter 2: Zoning Districts & Dimensional Standards
- Chapter 3: Use Regulations
- Chapter 4: Subdivision & Lot Standards
- Chapter 5: Building Configuration & Design Standards
- Chapter 6: Open & Community Space Standards
- Chapter 7: Tree Protection, Buffers, & Landscaping Standards
- Chapter 8: Fence, Wall, Retaining Wall, & Screening Standards
- Chapter 9: Access & Circulation Standards
- Chapter 10: Lighting Standards
- Chapter 11: Utilities, Services, & Impact Fee Standards
- Chapter 12: Natural Resource Protection Standards
- Chapter 13: Sign Standards
- Chapter 14: Performance & Maintenance Standards
- Chapter 15: Nonconformities
- Chapter 16: Administrative Standards
- Chapter 17: Enforcement
- Chapter 18: Definitions

## Chapter 1: General Provisions

# Chapter Purpose & Structure

## Purpose

- Carry out the goals of the Comprehensive Plan:
  - Support a balanced mix of uses
  - Revitalize & extend Downtown
  - Enhance & maintain green space & tree canopy
  - Establish well-connected public transit
  - Maintain Wake Forest’s unique charm
  - Provide a range of housing choices
  - Establish a highly-connected network for active modes of transportation
  - Prioritize infill development
  - Strengthen the Town’s tax base & increase its job, retail, & service options

## Structure

1. General Provisions
2. Authority
3. Purpose
4. Applicability
5. Consistency with Adopted Plans & Policies
6. Required Compliance with All Applicable Laws
7. Transitional Provisions
8. Conflicting Provisions
9. Severability
10. UDO Standards Applicability Overview



# Chapter 1: General Provisions

## Changes from Current UDO

- Clarifies permit choice & vested right required under State law
- Adds general applicability table

## Changes to Draft UDO

- In the general applicability table, revise the Major Redevelopment threshold from 50% or more to 75% or more of increase in gross floor area, building value, dwelling units, disturbed area, or impervious surface area.
- For major development, remove building design standards requirement for facades not being modified

# Chapter 2: Zoning Districts & Dimensional Standards

## Chapter Purpose & Structure

### Purpose

- Establish zoning district purpose, dimensional standards, & allowed encroachments
- Allow for orderly development
- Maintain Wake Forest's historic character
- Protect natural resources

### Structure

1. General Provisions
2. Establishment of Zoning Districts
3. Base Zoning Districts
4. Planned Unit Development Zoning Districts
5. Overlay Zoning Districts
6. Allowable Encroachments
7. Height Restriction & Transition Standards
8. Residential Infill Development
9. Affordable Housing Incentives

# Chapter 2: Zoning Districts & Dimensional Standards

## Changes from Current UDO

- Establishes new base & overlay zoning districts with distinct dimensional standards for different use types
- Urban, Suburban, & Rural zoning district categories are removed
- Establishes clear distinctions between the Conditional Zoning & Planned Unit Development Districts
- Relocates allowable encroachments infill standards from Chapter 4 for ease of use & refines infill comparison lots for more accurate representation
- Adds required mix of uses
- Adds height transition standards
- Adds affordable housing incentives

## Changes to Draft UDO

- Convert proposed Activity Center Overlay District to a base zoning district
- Add clarification on building height step back requirements
- Clarify allowance of "stacking" of affordable housing incentives
- Add affordable housing incentives for the Downtown District

# Chapter 3: Use Regulations

## Chapter Purpose & Structure

### Purpose

- Establish allowed principal, accessory, & temporary uses per zoning district
- Establish how uses are permitted per district (permitted, special use, etc.)
- Establish required supplemental standards

### Structure

1. General Provisions
2. Classification of Uses
3. Principal Uses
4. Accessory Uses
5. Temporary Uses

# Chapter 3: Use Regulations

## Changes from Current UDO

- Separate tables for Principal, Accessory & Temporary Uses are established
- Use types are added to the tables to better distinguish from existing uses, address emerging uses/technologies, & to consolidate similar uses, for example:
  - *Residential: Cottage Home Court, Triplex/Quadplex, Two over Two, Retirement Home*
  - *Commercial: Artisan Production, Co-working, Contractor Service, Food Truck, (Micro) Brewery, Restricted Commercial, Short Term Rental, Accessory Commercial Unit*
  - *Industrial: Commercial Kitchen, Life Sciences/Biomanufacturing*
  - *Agriculture: Indoor Agriculture*
- Supplemental standards revised for context sensitivities

## Changes to Draft UDO

- Add Residential Care Facility and Retirement Housing as allowable uses in the TOD-O and AC Districts with supplemental standards to align with Community Plan
- Clarify townhome and single family detached transition standards
- Clarify relationship between dimensional standards for infill development and the conservation design and uses allowed through the conditional zoning process
- Add supplemental use standard for restaurants related to outdoor cooking

# Chapter 4: Lot & Subdivision Standards

## Chapter Purpose & Structure

### Purpose

- Provide for the orderly growth & development of the Town of Wake Forest;
- Provide for suitable residential & nonresidential development that further the goals of the Town as detailed in the Comprehensive Plan;
- Ensure the proper legal description, monumentation, & recordation of subdivided land; &
- Create conditions essential to public health, safety, & general welfare.

### Structure

1. General Provisions
2. Lots
3. Conservation Design
4. Subdivision Surveys

# Chapter 4: Lot & Subdivision Standards

## Changes from Current UDO

- Relocates state subdivision exemptions & subdivision survey standards from Chapter 6
- Prohibits flag lots
- Clarifies street frontage requirements
- Establishes new conservation design standards

## Changes to Draft UDO

- Add Little River Protected Watershed Area to required conservation design standards

# Chapter 5: Building Configuration & Design Standards

## Chapter Purpose & Structure

### Purpose

- Ensure that the physical characteristics of proposed development are compatible with the context of the surrounding areas
- Preserve the unique visual character & streetscapes of Wake Forest
- Create unique & inspiring places that support the pedestrian experience & promote economic vitality.
- Encourage creativity & innovation while avoiding obtrusive, incongruous structures

### Structure

1. General Provisions
2. Exterior Building Cladding Materials
3. Glazing
4. Building Entryway Design
5. Façade Design & Articulation
6. Roof Design Standards
7. Cottage Home Court Building Design Standards
8. Two Over Two Building Design Standards
9. Multifamily Building Design Standards
10. General Commercial, Greater than 100,000 sq ft Building Design Standards
11. Multibuilding Development Standards



# Chapter 5: Building Configuration & Design Standards

## Key Proposed Changes from Current UDO

- Material standards continue to emphasize high quality & masonry materials while providing greater flexibility for architectural metal & fewer allowances for Exterior Insulation and Finishing Systems (EIFS)
- Required glazing calculations shift from a transparency zone to the entire elevation to offer more flexibility in meeting requirements while continuing to require large amounts of windows
- Building entryway design standards replace the current Private Frontage regulations & Shop Front Overlay requirements with a wider range of options & applicability to more development types
- Design standards for Cottage Home Court & Two over Twos established distinct from Multifamily
- Site configuration standards proposed for large & multi-building development sites

# Chapter 5: Building Configuration & Design Standards

## Changes to Draft UDO

- Carry over administrative modification from current UDO to allow minor deviation in numerical standards (e.g. percentage of glazing, materials etc.)
- Add standards related to canopies and awnings per Downtown Plan recommendations
- Revise building articulation, roofline, and multibuilding standards for buildings in the IND District

# Chapter 6: Open & Community Space Standards

## Chapter Purpose & Structure

### Purpose

- Ensure that each new development has a range of community & open spaces within walking or biking distance;
- Preserve natural resources, improve environmental quality, & provide ecosystem services;
- Create community character & sense of place;
- Provide opportunities for people to gather & connect;
- Close gaps in park service areas; &
- Expand equity in open & community space quality & quantity throughout Wake Forest.

### Structure

1. General Provisions
2. General Open & Community Space Standards
3. Open Space Standards
4. Community Space Standards
5. Open & Community Space Improvement Standards
6. Cemetery Protection Standards

# Chapter 6: Open & Community Space Standards

## Changes from Current UDO

- Applies to residential & non-residential uses
- Clarifies open space as focused on natural or minimally programmed areas with community space focused on gathering & amenity space
- Required combined open & park space approximately twice the amount of current standards
- Adds cemetery protection standards

## Changes to Draft UDO

- n/a

# Chapter 7: Tree Protection, Buffers, & Landscaping

## Chapter Purpose & Structure

### Purpose

- Preserve & enhance Wake Forest's character,
- Improve air quality,
- Conserve water,
- Manage stormwater,
- Cool urban heat islands,
- Mitigate climate change, &
- Minimize negative off-site impacts including but not limited to noise, glare, & views to parking, service & loading areas.

### Structure

1. General Provisions
2. Tree Canopy Coverage & Protection
3. Perimeter Buffer Requirements
4. Street Buffer Requirements
5. Alley Buffer Requirements
6. Building Foundation Landscape
7. Parking Area Landscape
8. Street Trees
9. Residential Lot Landscape
10. Installation & Maintenance

# Chapter 7: Tree Protection, Buffers, & Landscaping Changes from Current UDO

- Required canopy cover standards proposed as percentage of site versus trees per area, doubling the base requirement of cover provided
- Higher canopy cover required when majority of cover achieved through replacement trees
- Increased vegetation required within landscape buffers
- Replacement of Special Highway Overlay buffers with standardized street yard buffers
- New alley buffer proposed
- New building foundation landscape proposed
- New residential lot landscape requirements proposed
- Enhanced parking area landscaping proposed with green infrastructure options
- Increased installation sizes for trees proposed

# Chapter 7: Tree Protection, Buffers, & Landscaping Changes to Draft UDO

- Add flexibility for parking area landscape requirements for utilities, such as light poles, fire hydrants, utility boxes or easements on the islands.

## Chapter 8: Fence, Wall, Retaining Wall, & Screening Standards

# Chapter Purpose & Structure

### Purpose

- Regulate the location, design, & maintenance of fences, walls, & berms
- Allow their use for safety, security, privacy, & screening
- Maintain visual harmony & enhanced community appearance

### Structure

1. General Provisions
2. Fences & Walls Standards
3. Retaining Wall & Wall System Standards
4. Berms
5. Screening



# Chapter 8: Fence, Wall, Retaining Wall, & Screening Standards

## Changes from Current UDO

- Establish retaining wall standards
- Clarify fence standards
- New berm standards proposed
- Allow screening alternatives

## Changes to Draft UDO

- n/a

# Chapter 9: Access & Circulation

## Chapter Purpose & Structure

### Purpose

- Provide local & regional transportation options
- Ensure the safety of all transportation system users
- Support the efficient movement of people & goods through a multi-modal, interconnectivity
- Minimize negative impacts on the environment
- Prioritize a human-scaled built environment that improves physical, mental, & emotional health
- Preserve the community's historic small-town character & enhances it as a business-friendly environment
- Relieves traffic congestion on streets by limiting curb cuts & promoting alternative modes of transportation
- Provides adequate, but not excessive, off-street parking

### Structure

1. General Provisions
2. Transportation Impact Analysis
3. Comprehensive Transportation Plan Improvements
4. Roadway Design
5. Internal Access Drives Standards
6. Vehicle Parking
7. Loading
8. Driveways
9. Clear Sight Triangle
10. Vehicle Stacking
11. Bicycle Parking
12. Sidewalks, Multi-Use Paths, Greenways, & Pedestrian Walkways
13. Public Transit Improvements

# Chapter 9: Access & Circulation

## Changes from Current UDO

- New TIA thresholds & study area standards
- New connectivity index for subdivisions
- Revised block length standards
- New traffic calming measures required for consideration within street design
- New internal access drives required within parking lots to create pedestrian scale environment
- Shift from parking minimums to maximums for non-residential uses
- New electric vehicle charging requirements
- Revised dimensional & spacing standards for driveways
- Enhanced greenway standards
- Enhanced public transit improvements
- Sidewalk gap standards

# Chapter 9: Access & Circulation

## Changes to Draft UDO

- Clarify TIA timing
- Revise TIA triggers
  - Increase from a quarter mile to a half mile of CTP hotspots
  - Revise from 25% increase in delay to 20% increase in delay at intersection approaches
- Revise required Downtown parking to not exempt residential projects with 100 or more dwelling units
- Exempt development utilizing structured parking from building height step back requirements as an incentive

# Chapter 10: Lighting Standards

## Chapter Purpose & Structure

### Purpose

- Regulate the physical effects of lighting,
- Minimize the negative impact that lighting may have on surrounding properties,
- Minimize light pollution, such as glare & light trespass,
- Conserve energy & resources,
- Maintain night-time safety & utility, &
- Improve the night-time visual environment.

### Structure

1. General Provisions
2. Exemptions
3. Design Standards
4. Specific Lighting Type Standards
5. Prohibited Lighting

# Chapter 10: Lighting Standards

## Changes from Current UDO

- Implement Backlight, Uplight, Glare (BUG) standards
- LED color rendering & temperature standards are proposed
- Incorporate pedestrian lighting standards
- Shift from specific street illumination standards to street light spacing standards
- Structured parking light standards are proposed

## Changes to Draft UDO

- n/a

# Chapter 11: Utilities, Services, & Impact Fees

## Chapter Purpose & Structure

### Purpose

- Ensure that new developments in Wake Forest are well-integrated with municipal infrastructure & support community resources.

### Structure

1. Utilities
2. Waste Management
3. Impact Fees

# Chapter 11: Utilities, Services, & Impact Fees

## Changes from Current UDO

- Clarifies when annexation is required
- Clarifies required waste management
- Co-locates all impact fee standards together

## Changes to Draft UDO

- Remove information about Municipal Service District



# Chapter 12: Natural Resource Protection Standards

## Chapter Purpose & Structure

### Purpose

- Control erosion & sedimentation from land-disturbing activity
- Minimize public & private losses due to flood conditions
- Control the adverse effects of increased post-development stormwater runoff & nonpoint & point source pollution
- Improve water quality & provide safe drinking water

### Structure

1. General Provisions
2. Development Site Environmental Assessment
3. Permits Required
4. Erosion & Sedimentation Control
5. Grading
6. Flood Damage Prevention
7. Stormwater Management
8. Watershed Protection
9. Watercourse (Riparian) Buffer Areas

# Chapter 12: Natural Resource Protection Standards

## Changes from Current UDO

- Add new nutrient (nitrogen & phosphorus) reduction requirements Town-wide (previously only Falls Lake watershed) due to changes in State regulation
- Increase design requirements for 25-year storm event instead of 10-year storm event
- Add Little River Watershed & associated restrictions
- No changes proposed to existing watershed protection standards
- New grading standards are proposed

## Changes to Draft UDO

- Clarify pond disturbance allowed when dam safety hazard concerns are present

# Chapter 13: Sign Standards

## Chapter Purpose & Structure

### Purpose

- Promote the safety of persons & property by ensuring that signs do not create a hazard;
- Promote the efficient communication of messages;
- Enhance the appearance & economic value of the landscape;
- Ensure signs are compatible with their surroundings, & prevent the display of signs that are a nuisance;
- Enhance property values & business opportunities;
- Assist in wayfinding; &
- Provide fair & consistent permitting & enforcement

### Structure

1. General Provisions
2. Permitted & Allowed Sign Types by District
3. General Sign Standards
4. Permanent Building Sign Standards
5. Permanent Ground Sign Standards
6. Temporary Attached Sign Standards
7. Temporary Freestanding Sign Standards
8. Prohibited Signs & Content
9. Temporary Sign Plan
10. Abandonment

# Chapter 13: Signs

## Changes from Current UDO

- Eliminate content-specific sign standards to comply with Supreme Court decision in Reed vs. the Town of Gilbert, AZ
- Provide greater flexibility for temporary signs
  - *More sign options*
  - *Varied duration of display standards*
  - *Temporary Sign Plan option*
  - *Electronic signage in Civic & Institutional District*
- Sign copy is proposed to be primarily channel letters or other methods of directly affixing permanent signage without the use of raceways or cabinets.

## Changes to Draft UDO

- Add sign standards for the AC District due to conversion from overlay to base district

# Chapter 14: Performance & Maintenance

## Chapter Purpose & Structure

### Purpose

- Ensure successful completion of required improvements in a reasonable time
- Require mitigation of proportional development impacts
- Ensure public infrastructure meets all requirements
- Require perpetual maintenance

### Structure

1. General Provisions
2. Payment in Lieu of Required Improvements
3. Performance Guarantees
4. Improvement Completion & Acceptance by Town
5. Maintenance

# Chapter 14: Performance & Maintenance

## Changes from Current UDO

- Co-locates all payment in lieu information together
- Co-locates all maintenance standards together
- Clarifies performance guarantees in accordance with State statutes
- Clarifies phasing standards
- Additional maintenance standards are added, including parking areas, cemeteries, & fences

## Changes to Draft UDO

- n/a

# Chapter 15: Nonconformities

## Chapter Purpose & Structure

### Purpose

- Bring as many nonconformities into conformance or closer to conformance as feasible or reasonably practical;
- Recognize the existing investments made & interests of property owners in continuing to use nonconformities; &
- Preclude the expansion, reconstruction or reestablishment of nonconformities

### Structure

1. General Provisions
2. Nonconforming Lots
3. Nonconforming Buildings & Structure
4. Nonconforming Site Elements
5. Nonconforming Uses
6. Nonconforming Signs

# Chapter 15: Nonconformities

## Changes from Current UDO

- Reorganizes nonconforming features for clarity
- Adds flexibility for historic structures
- Changes nonconforming use discontinuation period from one year to 90 days
- Nonconformities applicability matrix is removed & incorporated into general applicability table in Chapter 1

## Changes to Draft UDO

- n/a



# Chapter 16: Administrative Standards

## Chapter Purpose & Structure

### Purpose

- Establish an orderly process to develop land the Town.
- Provide a clear & comprehensible development process that is fair & equitable to all interests including:
  - *Petitioners,*
  - *Affected neighbors,*
  - *Town Staff & related agencies, &*
  - *The Board of Commissioners.*

### Structure

1. General Provisions
2. Administrative Agencies
3. Procedures Overview
4. General Procedures
5. Administrative Procedures
6. Quasi-Judicial Procedures
7. Legislative Procedures

# Chapter 16: Administrative Standards

## Changes from Current UDO

- Add combined site plan & construction plan review option for certain site scenarios
- Add Development Agreement process
- Add Interpretation process
- Add Reforestation Permit process corresponding to recent Code of Ordinances amendment
- Clarify & expand upon current Administrative Modification allowances

- Add legislative process for extended vested rights requests
- Limits Conditional Zoning District requests to more restrictive conditions only
- Add process diagrams



# Chapter 16: Administrative Standards

## Changes to Draft UDO

- Carry over 15% administrative modification from current UDO to allow minor deviation in numerical standards (e.g. percentage of glazing, materials etc.)

# Chapter 17: Enforcement

## Chapter Purpose & Structure

### Purpose

- Establishes procedures for ensuring compliance with UDO
- Establishes remedies & penalties for UDO violations

### Structure

1. General Provisions
2. Violations
3. Responsible Entities
4. Enforcement Procedures
5. Remedies
6. Penalties

# Chapter 17: Enforcement

## Changes from Current UDO

- Reorganizes for clarity
- Consolidates citation & civil penalty amounts
- Clarifies tree removal penalties in accordance with State statutes

## Changes to Draft UDO

- n/a

# Chapter 18: Definitions & Interpretation

## Chapter Purpose & Structure

### Purpose

- Define words & concepts

### Structure

1. General Provisions
2. Rules of Construction & Interpretation
3. Rules of Measurement
4. #
5. A-Z

# Chapter 18: Definitions & Interpretations

## Changes from Current UDO

- Adds more definitions for clarity
- Adds acronyms for clarity
- Adds & co-locates rules of construction, interpretation, & measurement

## Changes to Draft UDO

- Clarify where height is measured for unconventional lot configurations



# NEXT STEPS





# Next Steps

Timeline	Next Steps
Nov. 5	Board of Commissioners Work Session
Nov. 19	Board of Commissioners Public Hearing
Dec. 17	Board of Commissioners Public Hearing & Adoption
Early 2025	Zoning Map Drafting & Engagement
Mid 2025	Zoning Map Adoption & UDO Effective





# STAFF RECOMMENDATION



# Staff Recommendation

Staff recommends approval of the text amendment with the proposed revisions incorporated and finds it to be generally consistent with the Comprehensive Plan and in the public interest because it is consistent with Community Plan direction for:

- Residential Character
- Senior Housing
- Commercial Development
- Setbacks
- Parking Lots
- Screening & Buffering
- Community Character
- Historic Preservation
- Community Facilities
- Public Transit
- Street Connectivity
- Sidewalks & Multi-Use Paths
- Bikeways, Greenways & Trails
- Conservation Design
- Green Space Preservation
- Tree Canopy
- Sustainable Design
- Downtown Wake Forest