

Wake County Unified Development Ordinance Amendment OA-02-22

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Stakeholder & Public Engagement

1. PLANWake
2. Home Builder's Association of Raleigh / Wake County
3. Wake County Soil and Water Conservation District

3,642
Surveys Completed

93,247
Ideas and
Comments
Collected

45
Public Events

18
Stakeholder
Meetings
Conducted

Proposed Amendments

1. Amend the open space requirements for certain new subdivisions and include a farmland protection incentive.
2. Consider the preservation and protection of “agricultural resources” during subdivision review/design.
3. Amend requirements for greenway trail easements and connections in new subdivisions.
4. Amend references and other language in the UDO to align with the new Comprehensive Plan.

UDO Article 5-12
Open Space Requirements and Farmland
Protection Incentive



Purpose

Amend open space requirements for new subdivisions and include a farmland protection incentive.

- Address the community's concern about the loss of natural areas.
- Simplify subdivision options offered to developers.
- Maintain the incentives of the Cluster subdivision that many developers use.
- Incorporate tools to protect existing farmlands from adjacent developments.

Background

- The UDO includes three options for subdivision development.
 1. Conventional
 2. Cluster
 3. Open Space
- The Cluster and Open Space subdivisions require open space to be preserved as part of the development.
- The Cluster and Open Space subdivisions have incentives that allow for smaller lot sizes, but overall density stays the same.
- The Open Space subdivision is rarely used (community sewer).

Proposed Amendments

1. Combine the standards of the Cluster subdivision and Open Space subdivision and call them Open Space subdivisions.
2. In water supply watersheds, maintain the current open space requirement for Open Space (Cluster) subdivisions at 25%.
3. In areas outside of water supply watersheds, increase the open space requirement for Open Space (Cluster) subdivisions from 10% to 25%.
4. Conventional (lot-by-lot) subdivisions require no open space set aside.
5. Incorporate a farmland protection incentive.

Farmland Protection

- Amend UDO Section 5-12 to provide an incentive to locate open space adjacent to designated farms (VAD, EVAD or permanent Conservation Easement).
- The open space set-aside requirement could be reduced from 25% to 15%.

UDO Article 8-30 Preservation and Protection of Agricultural Resources



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Purpose

Incorporate strategies for farmland protection and other natural, historical and cultural resources.

- Identify natural, cultural, historical, and agricultural resources during the development process.
- PLANWake advocates for the protection of agricultural resources.

Background

- The UDO currently requires due consideration be given to preserving natural features (woodlands, steep slopes, rock outcroppings, ponds, streams, and lakes) as well as the preservation of historic and cultural resources when developing a subdivision.
- Agricultural resources is NOT included in the current language.
- There's no authority to require additional measures for protection of these resources during the development process.

Proposed Amendments

1. Incorporate the identification of designated agricultural uses adjacent to a proposed subdivision development.
2. Include authorization for the Planning Director to require the subdivision design implement further measures that preserve and protect natural, agricultural, cultural, and historic resources as part of the overall subdivision design.

**UDO Article 8-33
Greenway Trail Easements,
Connections and Construction**



Purpose

Amend requirements for pedestrian/trail connections for new subdivisions.

- To update the county's efforts to promote pedestrian and bicycle mobility.
- Develop standards that take advantage of pedestrian/trail connections that are planned or already exist.
- Incorporate references to the County's 2017 Greenway System Plan.

Background

- The UDO includes guidelines for when and where pedestrian, bicycle, and off-road trail improvements are required.
- There are currently no standards for off-road trail easements in the UDO.
- The County adopted its first Greenway System plan in 2017.

Proposed Amendments

1. Incorporate standards for proposed developments to dedicate off-road trail easements for future greenway trails.

Amend Various Articles of the Unified Development Ordinance to Align with the New Comprehensive Plan



Purpose

Amend references and other language in the UDO to align with the new Comprehensive Plan

- The UDO has many references to the former Land Use Plan, which has been replaced by the new Comprehensive Plan.
- Language in the UDO needs to align with the new Comprehensive Plan.

Background

- The County adopted the new Comprehensive Plan in April 2021.
- The Comprehensive Plan has introduced new planning terms and approaches to our land use planning, while eliminating others.

Proposed Amendments

- “Activity Centers” have changed to “Multi-Use Districts”
- “Urban Service Areas” are no longer used
- The Land Use Plan is replaced by the Comprehensive Plan
- “Cluster” subdivisions are being combined with “Open Space” subdivisions

Activity Centers	Urban Service Areas	Land Use Plan	Cluster
3-53	3-53	1-12	3-20-1B
4-10-3	3-74-3	3-21-2	3-23-5
4-11	5-12	3-53	3-74-7
4-52	8-32-4B	3-71-1	4-41
4-59-3	8-33	3-73-1	4-55
6-22	12-11-2	3-74-3	5-10
8-33	WSWS Definition	4-10-3	5-11
19-23		4-48	5-12
		4-52	5-13-2
		4-59-3	5-14
		5-12	5-20
		6-11	8-31-1
		6-22-3	8-32
		8-14	9-20-3
		8-33	11-25
		12-11-2	Cluster Definition
		19-14	
		19-20	
		19-21	
		19-23	
		LUP Definition	

Proposed Amendments

Add four new definitions in UDO Section 21-11:

- Comprehensive Plan
- Development Framework Map
- Municipal Transition Area
- Open Space Subdivision

Staff Findings and Recommendations



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Staff Findings

1. Aligns the UDO with the new Comprehensive Plan (PLANWake).
2. Addresses the community's concern about the loss of natural areas.
3. Under certain circumstances, increase in open space requirements and trail easement requirements may result in the loss of new lots, impacting the cost of housing in that community.
4. Gives agricultural uses (and natural, cultural and historic resources) due consideration during the development review process.
5. Provides a farmland protection incentive as an initial step toward developing further tools for farmland protection.
6. Plans for future trails that are identified on County and municipal greenway plans.

Staff Recommendation

That the Wake County Board of Commissioners adopt the text amendments as presented.

Planning Board Recommendation

On October 5, 2022, the Planning Board voted 6-1 to recommend that the Board of Commissioners adopt the statement of consistency for Ordinance Amendment 02-22 as presented; and by separate motion, voted 7-0 to recommended that the Board of Commissioners adopt Ordinance Amendment 02-22 as presented.

Public Comment



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