

## Proposed Zoning Map Amendment Staff Report

**Board of Commissioners Meeting: September 16, 2024**

**Case #: PLG-RZ-005262-2024**

**Request:** This request is to add Wake County zoning to nine parcels consisting of approximately 27.85 acres that were removed from the Town of Fuquay-Varina corporate limits by North Carolina General Assembly House Bill 909 / Session Law 2024-20 on June 28, 2024 with an effective date of June 30, 2024.

**Location:** The properties are located on the north side of Eddie Howard Road between Kennebec Road and Walter Myatt Road.

**Current Zoning:** Pursuant to state law, the properties were removed from the Town of Fuquay-Varina corporate limits on June 28, 2024 with an effective date of June 30, 2024 requiring the need for Wake County zoning to be established on the properties. The properties were formerly zoned Residential Agricultural (RA) when they were in the Town of Fuquay-Varina corporate limits.

**Proposed Zoning:** Wake County Zoning: Residential-30 District (R-30)

**Existing Land Uses:** Vacant, Farm, & Single-family Residential

**Petitioner:** Wake County

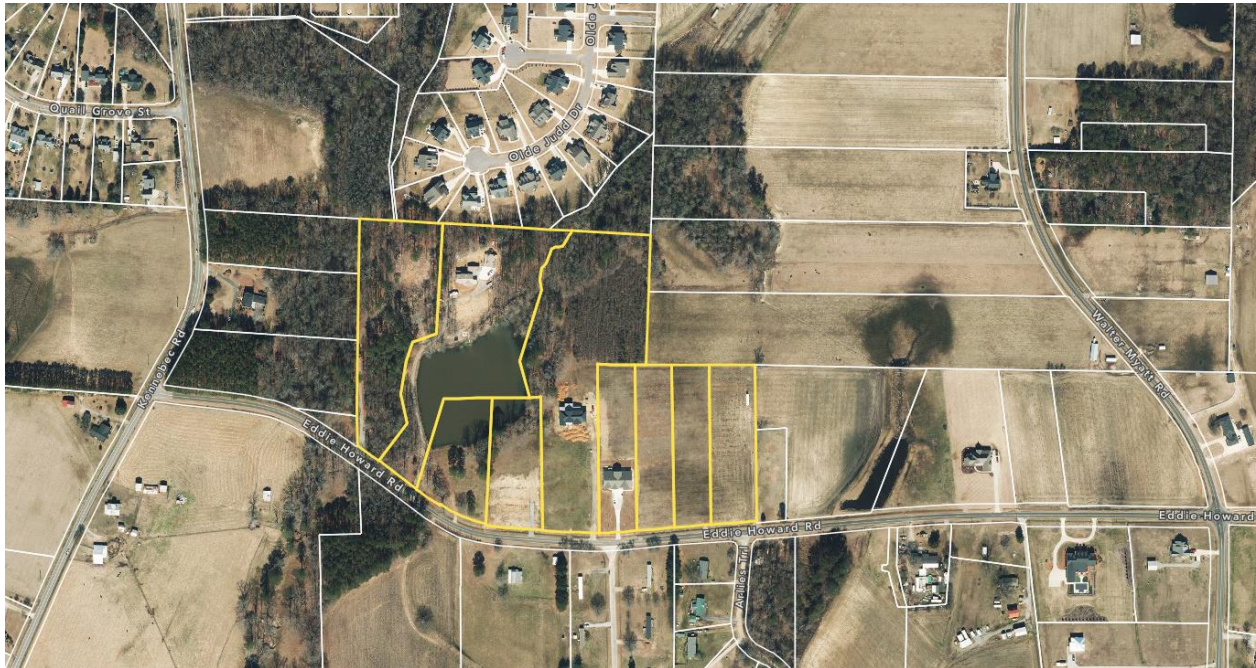
**Owners:** Zachary H & Elizabeth M Hayes, Jacob & Heather Bowes, Calvin J & Oris H Jones, Frank M Rodolico Family Trust, Gary J McCabe Trustee & Nicole A McCabe Trustee, Richard D & Teresa S Shores, Randall W & Nikki L Fenske, Christopher & Heather Neese, & Cody & Christina Snyder

**PIN Numbers:** 0686176102, 0686174112, 0686173124, 0686172104, 0686170780, 0686078065, 0686076160, 0686076591, & 0686074504

### Surrounding Land Uses and Zoning Districts

Direction	Land Use	Zoning District
North	Vacant, agricultural & single family residential	R-30 (Wake County) & RA (Fuquay-Varina)
East	Vacant, agricultural & single family residential	R-30 (Wake County)
South	Vacant, agricultural & single family residential	R-30 (Wake County)
West	Vacant & single-family residential	RA (Fuquay-Varina)

## Aerial Map



## Land Use/Zoning History

- 1973: General Wake County zoning was first applied to the subject properties and surrounding areas
- 2017: Properties annexed by the Town of Fuquay-Varina
- 2024: Properties removed from the corporate limits of the Town of Fuquay-Varina

## Wake County Comprehensive Plan

The subject properties are located in the Community Area on the Wake County Development Framework Map. The Community Area is envisioned as having a predominantly residential use with a mix of home types that offer the scenic views and pastoral amenities of suburban living, while retaining close access to the benefits and cultural opportunities of the adjacent urban centers.

The proposed Residential-30 district zoning allows for low density residential development with a minimum lot size of 30,000 square feet. The proposed R-30 district also allows for a limited number of nonresidential uses upon receiving a special use permit issued by the Board of Adjustment such as churches, schools, and daycares. Please see the attached listing of all uses that are permissible within the R-30 district. The requested R-30 district allows for a residential density and a limited range of nonresidential uses that are consistent with the Comprehensive Plan and are

reasonable and appropriate for the area. Any future use on the subject properties will have to be determined to be consistent with the Comprehensive Plan via a site-specific development plan before it can be approved.

In accordance with the North Carolina General Statutes and the Wake County Unified Development Ordinance (UDO), any proposed rezoning should be consistent with the Comprehensive Plan. It is the planning staff's professional opinion that the rezoning to Residential-30 zoning and the permissible densities and range of uses would be consistent with the Comprehensive Plan and are reasonable and appropriate for the area.

### **Required Statement of Consistency with the Comprehensive Plan and Public Interest**

North Carolina General Statute 160D-604 and Section 19-20-6 (E) of the Wake County UDO require that the Planning Board provide the Board of Commissioners with a statement of whether or not the proposed rezoning petition is consistent with the Comprehensive Plan and otherwise advances the public health, safety, and general welfare. In making a determination to approve the rezoning petition, the Board of Commissioners must adopt a statement describing whether or not the proposed petition is consistent with the Comprehensive Plan and otherwise advances the public health, safety, and general welfare, or why it chose not to follow the Comprehensive Plan and how that decision is reasonable and in the public interest--if that is the case.

The planning staff has drafted a statement of consistency and public interest for consideration by the Planning Board (see attached).

### **Input from Neighboring Property Owners**

Planning staff mailed out letters to adjacent property owners and posted public meeting notice signs on Eddie Howard Road. The planning staff has received phone calls in response to those efforts to solicit neighborhood feedback.

### **Utilities**

The subject properties either already have individual well and septic disposal systems or would be developed with individual well and septic disposal systems.

### **Environmental Issues**

A portion of the subject properties contain Wake County flood hazard soils and USGS blue line streams. Various provisions of the Wake County UDO will restrict or prohibit development within these environmentally sensitive areas. All these areas of concern will be addressed during the review of any subsequent development plans and permits.

### **Transportation**

The subject properties have frontage on Eddie Howard Road. The segment of Eddie Howard Road that serves as frontage of the subject site is currently a 60-foot public right-of-way.

Any future redevelopment on the properties will be required to comply with the requirements of the Wake County UDO related to the provision of transportation facilities identified on the Wake County Transportation Plan. Any roadway improvements and/or driveway permits will have to be coordinated with, and approved by, the North Carolina Department of Transportation (NCDOT).

### **Traffic Impact Analysis**

A Traffic Impact Analysis (TIA) is required by the Wake County UDO, for any development, that generates more than 1,000 trips per day, or more than 100 peak-hour trips, as determined by the Institute of Transportation Engineers' Trip Generation Manual for specific proposed uses. Any required TIA must be submitted during the development plan approval process.

### **Planning Staff Findings**

1. The proposed Residential-30 rezoning and the permissible density and range of uses are consistent with the Comprehensive Plan's designation and are reasonable and appropriate for the area.
2. The proposed rezoning complies with the Comprehensive Plan's Development Framework Map classification of Community in that development of the Community areas should provide for predominantly residential uses that offer the scenic views and pastoral amenities of suburban living, while retaining close access to the benefits and cultural opportunities of the adjacent urban centers.
3. A detailed site plan must be approved by the appropriate Wake County entity prior to future redevelopment.
4. The properties were removed from the corporate limits of the Town of Fuquay-Varina by House Bill 909 / Session Law 2024-20 on June 28, 2024 with an effective date of June 30, 2024.
5. Staff has notified the Wake County Tax Administrator as it pertains to changes in tax assessment for the nine properties.

### **Planning Staff Recommendation**

The planning staff recommends **approval** of the requested zoning map amendment, PLG-RZ-005262-2024, as presented, and finds that the zoning map amendment is consistent with the Comprehensive Plan, and otherwise advances the public health, safety, and welfare.

### **Planning Board Recommendation**

The Planning Board voted unanimously to recommend approval of the rezoning request at its August 7, 2024 meeting.