

ORDINANCE APPROVING A REQUEST TO REZONE A 0.604-ACRE PORTION OF THE 2.934-ACRE PROPERTY LOCATED AT 9101 FALLS OF NEUSE ROAD FROM RESIDENTIAL-40 WATERSHED (R-40W) TO CONDITIONAL USE-RESIDENTIAL-40 (CU-R-40) AND TO AUTHORIZE STAFF TO SUBMIT THE REQUESTED CHANGE TO THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FORMAL APPROVAL. [PLG-RZ-002881-2021]

WHEREAS, this request is to rezone a 0.604-acre portion of the 2.934-acre property located at 9101 Falls of Neuse Road from Residential-40 Watershed (R-40W) to Conditional Use-Residential-40 (CU-R-40) to allow for a technical correction of the outermost watershed boundary based upon a field verified topographic survey, and to authorize staff to submit the requested change to the North Carolina Department of Environmental Quality for formal approval [PLG-RZ-002881-2021]; and

WHEREAS, the proposed Conditional Use-Residential-40 rezoning, and the permissible range of uses are consistent with the Land Use Plan's designation, are reasonable, and appropriate for the area, and otherwise advances the public health, safety, and general welfare; and

WHEREAS, the proposed rezoning complies with two (2) stated goals of the Wake County Land Use Plan; and

WHEREAS, a detailed traffic assessment statement prepared by a professional traffic engineer indicated that the proposed development would generate less traffic than the threshold for a formal Traffic Impact Analysis and would increase traffic on the adjacent roadway by only 1.6% and an on-going NCDOT project to widen Falls of Neuse Road within this immediate area that should help improve traffic conditions; and

WHEREAS, a detailed site plan must be approved by the appropriate county and state agencies prior to future development on the subject property to ensure compliance with all applicable regulations, which will ensure protection of the public health, safety and general welfare; and

WHEREAS, the City of Raleigh's planning staff has not made any comments on the rezoning petition; and

WHEREAS, the planning staff recommends approval of the rezoning petition as presented; and

WHEREAS, the Department of Environmental Quality staff has not indicated any issues or concerns with the proposed technical correction of the watershed boundary; and

WHEREAS, on May 4, 2022, the Wake County Planning Board voted unanimously to recommend that the Board of Commissioners approve the proposed zoning map amendment as presented; and

WHEREAS, the Wake County Board of Commissioners held a duly-noticed public hearing

on June 21, 2022 to consider amending the zoning map by approving the requested rezoning of a 0.604-acre portion of the 2.934-acre property located at 9101 Falls of Neuse Road from Residential-40 Watershed (R-40W) to Conditional Use-Residential-40 (CU-R-40) to allow for a technical correction of the outermost watershed boundary based upon a field verified topographic survey, and to authorize staff to submit the requested change to the North Carolina Department of Environmental Quality for formal approval. [PLG-RZ-002881-2021]

NOW, THEREFORE, BE IT ORDAINED BY THE WAKE COUNTY BOARD OF COMMISSIONERS:

SECTION I

The proposed rezoning, is found to be consistent with the Land Use Plan, reasonable, and otherwise promotes the public health, safety and general welfare, therefore, the Wake County Zoning Map is hereby amended to rezone the 0.604-acre portion of the 2.934-acre property located at 9101 Falls of Neuse Road from Residential-40 Watershed (R-40W) to Conditional Use-Residential-40 (CU-R-40) to allow for a technical correction of the outermost watershed boundary based upon a field verified topographic survey, and to authorize staff to submit the requested change to the North Carolina Department of Environmental Quality for formal approval. [PLG-RZ-002881-2021].

SECTION II

This ordinance to amend the Wake County Zoning Map as petitioned shall become effective upon adoption.

Commissioner _____ made a motion that the above ordinance be adopted. Commissioner _____ seconded the motion, and upon vote, the motion carried this 21st day of June 2022.

This Instrument Approved as to Form

Wake County Attorney

Date