

ORDINANCE APPROVING A STATEMENT OF LAND USE PLAN CONSISTENCY, REASONABLENESS, AND PUBLIC INTEREST REGARDING A REQUEST (ZP-892-16) TO AMEND THE WAKE COUNTY ZONING MAP BY REZONING TWO TRACTS TOTALING 116-ACRE LOCATED ON THE 7400 BLOCK OF CLEVELAND SCHOOL ROAD FROM RESIDENTIAL-30 (R-30) WITH A RESOURCE CONSERVATION OVERLAY-2 (RCOD-2) TO CONDITIONAL USE-RESIDENTIAL-15 (CU-R-15) WITH A RCOD-2 OVERLAY.

WHEREAS, the request is to rezone two tracts totaling 116 acres located on the 7400 block of Cleveland School Road from Residential-30 zoning with a Resource Conservation Overlay-2 to Conditional Use-Residential-15 with a RCOD-2 overlay;

WHEREAS, the requested rezoning to Conditional Use-Residential-15 (with a RCOD-2), and the stated proposed uses are consistent with the Fuquay Varina/Garner Area Land Use Plan designation for medium-density residential uses of 1 to 4 dwelling units per acre for this area;

WHEREAS, the requested rezoning is consistent with the land use plan's objective 1.b which calls for the development of land use plans in conjunction with the relevant municipality;

WHEREAS, the requested rezoning is consistent with two of the stated goals of the Land Use Plan, more specifically:

- i) Goal # 2--To encourage growth close to municipalities, to take advantage of existing and planned infrastructure, such as transportation, water and sewer facilities;
 - ii) Goal # 3--To encourage the development of communities which provide adequate land for anticipated demands, in a pattern which allows a mixture of uses;
- b) WHEREAS, the requested rezoning is consistent with two of the stated goals of the Fuquay-Garner Area Land Use Plan, more specifically:
- i) Goal # 2 - Encourage growth that will take advantage of existing and planned infrastructure so that municipalities are able to provide basic public services in accordance with their adopted plans;
 - ii) Goal # 3 - Focus compact development in mixed-use activity centers that include housing, commercial services and employment opportunities designed with convenient pedestrian and vehicular access from surrounding development areas;

WHEREAS, the requested rezoning is reasonable, and in the public interest, because it would allow for subsequent development that would:

- i) prohibit land uses that are incompatible with nearby residential uses and by limiting lighting impacts;
- ii) permit uses compatible with the surrounding neighborhood and adjacent properties;

iii) not adversely impact adjacent properties from a stormwater perspective.

All of which advance the public health, safety, and general welfare;

WHEREAS, the requested rezoning is reasonable and in the public interest because various provisions in the Wake County Unified Development Ordinance, and the established development review process with outside agencies such as the North Carolina Department of Transportation, and with other County departments, will ensure that there are no significant adverse impacts on the public health, safety and general welfare;

WHEREAS, the planning staff recommends that the requested rezoning, as presented, is consistent with the Land Use Plan, reasonable, and otherwise advances the public health, safety, and general welfare as outlined in the draft statement;

WHEREAS, on March 1, 2017, the Wake County Planning Board voted 10 to 0 to recommend to the Board of Commissioners that the proposed zoning map amendment, with the modification that the use will be limited to single family detached residential dwellings with a density of up to 312 dwellings, is consistent with the Land Use Plan, reasonable, and in the public interest as further described in the minutes of their meeting; and

WHEREAS, the Wake County Board of Commissioners held a duly-noticed public hearing on April 3, 2017 to consider adopting the staff's draft statement of consistency, reasonableness, and public interest regarding the requested zoning map amendment.

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

SECTION I

The requested rezoning, is found to be consistent with the Land Use Plan, reasonable, and in the public interest, as outlined in the draft statement.

SECTION II

This statement of consistency, reasonableness, and public interest, is hereby adopted.

Commissioner _____ made a motion that the above ordinance be adopted. Commissioner _____ seconded the motion, and upon vote, the motion carried this 3rd day of April 2017.

This Instrument Approved as to Form

Wake County Attorney

Date