

**ORDINANCE APPROVING 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 two of the stated goals of the Land Use Plan, more specifically:

Goal # 2--To encourage growth close to municipalities, to take advantage of existing and planned infrastructure, such as transportation, water and sewer facilities;

Goal # 3--To encourage the development of communities which provide adequate land for anticipated demands, in a pattern which allows a mixture of uses;

WHEREAS, the traffic volumes and accident reports from the North Carolina Department of Transportation do not indicate significant traffic issues for Cleveland School Road.

WHEREAS, a detailed subdivision plan must be approved by the appropriate Wake County entity prior to future development on the subject properties to ensure compliance with all applicable regulations;

WHEREAS, the site is located within the Town of Garner's Long-Range Urban Services Area, and the town's planning staff is in agreement with conditions 3 and 4 of the rezoning petition;

WHEREAS, on March 1, 2017, the Wake County Planning Board voted 10 to 0 to recommend that the Board of Commissioners approve 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; and

WHEREAS, the Wake County Board of Commissioners held a duly-noticed public hearing on April 3, 2017 to consider amending the zoning map to rezone the entire area, or part of the area, to the classification and uses requested, or to a more restrictive classification or to a more limited range of uses.

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 above described properties from Residential-30 zoning with a Resource Conservation Overlay-2 to Conditional Use-Residential-15 with a RCOD-2 overlay;

**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 3rd day of April 2017.

This Instrument Approved as to Form

\_\_\_\_\_  
Wake County Attorney

\_\_\_\_\_  
Date