

Wake County Unified Development Ordinance (UDO) OA - 01 – 18

Wake County Board of Commissioners July 23, 2018



Ordinance Amendment OA-01-18 Purpose

- To update and edit four sections of the Wake County Unified Development Ordinance pertaining to lakes and dams, processing of reports to the Board of Adjustment, and definitions used for planning purposes
 - Brings UDO in line with North Carolina State Law
 - Reflects current practice for processing special use requests heard by the Board of Adjustment
 - Clarifies definitions of Floor Area and Lot Width

Conforms with State Law

- Article 8-42 regulates construction of lakes and dams
- 8-42-3 refers to standards in Dam Safety Law
- Recommend amendment to section 3 to be consistent with revision to Dam Safety Law
 - Revise height from 15 to 25 feet
 - Revise size from 10 to 50 acre feet

8-42 Regulates Lakes and Dams

8-42-3 Any lake with a dam that is ~~15~~ 25 feet in height or more, or ~~has~~ an impoundment capacity of ~~10~~ 50-acre feet or more must obtain State agency approval in accordance with Article 21, Chapter 143 of the North Carolina General Statutes.

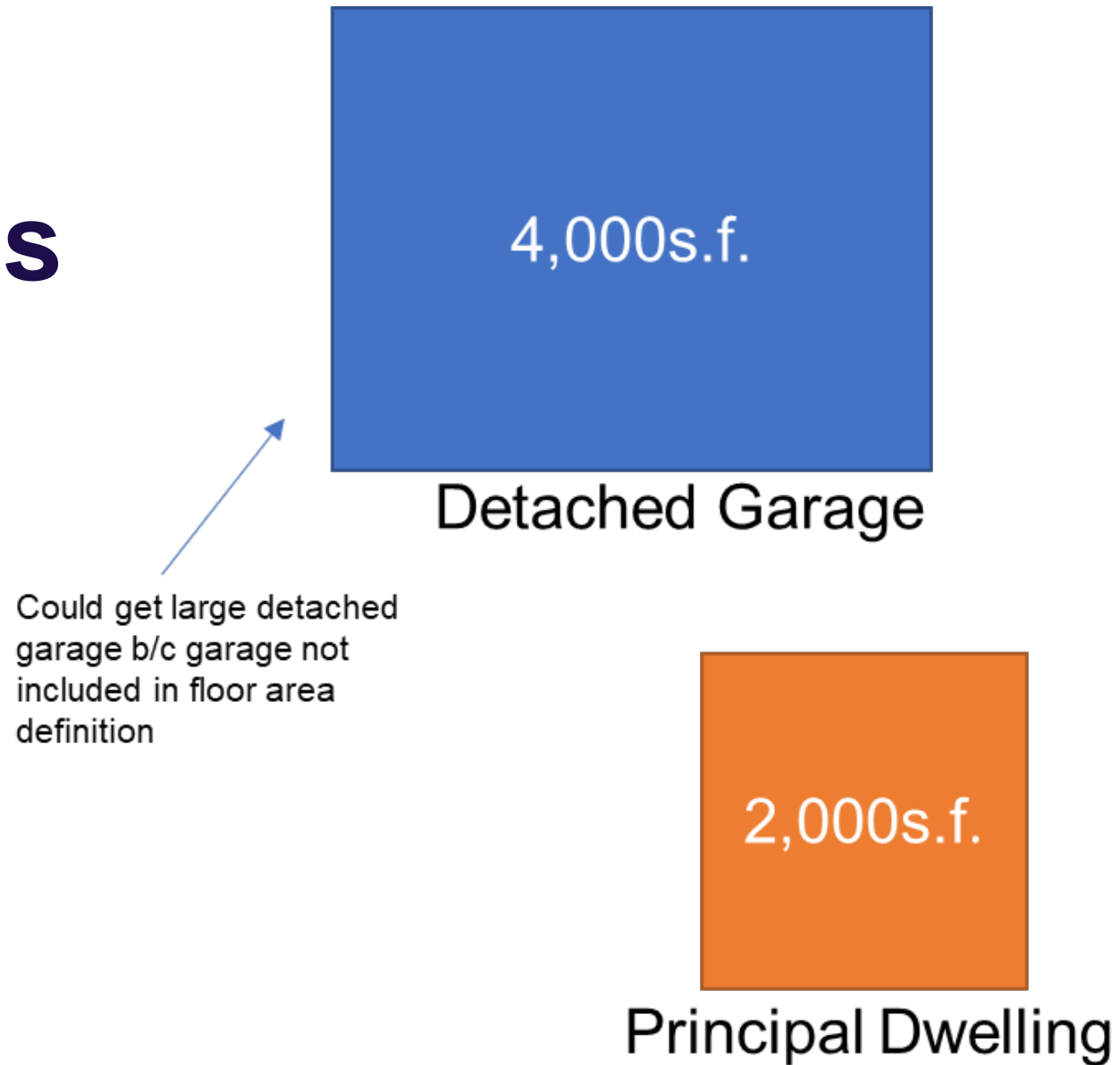
Changes Special Use Procedure

- Staff does **not** provide a recommendation to the Board of Adjustment regarding special use applications.
- Recommended Text Change:
 - (E)The Planning Director must then prepare a staff report that summarizes the analysis. ~~and recommends approval or denial of the application.~~

Corrects Floor Area Definition

- The sum of the enclosed areas on all floors of a building or buildings, measured from the outside of exterior walls, including halls, lobbies, arcades, stairways, elevator shafts, enclosed porches, garages and balconies, and any below ground floor areas used for access and storage. Open terraces, patios, atriums, ~~or~~ balconies, carports, ~~garages~~, breezeways, and screened porches are excluded from floor area calculations

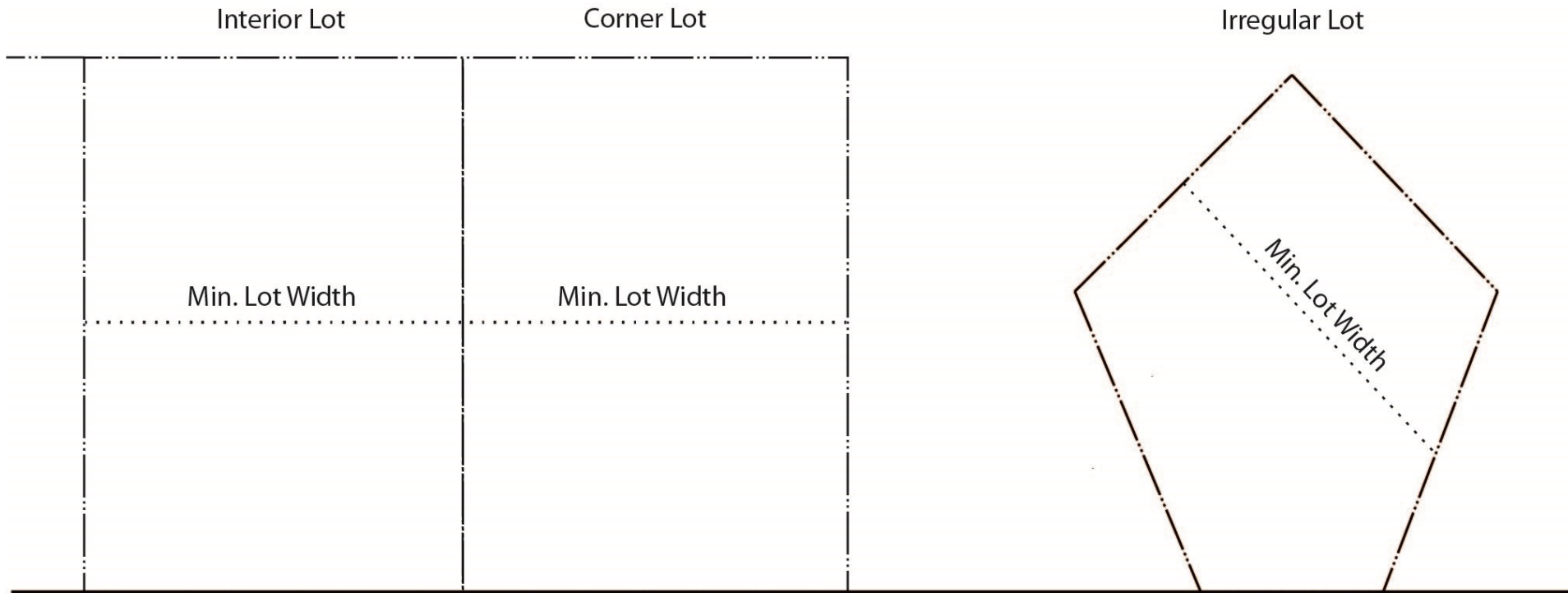
Current Unintended Inconsistencies



Clarifies How Lot Width is Measured

The horizontal distance between the midpoints of the side lot lines. Lot width on corner lots is the horizontal distance between one of the front lot lines and the opposite interior lot line. Lot width for irregularly shaped lots is measured from the midway point of the shortest side lot line perpendicular to the other side property lot line.

Clarifies How Lot Width is Measured



OA-01-18 Staff Findings

- Brings Wake County Unified Development Ordinance in line with North Carolina Law
- Reflects current practice for preparing reports to the Board of Adjustment
- Establishes clear guidelines for determining floor area calculations and lot width

Public Comment

Staff Recommends

That the Board of Commissioners adopt proposed ordinance amendments 01-18 as presented

Planning Board Recommendation

- That the Board of Commissioners: Approve Ordinance Amendment OA-01-18, as presented (vote 9 to 0)

Suggested Motion

That the Board of Commissioners:

1. Adopt the statement of consistency finding that Ordinance Amendment OA-01-18 is consistent with the Land Use Plan, Unified Development Ordinance, reasonable, and in the public interest

And by a separate motion

2. Approve the Ordinance Amendment OA-01-18, as presented