



ETJ Expansion Text Amendment Crosswalk

As the Town’s proposed ETJ expansion is being reviewed, the Town has received considerable community input, especially regarding permitted uses within the Town and County’s respective jurisdictions. This document provides a comparison of a number of these uses identified as meaningful to residents of the Town’s ETJ. A comparison of current Wake County and Fuquay-Varina standards is provided, followed by a summary of the text amendment language being proposed by Town staff.

Accessory Structures			
	Wake County	TOFV	Proposed Text Amendment
Number	Up to three (3) structures	Up to three (3) structures in ETJ	*Existing standards are comparable
Sq. Ft	No more than principal building	< 1 acre: 10% of lot size; 1 acre or more: 5% of lot size With SUP, can increase by 25%	*Existing standards exceed those of Wake County
	Principal building required	Principal building required	*Existing standards are comparable
Setback	Minimum five (5) feet from side or rear property line	Minimum of eight (8) feet from property line	*Existing standards are comparable
Height	No higher than principal building or 24 feet, whichever is less. If within 10 feet of lot line, no higher than 15 ft	Shall not exceed height of principal building	*Existing standards exceed those of Wake County
Permitted Uses	Patios In- or above-ground swimming pools Decks Sidewalks Driveways, etc.	Accessory Apartment Carport or garage (detached, constructed, prefab) Detached Deck Gazebo or pergola Swimming pool, in- or above-ground, or a hot tub Shed (tool, utility), storage bldg. workshop, or greenhouse Other structure with any wall with a dimension of 12 feet	*Existing standards are comparable. ETJ only: home occupations shall be permitted in the accessory structure.



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Home Occupations			
	Wake County	TOFV	Proposed Text Amendment
Approval	Permit Required - \$50 fee	Zoning Letter of Compliance required - \$50 fee	Permit Required - \$50 fee
Permitted Occupations	<div>Dressmaking</div> <div>Sewing and tailoring</div> <div>Painting</div> <div>Sculpturing</div> <div>Photographer and writing</div> <div>Telephone answering service</div> <div>Home crafts (weaving, potting and canning)</div> <div>Computer programming</div> <div>Teaching or tutoring of no more than 4 students at a time</div> <div>Barbershops/beauty parlors</div> <div>Tax consultant</div> <div>Real estate agent</div> <div>Lawyers</div> <div>Engineers</div> <div>Architects</div> <div>Accountants</div> <div>Bookkeepers</div> <div>Consultants or like professions and catering</div> <div>*Also allows manufacturing and sale of firearms in Home Occupations</div>	<div>- Childcare Not Requiring State Regulations. Childcare permitted as a home occupation shall be such that it is not regulated by the State of North Carolina. In no case shall the terms of this Section be construed to exempt an in-home or commercial day care from applicable regulations and licensing of the State.</div> <div>- Beauty Salon. Beauty salon permitted as a home occupation shall be limited to one (1) chair only.</div> <div>- Dog Grooming. No overnight boarding or kennel operations as herein permitted in the Land Development Ordinance.</div> <div>- Office Use. This only includes a home office use for a contractor, attorney, CPA, engineer/architect, insurance or real estate agent, tutor, administrative service, or business or manufacturing representative. No storage of equipment or materials, staging for employees or deliveries, or other use outside of the office shall be permitted in association with this type of home occupation.</div> <div>- Catering Service. Catering service using conventional residential oven/stove only. The owner of the service shall reside at the residence where the services offered, and the owner is responsible for any wake County health Department requirements and must be coordinated with the Town's Inspections Department.</div> <div>- Internet & Computer Services. Internet and computer services shall not include sales or repairs on the premise.</div> <div>- Teacher. Art, music, language and/or dance.</div> <div>- Seamstress. Dressmaking and/or sewing.</div> <div>- Notary Public</div> <div>- Photography</div>	<div>Proposed Permitted Home Occupations in all jurisdiction:</div> <div>- Barbershop/Beauty Salon</div> <div>- Childcare Not Requiring State Regulations</div> <div>- Dog Grooming. No kennel or overnight boarding</div> <div>- Office Use. Any administrative or office occupation that does not require a separate permit or inspection from the Town or separate governing body.</div> <div>- Catering: As permitted by Wake County Health Department and Town Inspections Department</div> <div>- Teaching / Tutoring.</div> <div>- Home Crafts. Weaving, potting, canning</div> <div>- Art/Services. Photography, tailor, sculptor, computer repair, notary public, small engine repair.</div> <div>- Gunsmith. The manufacturing of firearms as approved and permitted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives shall be permitted in the extraterritorial jurisdiction (ETJ) only. This does not include the manufacturing or sales of ammunition.</div>
Location	In principal building or in accessory building with pre-sub mtg and approved site plan	In principal building only	ETJ only: Home occupations allowed in principal building or in accessory building



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Home Occupations			
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Maximum Area	50% of principal building or 750 square feet, whichever is less.	250 square feet	ETJ only: 750 square feet
Vehicles	No more than two (2) vehicles, but no larger than a pickup or SUV	No more than one (1) vehicle	ETJ only: No more than two (2) vehicles
Signage	One (1) ground sign is allowed: Area of four (4) square feet per side. If wall-mounted: no higher than 8 ft above grade; If ground-mounted, four (4) feet above grade May not exceed width of 10 feet May not be in ROW May not be illuminated	Advertising is prohibited	Advertising permitted in ETJ under following standards: Home Occupation Signage. - Number. One (1) ground sign is permitted. - Permit Required. A sign permit must be obtained from the Town. - Illumination. Illuminated signs are prohibited. - Material: The sign shall be made of wood (painted or not) only. - Size. The sign shall not exceed four (4) square feet per side. - Height. The sign shall be no higher than four (4) feet above grade.
Employees	No more than one (1) person who is not a full-time resident	HO owner/principal must reside in dwelling unit. No person may be employed who is not an actual resident of the dwelling unit.	ETJ only: No more than one (1) person may be employed on the property in connection with the home occupation who is not a resident of the residential dwelling unit.
Outdoor Storage	Outdoor storage or displays of goods prohibited	Any outdoor staging, display and storage is prohibited	<i>*Existing standards are comparable</i>
Alterations	N/A	No alteration allowed	<i>*Existing standards are comparable</i>
Operation	N/A	No visitors between 9 pm and 8 am. Cannot have more than six (6) visitors during a 24-hour period. No more than two (2) at a time.	ETJ only: No more than four (4) visitors allowed at a time.
Disturbance	May not adversely affect surrounding neighborhoods	Shall not cause undue nuisance/disturbance to neighbors	<i>*Existing standards are comparable</i>
Prohibitions	No prohibited occupations explicitly mentioned	Toxic, explosive, flammable, combustible or other hazmats defined by FPC and NC SBC are prohibited. -Vehicle Repair -On-site storage of equipment, goods, and materials used for the business are prohibited.	Storage. Storage of equipment, goods, and materials outside of approved Home Occupation is prohibited.



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Agricultural Animals			
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Animals	No standards for residential non-domestic animals	Standards for: Bees Chickens Potbelly & Mini Juliana Pigs	Chicken Coops. - Maximum Number. Corporate Limits - 5; ETJ - 10 - Required Maintenance: The chicken coop shall be clean and sanitary, with all droppings and organic materials properly disposed of. - Guidelines on dimensions and location of coop & pen. Removed Potbelly / Mini Juliana Pig language. Agricultural Animals: - Maximum Number. - Less than one (1) acre - No more than two (2) animals - 1-2 acres - No more than five (5) animals - Greater than two (2) acres - there is no maximum. - Stabling Location. Shall be no closer than 100 ft from any adjacent residential structure. - Enclosure. The fenced area or other enclosure, not including stable, shall be located a minimum of eight (8) feet from any adjacent property line. - Fence Permit. A fence permit is required.



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Agricultural Animals			
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Definitions	Definitions only for "Farming" and "Bona Fide Farm"	Animal, Agricultural The term defining animals considered an accessory use to an agricultural use, whether used for personal enjoyment or for commercial purposes, generally accepted outdoor farm animals that graze in open fields, fenced pens or structures for training, boarding, home use, sales or breeding and production, including horses, cattle, sheep, chickens, ducks, geese, pigs, goats, mules, or burros. Also known as farm animal. This term does not include cats, dogs, potbellied pigs, or other Domestic Animal, defined in the Land Development Ordinance.	ANIMAL, AGRICULTURAL. The term defining animals considered an accessory use to an agricultural use, whether used for personal enjoyment or for commercial purposes, generally accepted outdoor farm animals that graze in open fields, fenced pens or structures for training, home use, sales or breeding and production, including horses, cattle, sheep, chickens, ducks, geese, pigs, goats, mules, donkeys, llamas, or alpacas. This term does not include cats, dogs, potbellied pigs, or other Domestic Animal, defined in the Land Development Ordinance. Also known as farm animal or non-domesticated animal.

Fences			
	Wake County	TOFV	Proposed Text Amendment
Approval	N/A	Permit required	
Standards	N/A	Placement as related to property lines, buffer/easement, height/clearance from finished grade, material regulations	ETJ only: No material regulations. Maximum Height. Front yard only - four (4) feet. Two (2) Inch Clearance from Finished Grade. For privacy fences only.