

# Wake County Unified Development Ordinance

Amendment 03-20  
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# Purpose

To amend the Wake County Unified Development Ordinance (UDO) Article 4 – *Use Regulations* to allow Hardware Stores and Veterinary Services as uses in the R-40W zoning district.

# Background

- Proposal to allow Hardware Stores and Veterinary Services as a use within the R-40W zoning district through the Special Use Permit process.
- The R-40W zoning district allows a limited number of nonresidential uses through the approval of a Special Use Permit by the Board of Adjustment.
- These nonresidential uses are restricted to property within a designated Activity Center as defined in the Wake County Land Use Plan.
- The UDO currently prohibits hardware stores and veterinary clinics within R-40W zoning districts.

# Overview of Text Amendments

- 1) Amend the Use Table in Article 4 to add Veterinary Services as a use allowed through the Special Use Permit process in the R-40W zoning district.
- 2) Amend UDO Section 4-50 - *Neighborhood/Convenience-Oriented Retail* by including hardware stores as a use allowed in Section 4-50-2(A) and removing hardware stores as a prohibited use in Section 4-50-2 (C)

# Staff Research

- Thirteen activity centers in Wake County in three watersheds currently contain R-40W zoning districts.
- Staff (Current/Long-Range Planning, Environmental Services) researched other jurisdictions' watershed protection regulations.
- Using language found in these regulations, staff developed additional standards for both veterinary clinics and hardware stores in R-40W zoning districts.
- Informed Swift Creek and Little River ILA partners of proposed amendment.

# Planning Board Action

## **October 7, 2020 & November 4, 2020**

- Planning Board tabled the item and directed staff to conduct more research and develop performance standards.
- Find a reasonable allowance for outdoor storage and display while maintaining residential character and protecting the watershed

## **December 2, 2020**

- Staff and applicant agreed to performance standards and outdoor storage/display provisions
- Planning Board recommended approval

# Staff Recommended Standards – Vet Clinic

- All buildings must be set back at least 100 feet from any lot line or street line.
- The exterior appearance of all buildings must be in harmony with the character of the area.
- No outside activity associated with the use shall be permitted.
- Medical treatment or care shall be practiced only within an enclosed building or structure.
- The building space shall be adequately soundproofed to assure that no noise will carry beyond the confines of the building or space that the use would occupy.

# Staff Recommended Standards – Hardware Stores

- Remove requirement for BOA approval to determine necessity of outside storage in neighborhood-oriented retail
- Watershed and watershed district overlay districts:
  - Outdoor display limited to seasonal products including propane tanks
  - Storage of landscaping and building products must be located:
    - Inside the main building; AND/OR
    - Under the main building canopy, located on an impervious surface, and enclosed with an opaque wall or fence
  - Max combined floor area 15,000 SF

# Staff Findings

1. Staff's intention is to ensure that, with any amendment to the allowed uses in residential watershed districts, the community character is maintained and that the risk of environmental harm is minimized.
2. The language proposed by staff creates reasonable standards for hardware stores and veterinary clinics located in Wake County's watershed and watershed overlay districts.
3. The language proposed by staff is in the best interest of the health, safety, and welfare of the public.

# Planning Staff Recommendation

That the Board of Commissioners:

1. Adopt the drafted statement of consistency, reasonableness, and public interest;

***and by a separate motion***

2. Adopts the attached resolution to approve the proposed amendment to the Wake County Unified Development Ordinance as presented in Ordinance Amendment 03-20.

# Planning Board Recommendation

That the Board of Commissioners:

1. Adopt the drafted statement of consistency, reasonableness, and public interest;  
***and by a separate motion***
2. Adopts the attached resolution to approve the proposed amendment to the Wake County Unified Development Ordinance as presented in Ordinance Amendment 03-20.

The Planning Board voted unanimously to recommend approval of both motions at their December 2, 2020 meeting.



# Public Hearing

# Suggested BOC Motion

That the Board of Commissioners:

1. Adopts the drafted statement of consistency, reasonableness, and public interest;  
***and by a separate motion;***
2. Adopts the attached resolution to approve the proposed amendment to the Wake County Unified Development Ordinance as presented in Ordinance Amendment 03-20; and
3. Directs county staff to continue receiving public comments on this item until January 20, 2021 at 5:00PM, and to place this item on the agenda of the February 1, 2021 Board meeting.