

**RESOLUTION TO AMEND THE WAKE COUNTY UNIFIED  
DEVELOPMENT ORDINANCE OA-03-20**

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WHEREAS, the Wake County Unified Development Ordinance guides the physical development of the County, and preserves and enhances the overall quality of life of residents, by limiting the allowed nonresidential uses in the watershed and watershed overlay districts; and

WHEREAS, all development in residential watershed districts must minimize impervious surface coverage, direct stormwater away from surface waters, minimize water quality impacts, and transport stormwater runoff with vegetated conveyances; and

WHEREAS, the proposed text amendments will allow veterinary services and hardware stores as permitted uses in designated activity centers; and

WHEREAS, the Planning Staff recommends approval of the proposed text amendments; and

WHEREAS, on December 7, 2020, the Wake County Planning Board voted unanimously to recommend that the Board of Commissioners approve the proposed text amendments; and

WHEREAS, the Wake County Board of Commissioners held a duly-noticed public hearing on January 19, 2021 to consider amending the Unified Development Ordinance;

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

The proposed text amendments are hereby adopted, and the Unified Development Ordinance is hereby amended as shown in the attached OA-03-20 Ordinance Amendment Summary.

Adopted this 19<sup>th</sup> day of January 2021.

ATTEST:

BOARD OF COMMISSIONERS FOR  
THE COUNTY OF WAKE

\_\_\_\_\_  
Clerk to the Board

By: \_\_\_\_\_  
Matthew M. Calabria, Chair

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott Warren, County Attorney

## OA-03-20 Ordinance Amendment Summary

### ARTICLE 4. - USE STANDARDS, PART 1- USE TABLE

#### 4-11 - Use Table

USE GROUP	Zoning Districts																	Use Standards
Use Category Specific Use Type	Residential					Highway	RHC			Commercial			Indust		Sp. Purpose			
	R-80W	R-40W	R-80-R-10	R-5	RMH	HD	Activity Center	Res Support Area	Outside RSA	O&I	GB	HC	I-1	I-2	AD-1	AD-2	RA	
P = Permitted use (as-of-right)										S = Special use approval req'd (19-23)								
S* = Special use approval req'd (in AC & 19-23)										- = Prohibited								
COMMERCIAL USE GROUP																		
Animal Service																		
Veterinary	-	S*	S*	S*	-	S	P	S	S	P	P	P	P	P	-	-	-	§4-45
Kennel	S	S	S	S	-	S	S	S	S	S	S	P	P	P	-	-	-	§4-46
Shelter	S	S	S	S	-	S	S	S	S	S	S	P	P	P	-	-	-	§4-46

### ARTICLE 4 – USE STANDARDS, PART 4 – USE STANDARDS (CONT'D)

#### 4-45 - Hospitals and Other Medical Institutions.

4-45-1 Hospitals or sanatoria, philanthropic or eleemosynary institutions, ~~and animal hospitals~~ are subject to the following standards:

- (A) All buildings must be set back at least 100 feet from any lot line or street line, ~~and~~
- (B) The exterior appearance of all buildings must be in harmony with the character of the area.

#### 4-45-2 Veterinary clinics are subject to the following standards:

- (A) All buildings must be set back at least 100 feet from any lot line or street line.

- (B) The exterior appearance of all buildings must be in harmony with the character of the area.
- (C) No outside activity associated with the use shall be permitted.
- (D) Medical treatment or care shall be practiced only within an enclosed building or structure.
- (E) 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.

## ARTICLE 4 – USE STANDARDS, PART 5 – USE STANDARDS (CONT'D)

### 4-50 - Neighborhood/Convenience-Oriented Retail.

4-50-1 **Intent.** It is the intent of this subsection to permit within certain residential districts, other than R-80W districts, certain low-intensity retail trade, finance, and service establishments that are accessible by pedestrians from the surrounding neighborhoods, serve the daily convenience and personal service needs of the surrounding neighborhoods, and are of such a nature as to minimize conflicts with existing or potential residential uses.

#### 4-50-2 **Uses Allowed.**

- (A) Retail convenience stores selling beverages, groceries, patent drugs, and gasoline, including automatic bank teller machines, and hardware stores, - provided, however, that stores that sell gasoline are not allowed in R-40W districts.
- (B) Auto service and vehicular repair stations, except that they are not allowed in R-40W districts.
- (C) Neighborhood indoor retail and service trade establishments including: banks, cafes, book stores, antique shops, dry goods, ~~hardware~~, and other similar indoor retail and service trade establishments, except that they are not allowed in R-40W districts.
- (D) Personal service establishments.

4-50-3 **Standards.** All neighborhood/convenience-oriented retail uses, except personal service establishments, must comply with the following standards:

- (G) **Outside Storage.** In addition to the primary facility, outside storage may be permitted ~~on a lot when it is determined by the Board of Adjustment to be necessary to the use permitted, provided that~~ subject to the following:
  - (1) Type A screening/bufferyard (See 16-10-2) is established and maintained along the perimeter of the outside storage facility; and
  - (2) Landscaping and bufferyards are provided in accordance with Sec. 16-10.
  - (3) Refuse containers may be stored outside of the building, but they must be screened from view from any adjacent lot and maintained in a sanitary and litter-free condition.
  - (4) Watershed and Watershed Overlay Districts are subject to the additional following standards:
    - (a) Outdoor display shall be limited to seasonal products, including, but not limited to live plants, pumpkins, and holiday trees, and shall be located under the main building canopy. The outdoor display area may include propane tanks.
    - (b) The storage of landscaping and building products including, but not limited to fertilizers, lime, grass seed, mulch, stone, and lumber shall be:
      - (i) Inside the main building; AND/OR

- (ii) Under the main building canopy and located on an impervious surface to prevent runoff and enclosed with an opaque wall or fence in such a way that the stored materials are screened from any right-of-way, building, and adjacent lot.
- (c) The combined floor area of the main building and outdoor display/storage shall not exceed 15,000 S.F.

## **ARTICLE 21. - DEFINITIONS AND MEASUREMENT,**

### **21-11 - Definitions**

*Veterinary Clinic or Animal Hospital* means an establishment where animals are brought for the medical, surgical and preventative treatment and may be held during the time of treatment and recuperation

*Building Canopy* means a permanent roof-like structure that projects out from the face of the main building and whose structural support is an integral part of the main building.