

## **ORDINANCE**

**ORDINANCE APPROVING A REQUEST (PLG-RZ-002573-2020) TO AMEND THE WAKE COUNTY ZONING MAP BY REZONING APPROXIMATELY 227.59 ACRES LOCATED SOUTH OF TRYON ROAD AND TO THE EAST OF DOVER FARM ROAD FROM CITY OF RALEIGH ZONING DISTRICTS RESIDENTIAL-1 AND RESIDENTIAL-10 (R-1&R-10) TO WAKE COUNTY ZONING DISTRICT RESIDENTIAL-40 WATERSHED (R-40W).**

WHEREAS, the request is to rezone 227.59 acres located south of Tryon Road and to the east of Dover Farm Road from City of Raleigh zoning districts Residential-1 and Residential-10 (R-1&R-10) to Wake County zoning district Residential-40 Watershed (R-40W); and

WHEREAS, the requested rezoning to Residential-40 Watershed, and the stated proposed uses are consistent with the Wake County Land Use Plan designation for low-density residential uses of one dwelling unit per acre for this area; and

WHEREAS, the requested rezoning is consistent with the land use plan's objective 9.a which strives to minimize pollutants from storm water runoff, protect drinking water, and protect water quality suitable for fishing, boating, and swimming by allowing only appropriate land uses and densities which meet or exceed applicable State water quality guidelines; and

WHEREAS, a detailed site 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; and

WHEREAS, Raleigh City Council relinquished ETJ for the subject site at its October 6, 2020 meeting with an effective date of December 1, 2020; and

WHEREAS, In accordance with North Carolina General Statute 160D-202(h), the County has a period of 60 days (from the effective date) to assign zoning to the relinquished property; and

WHEREAS, on December 2, 2020, the Wake County Planning Board voted unanimously to recommend that the Board of Commissioners approve the proposed zoning map amendment; and

WHEREAS, the Wake County Board of Commissioners held a duly-noticed public hearing on January 19, 2021 to consider amending the zoning map to rezone the area to Residential-40 Watershed.

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 property from City of Raleigh zoning districts Residential-1 and Residential-10 to Wake County zoning district Residential-40 Watershed;

## **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 19th day of January 2021.

This Instrument Approved as to Form

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