

# Wake County Unified Development Ordinance

Amendment OA-01-21

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# Purpose

Amend the Wake County Unified Development Ordinance (UDO) to incorporate Chapter 160D of the N.C. General Statutes.

# Background

- N.C.G.S. Chapter 160D, Session Law 2019-111, was adopted on July 11, 2019 by the N.C. General Assembly.
- N.C.G.S. Chapter 160D consolidated current city and county enabling statutes for development regulations into a single chapter.
- N.C.G.S. Chapter 160D resulted in minor changes that need to be incorporated into the Wake County UDO.
- N.C.G.S. Chapter 160D effective date was initially January 1, 2021 but was postponed until July 1, 2021 because of the pandemic.

# Overview of Text Amendments

1. Update references to the provisions in the new N.C.G.S. Chapter 160D.
2. Align terminology in the Wake County UDO with the new N.C.G.S. Chapter as it relates to conditional zoning and dwelling.
3. Remove the terms “special exception” and “conditional use district zoning”.
4. Clarify enforcement sections in the Wake County UDO to comply with the new N.C.G.S. Chapter 160D.
5. Clarify permit exemptions and validity of permits.

The proposed amendment does not change any of our current regulations or requirements for development.

# Staff Findings

- The amendment is consistent with and further the goals, policies, and objectives of the Wake County Comprehensive Plan and UDO.
- The amendment furthers the purpose of the UDO and other actions designed to implement the Comprehensive Plan.
- The amendment aligns with the requirements of Session Law 2019-111, Chapter 160D.
- The amendment does not change any current regulations or requirements for development

# Staff Recommendation

That the Board of Commissioners:

1. Adopt the statement of consistency for Ordinance Amendment 01-21 as presented;

**and by separate motion**

2. Adopt the attached resolution to approve the proposed amendment to the Wake County Unified Development Ordinance as presented in Ordinance Amendment OA-01-21.

# Planning Board Recommendation

That the Board of Commissioners:

1. Adopts the statement of consistency for Ordinance Amendment OA-01-21 as presented;

**and by separate motion;**

2. Adopts the attached resolution to approve the proposed amendment to the Wake County Unified Development Ordinance as presented in Ordinance Amendment OA-01-21.

The Planning Board voted unanimously to recommend approval of both motions at their May 5, 2021 meeting.



# Public Hearing



# Suggested BOC Motion

That the Board of Commissioners:

1. Adopts the statement of consistency for Ordinance Amendment OA-01-21 as presented;

**and by separate motion;**

2. Adopts the attached resolution to approve the proposed amendment to the Wake County Unified Development Ordinance as presented in Ordinance Amendment OA-01-21.