

Eastern Wake Area Plan

Wake County Planning Board Land Use Committee

Akul Nishawala, AICP

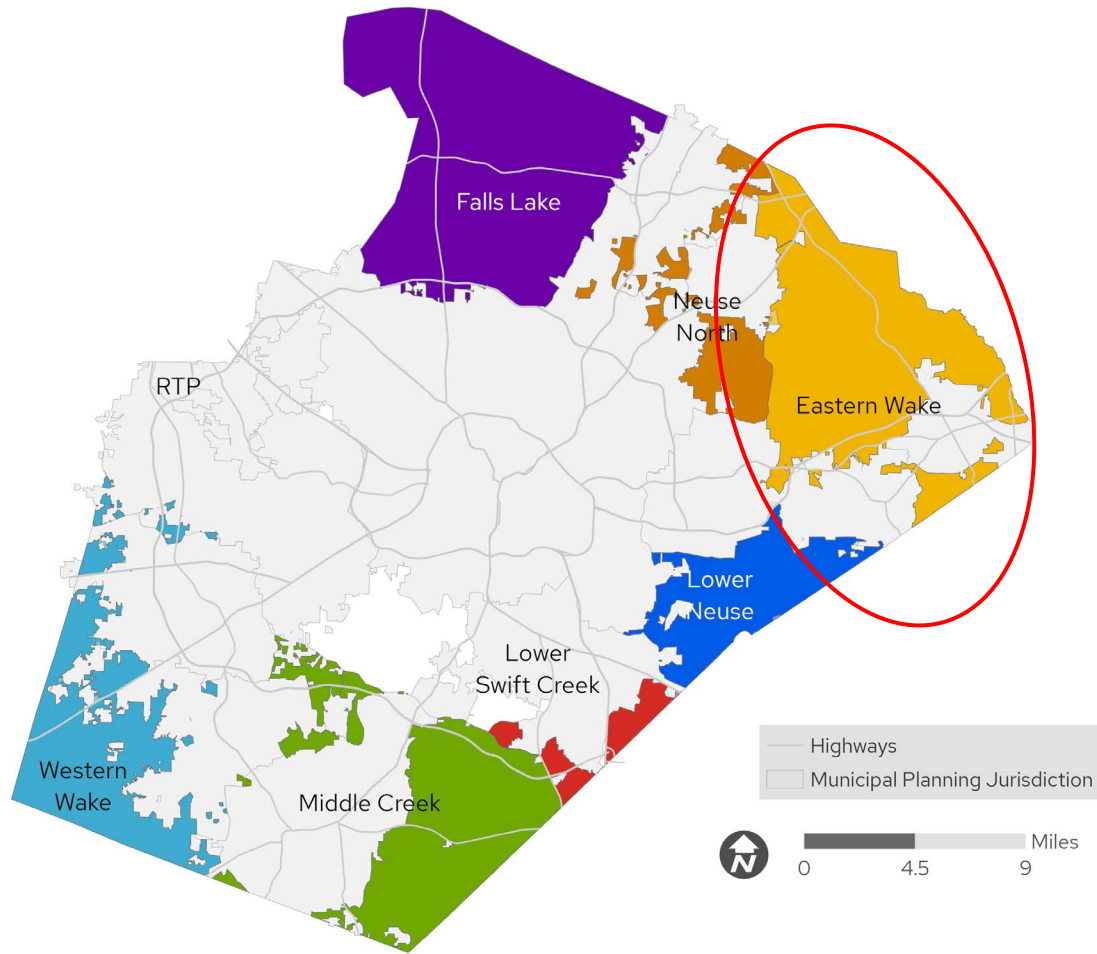
August 6, 2025



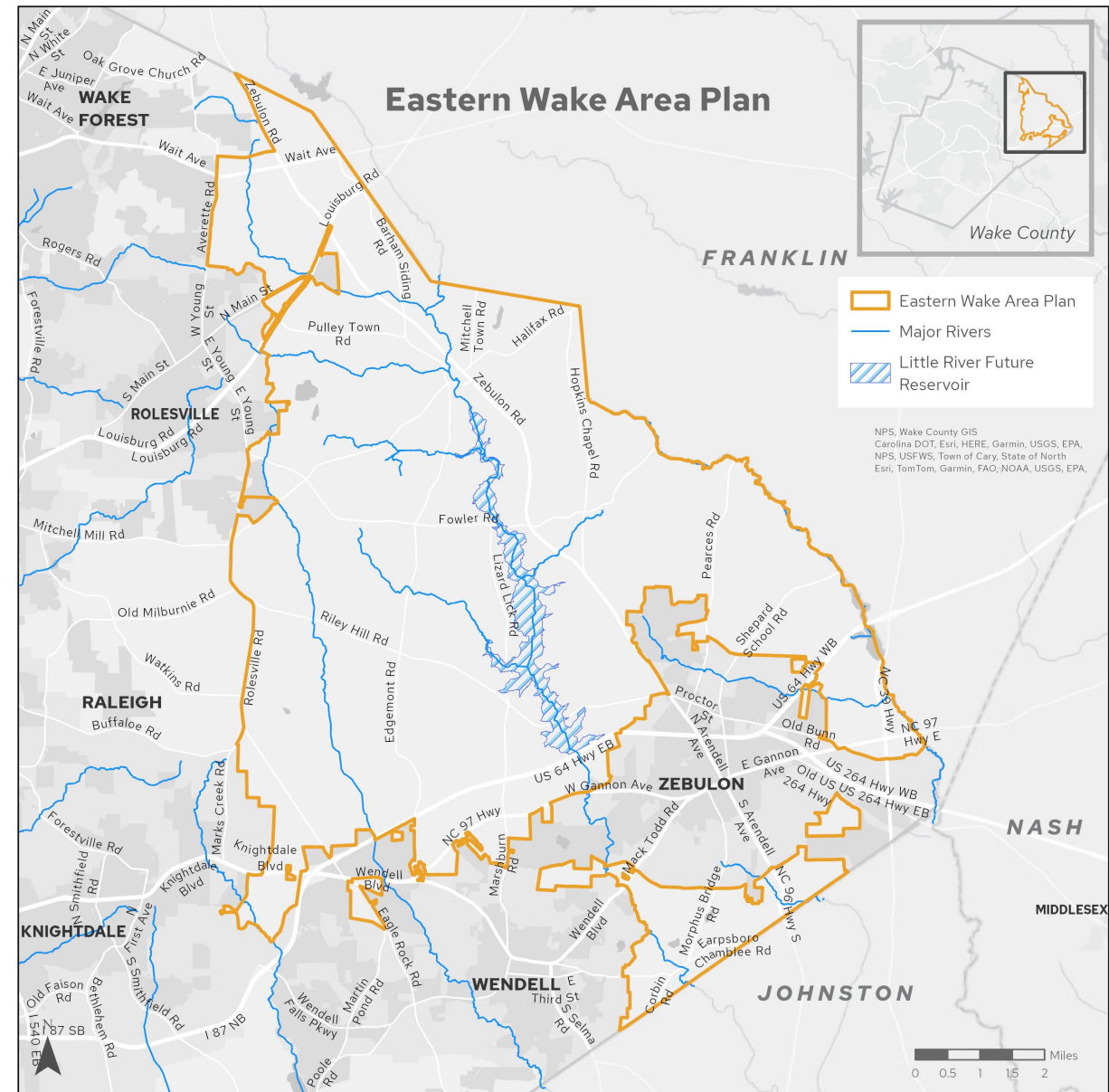
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Location

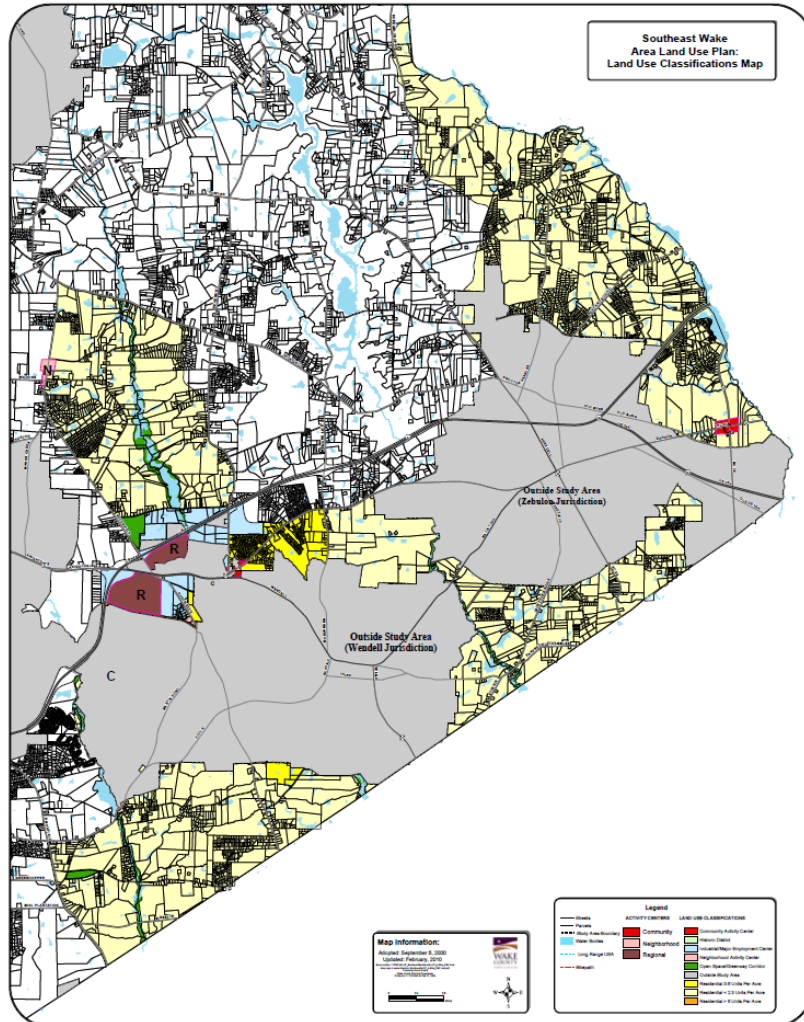


72 sq. mi. (46,132 acres)

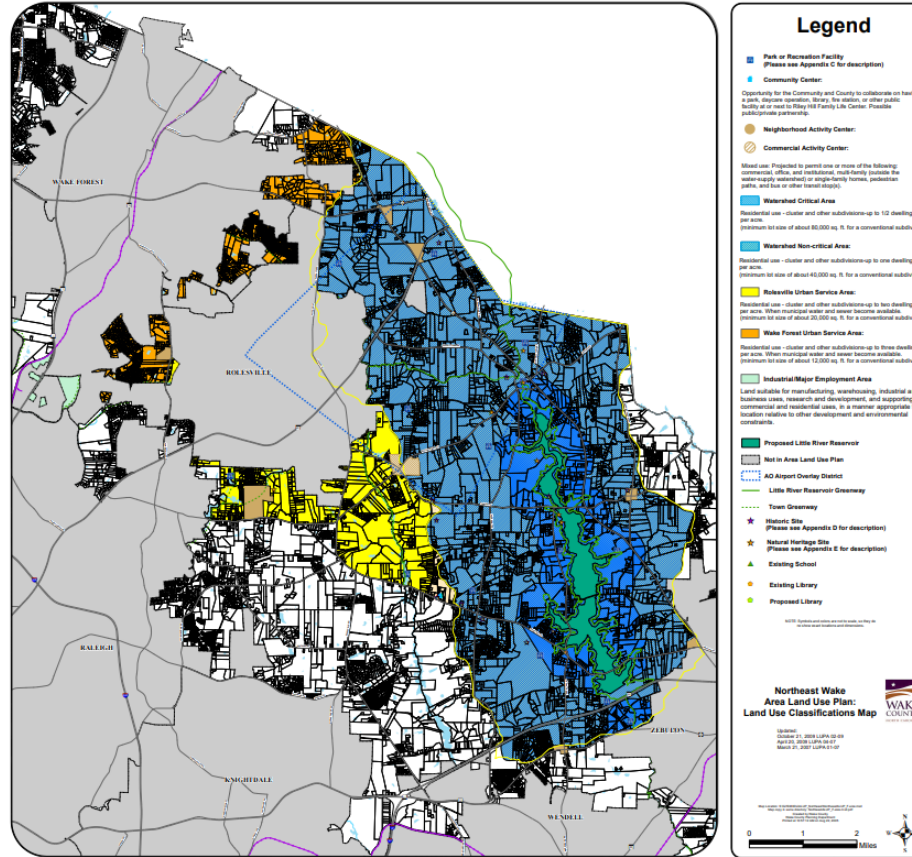


Current Area Land Use Plans

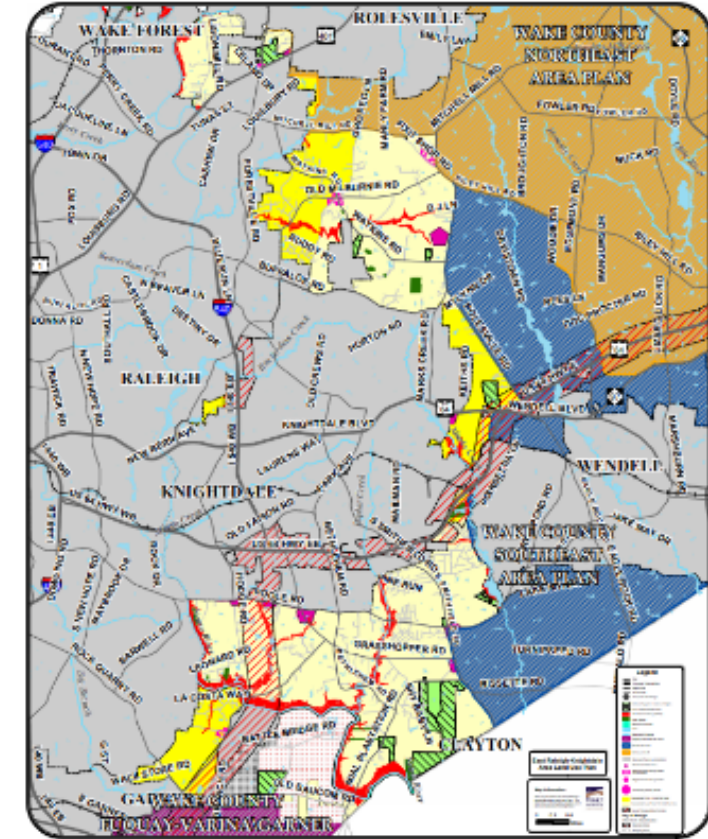
Southeast Wake Area Land Use Plan
(2000; updated 2010)



Northeast Land Use Plan (2001)



E. Raleigh/Knightdale Land Use Plan (2003)





EASTERN WAKE AREA PLAN

Overview

Population	Approx. 15,827
Area	72 sq. miles / 46,132 acres
Subdivisions	278
Voluntary Agricultural Districts (VADs)	59
Multi-Use Districts	8
Historic Properties / Landmarks	167 / 6





Existing Conditions

Eastern Wake Area Plan

Population & Housing

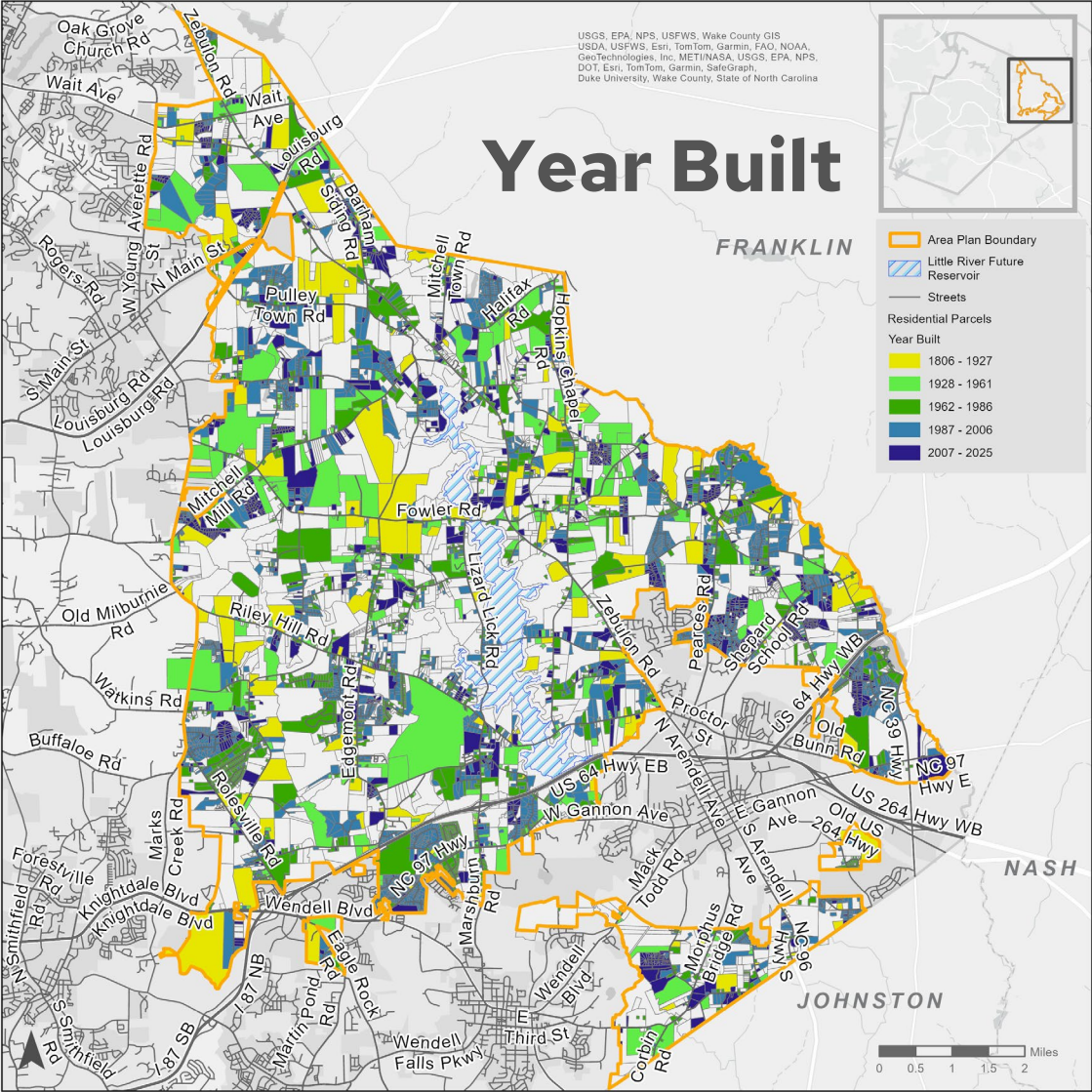
Eastern Wake Area Plan Housing Estimate 2014-2024

	Residential Units	Manufactured Homes	Total Units	Total Occupied Units
2014	4,169	1,406	5,575	5,184
2024	4,887	1,510	6,397	6,077

Eastern Wake Area Plan Population Estimate 2014-2024

	Household Population	Group Quarters Population	Population Estimate
2014	14,206	80	14,286
2024	15,800	47	15,847

Sources: Wake County Property Data, U.S. Census



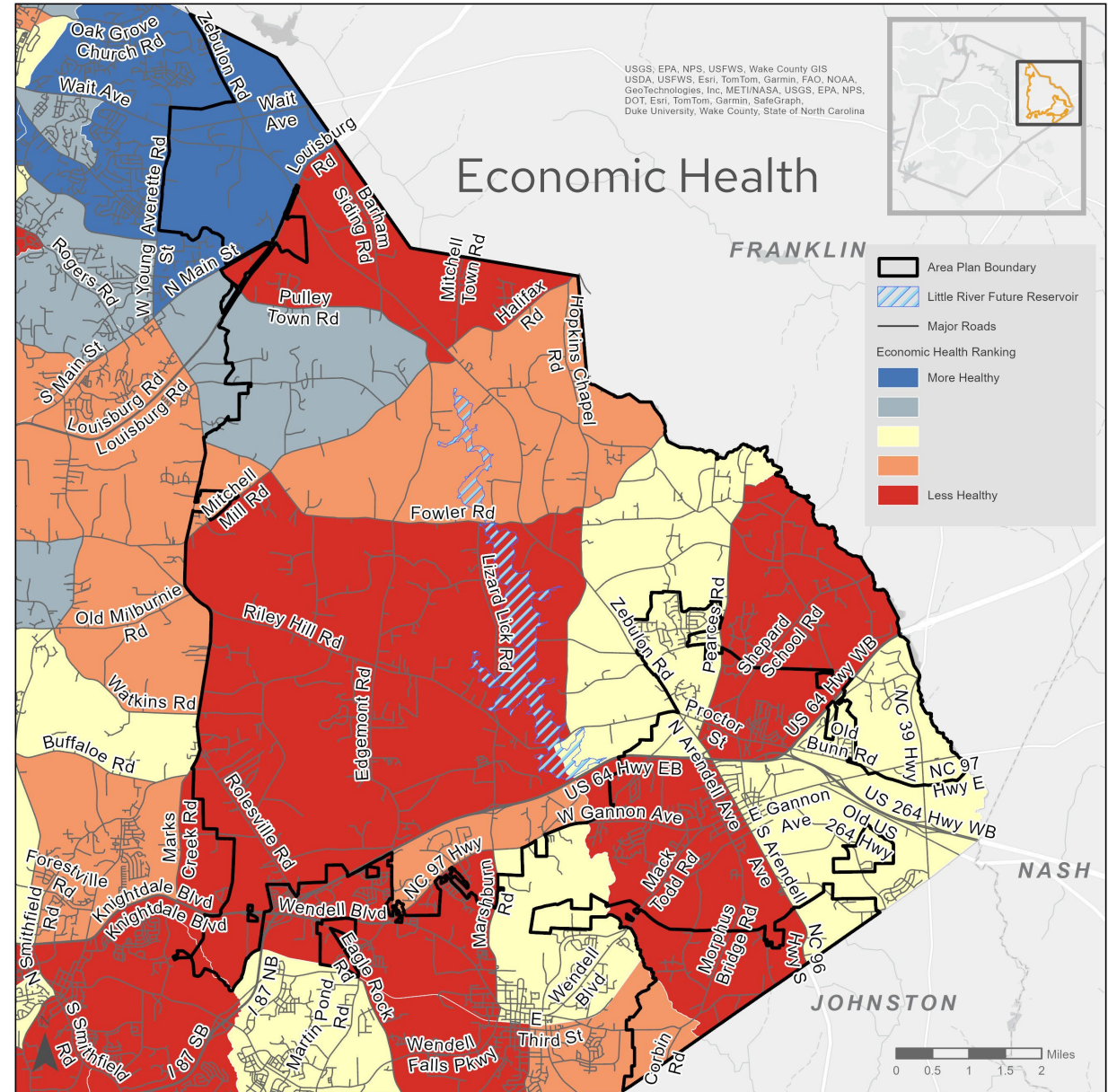
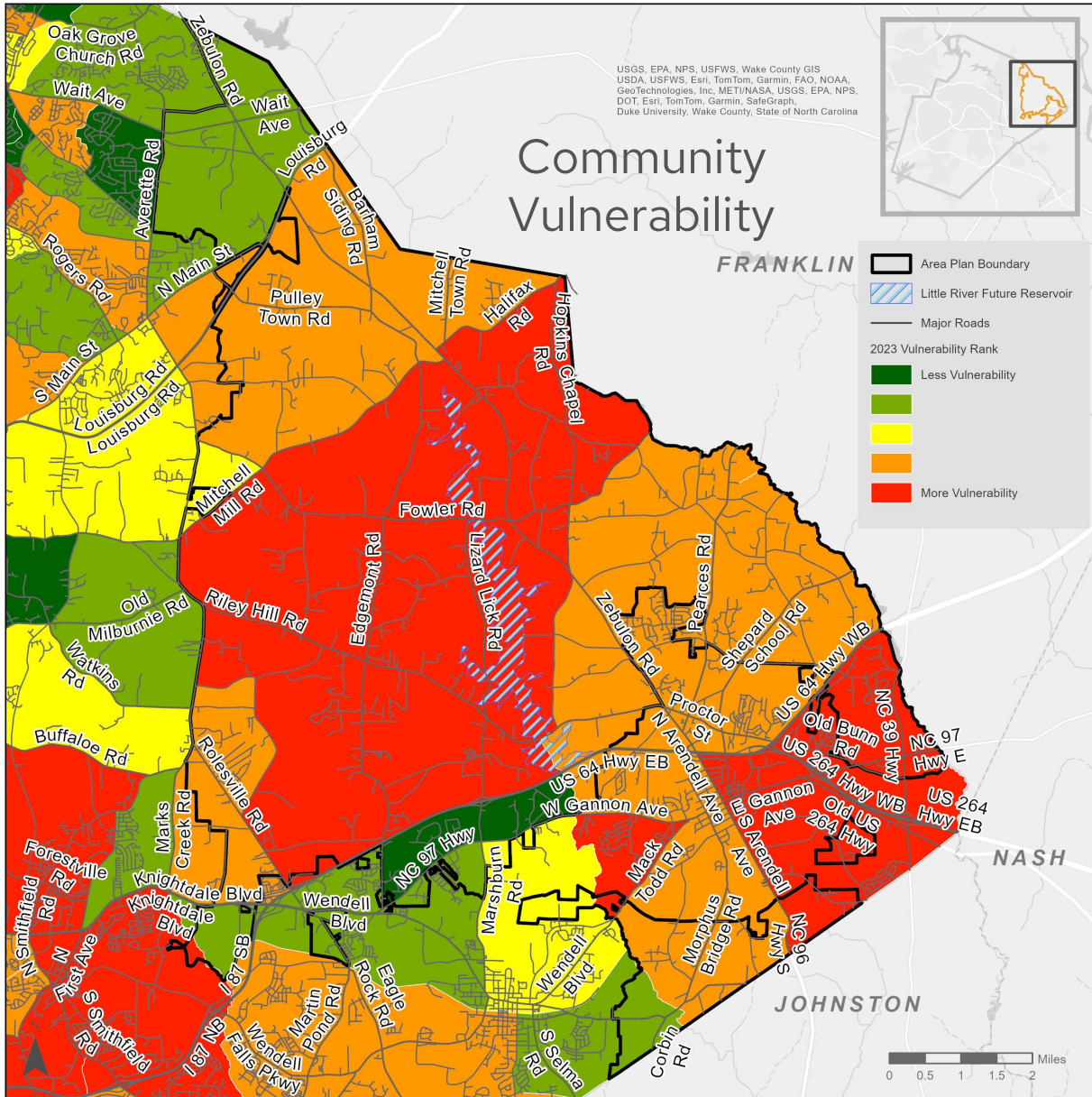
Social Equity

- **Community Vulnerability**

- Unemployment
- Age-Dependency (under 18; over 64)
- Low Educational Attainment (over 25 w/o HS diploma)
- Housing Vacancy
- Below Poverty Level

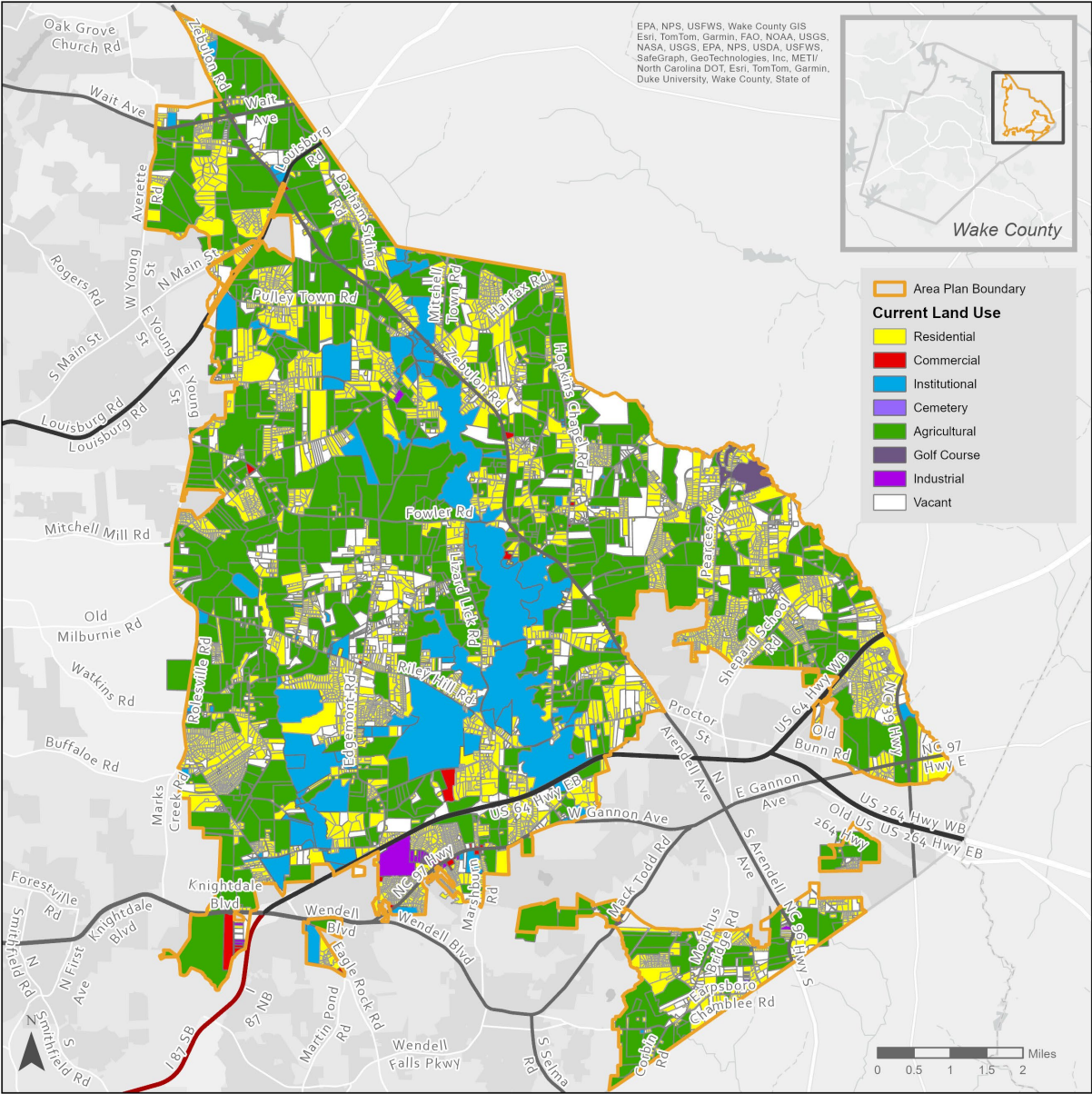
- **Economic Health**

- Median Household Income
- Food Stamps
- Rent Greater than 30% Income
- Home Mortgage Greater than 30 % Income
- Persons Living 100-200% of Federal Poverty Level

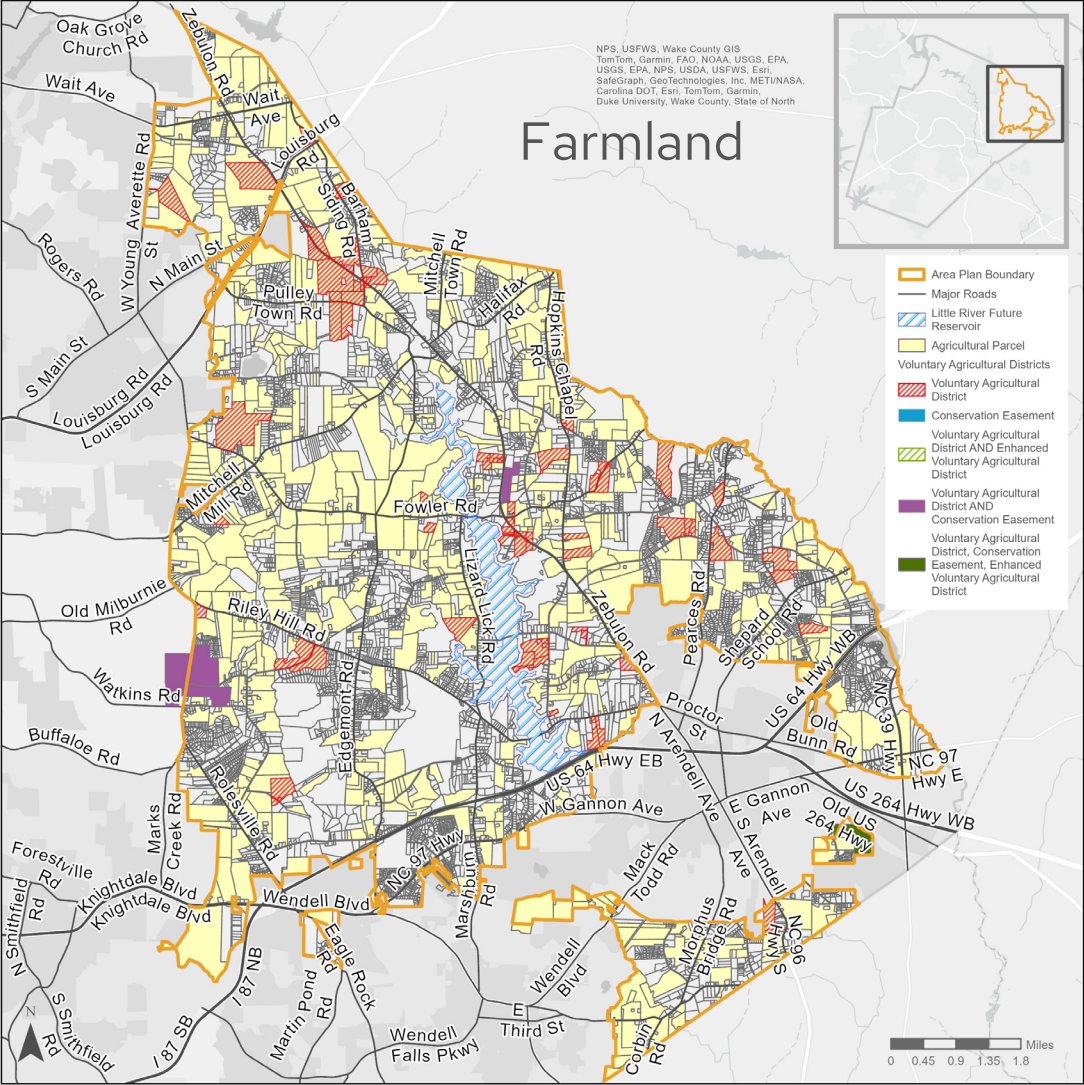
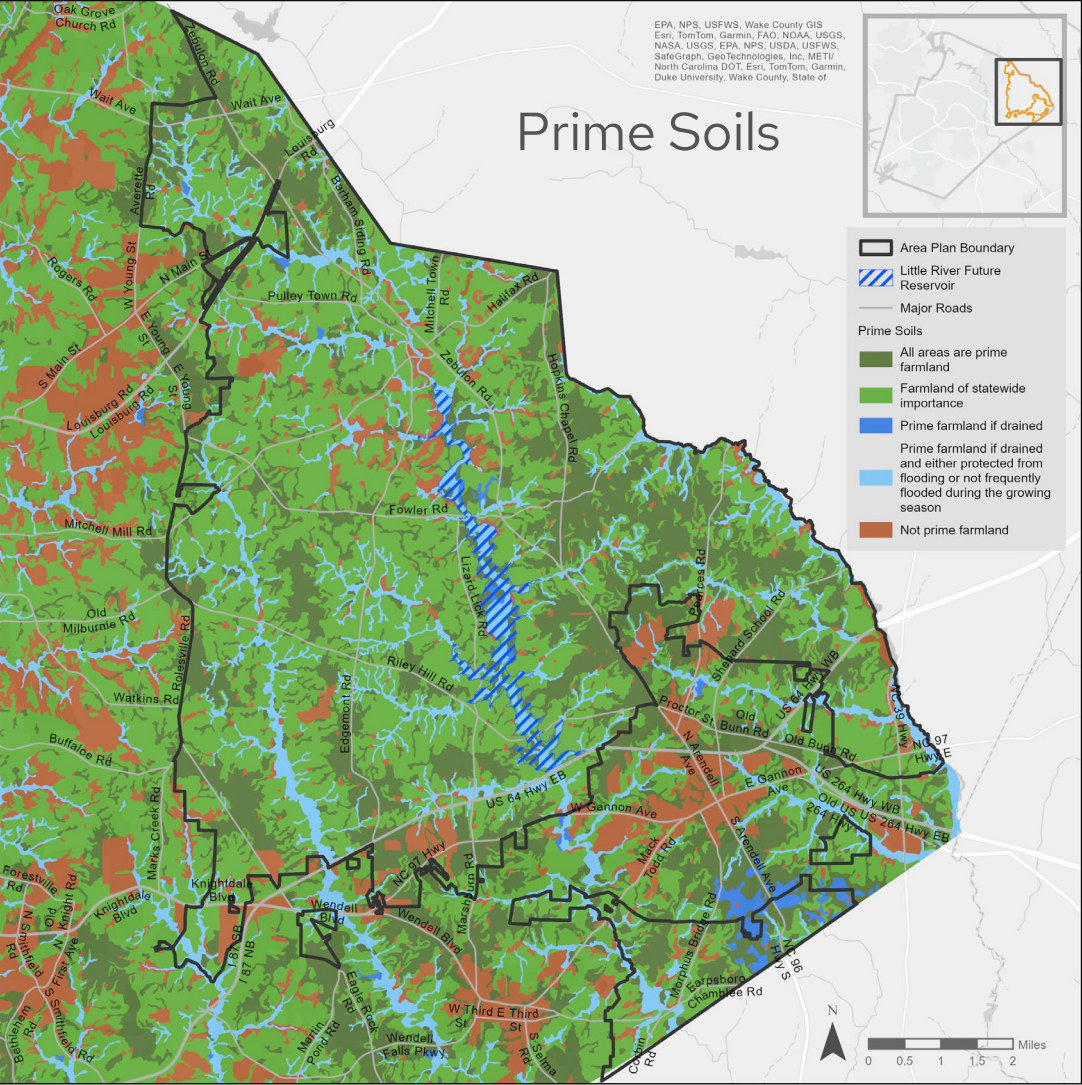


Current Land Use

CURRENT LAND USE	# PARCELS	ACRES	PERCENT ACRES
AGRICULTURAL	674	20,338	47.55%
CEMETERY	34	9.8	0.02%
COMMERCIAL	30	180	0.42%
GOLF COURSE	1	144	12.07%
INDUSTRIAL	21	200	0.34%
INSTITUTIONAL	109	5,172	0.47%
RESIDENTIAL	5,446	11,928	27.89%
VACANT	1,243	4,806	11.24%
TOTAL	7,564	42,768	100.00%



Agriculture





Community Engagement

Eastern Wake Area Plan

Engagement Summary

- Webpage
- Social Media
- ArcGIS StoryMap
- Interactive Maps
 - General Comments
 - Draft Land Uses
- Online Surveys
 - Community
 - Proximity and Access
- Road Signs
- Email Listservs
- Virtual Community Meeting
 - March 6, 2025
- Two In-Person Community Meetings
 - Eastern Wake Regional Center (Zebulon)
- Stakeholder Meetings



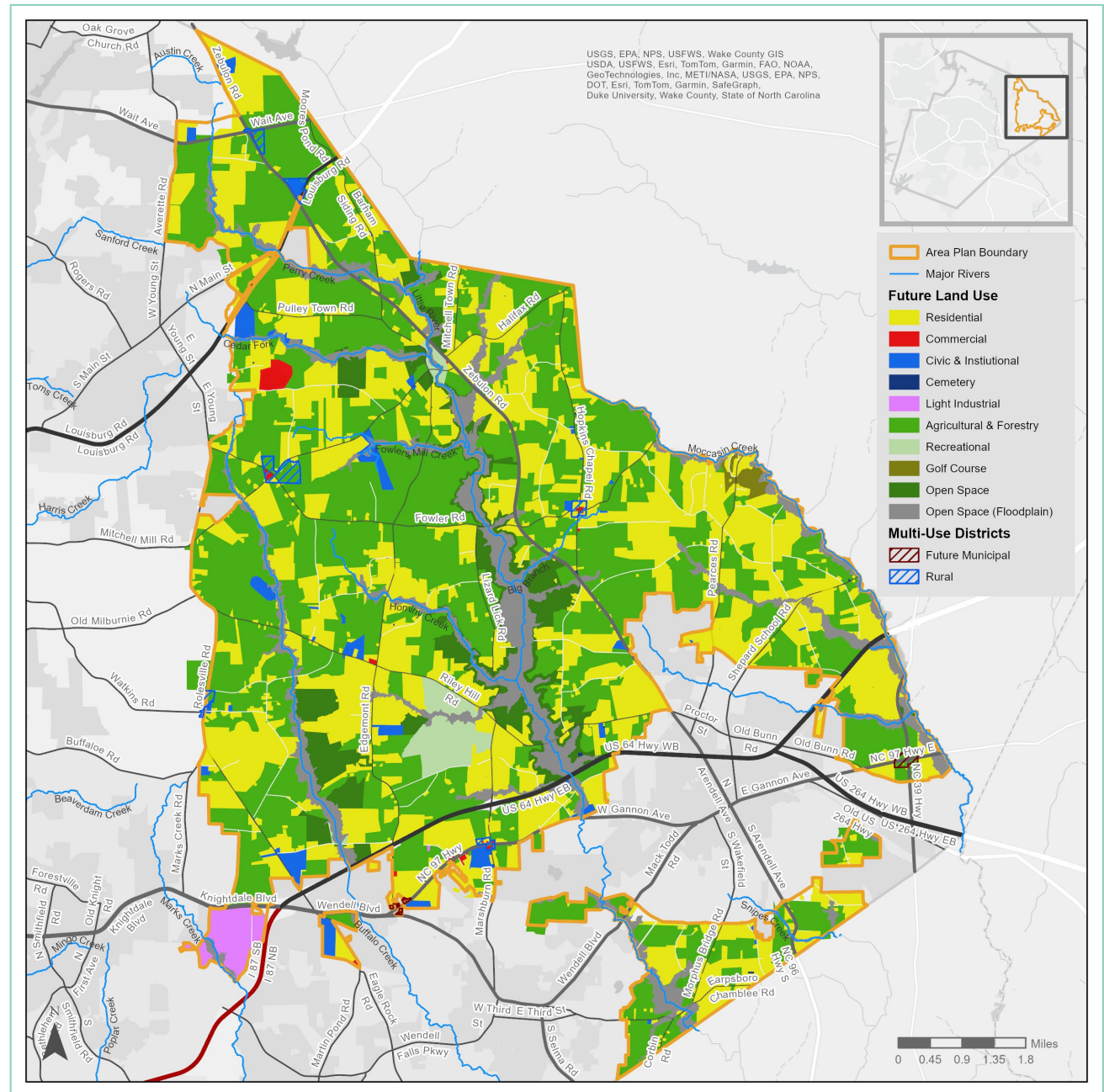
Future Land Use

Eastern Wake Area Plan

Future Land Uses

Overview

- Agricultural & Forestry
 - Intent to continue farming
- Light Industrial
 - Airport (former landfill)
- Eight MUDs
 - Municipal growth
 - Removed four MUDs
 - 95, 15, 38, and 227 acres





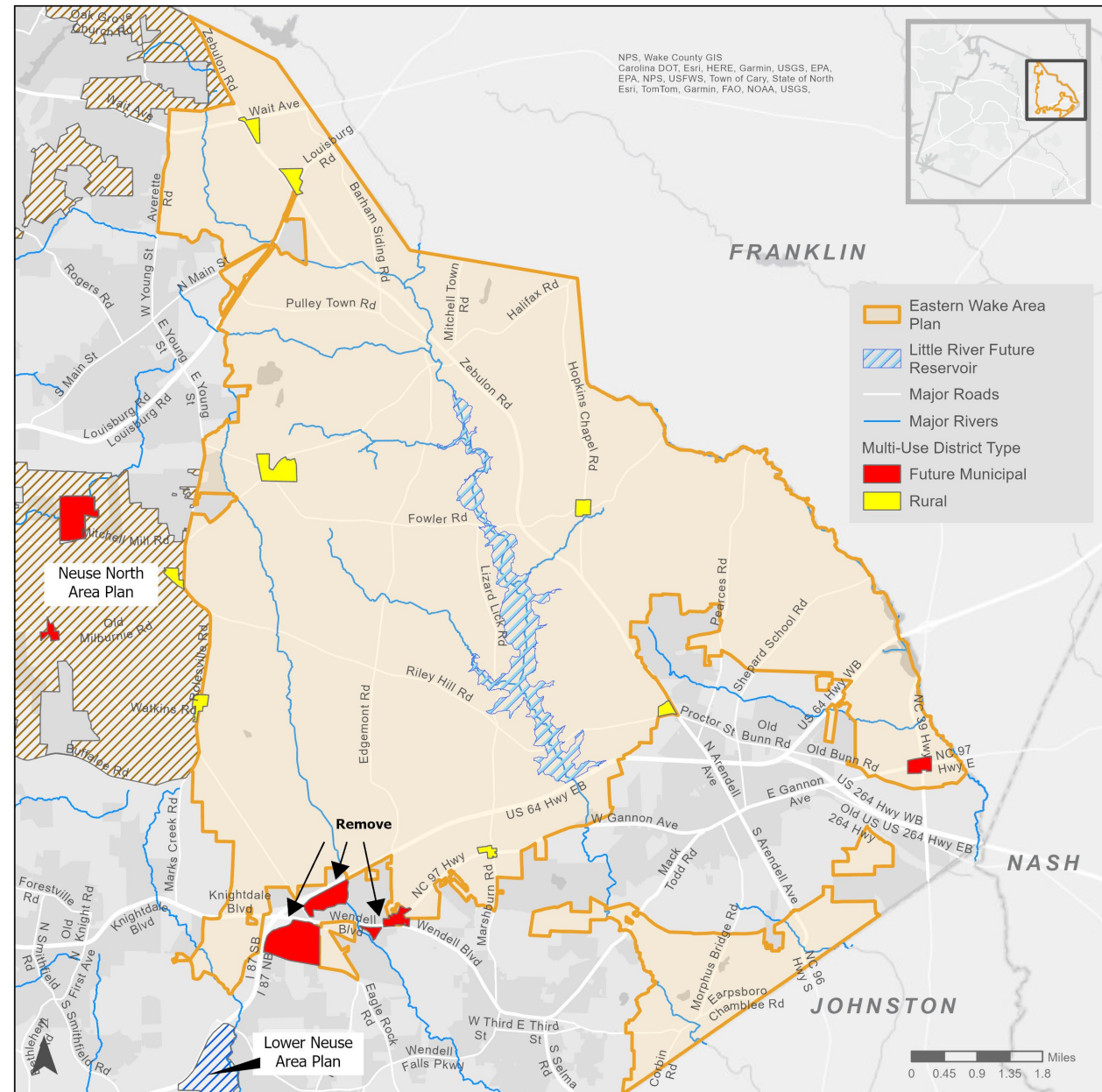
Additional Planning Elements

Eastern Wake Area Plan

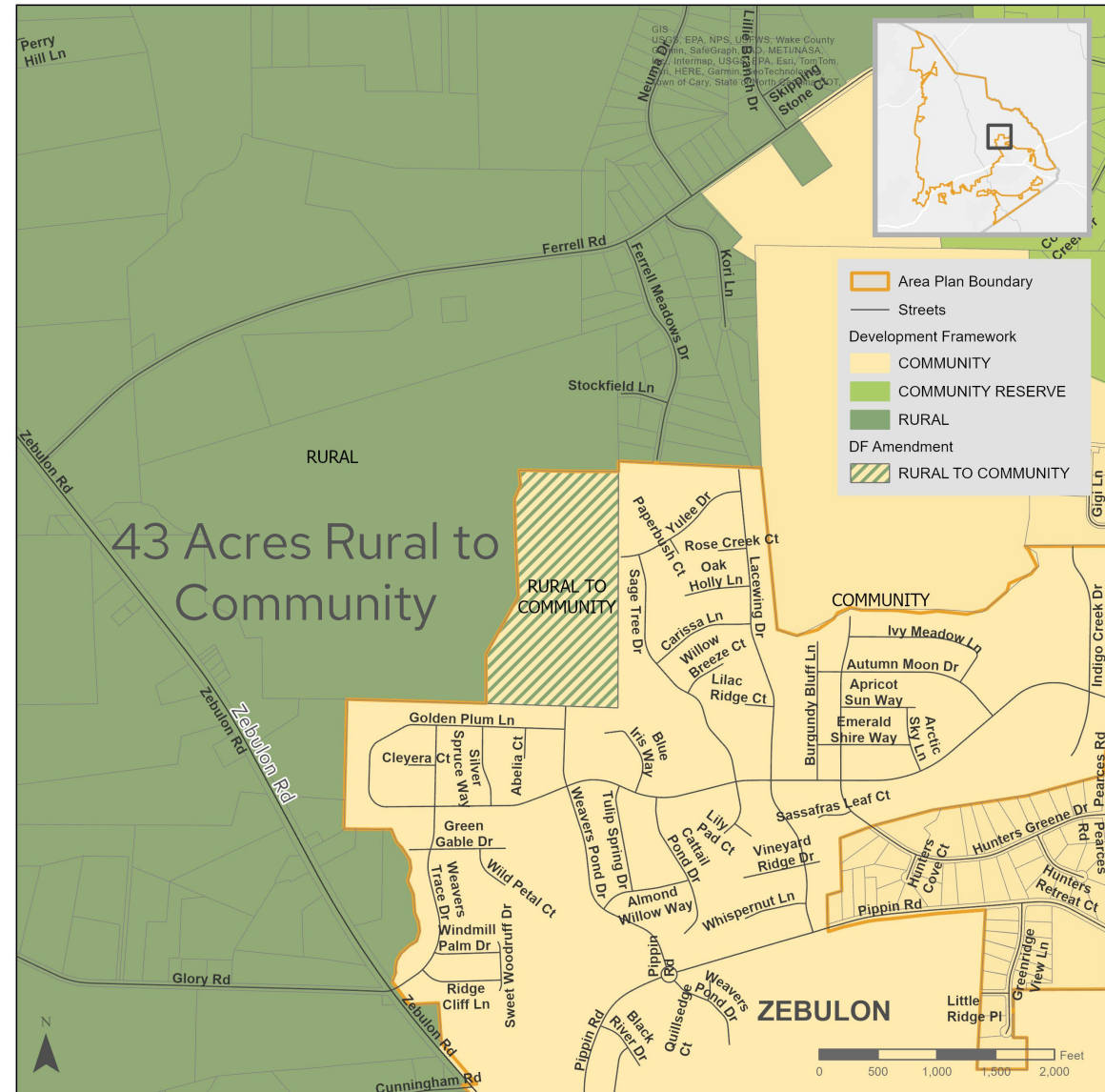
Multi-Use Districts

LOCATION	ACRES	# PARCELS
INTERSTATE 87 AND US 64	226	6
ROLESVILLE RD AND US 64	95	2
OLD BATTLE BRIDGE RD AND US 64	15	3
NC 97 AND US 64*	38	15

* While the majority of this MUD is now within the Town of Wendell's jurisdiction, there are six parcels totaling 8.34 acres that are still within Wake County's jurisdiction. However, given the unlikelihood of these parcels redeveloping under the county, staff is recommending removing the MUD designation from these parcels but assigning them a Commercial designation in the future land use map.



Development Framework Amendment



Public Review Timeline

- **August 6, 2025**
 - Land Use Committee – Recommendation
- **September 3, 2025**
 - Planning Board – Recommendation
- **October 6, 2025**
 - Board of Commissioners – Final Action

Questions



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DRAFT

Section 1 – Study Overview

Wake County's comprehensive plan, PLANWake, continues to serve as the overarching vision for Wake County; however, the Eastern Wake Area Plan will provide more localized land use and development goals for the northeast part of the county.

Purpose of the Plan Update

The County is working with its partners and the public to update the Eastern Wake (EW) Area Plan to:

- Modernize the plan. Previous planning studies were completed as part of the Northeast, Southeast, and East Raleigh/Knightdale Area Land Use Plans adopted in 2001, 2010, and 2003, respectively. This area plan will replace and supplant the portions of those plans covered by the EW study area.
- Align with the Wake County Comprehensive Plan, PLANWake. Adopted in 2021, PLANWake established notable new goals for the Eastern Wake study area and county at large.
- Align with municipal plans. The City of Raleigh and the Towns of Wake Forest, Rolesville, Wendell, and Zebulon have all updated their municipal plans multiple times since 2011.
- Address resident and stakeholder concerns. This study will build off the community-wide engagement efforts conducted as part of PLANWake and will focus on resident and stakeholder concerns within the EW study area.
- Set the groundwork for the next steps. Issues identified by the EW study will be programmed for follow-up activities. For example, recommendations from this plan will be considered for inclusion in county-wide updates to related plans, i.e., transportation, housing affordability and preservation.

Area Plans

To meet the goals set forth in PLANWake, numerous Wake County policies and documents had to be updated or overhauled as part of the implementation process. One such example is adoption of area plans encompassing the unincorporated areas of Wake County. These area plans are designed to provide more localized land use (applications) analysis and public engagement. The Eastern Wake (EW) Area Plan is the fifth of seven area plans that will replace the existing area land use plans. In this case, Eastern Wake will replace and update portions of the East-Raleigh / Knightdale, Northeast, and Southeast Area Land Use Plans.

[illegible]

Southwest Water Area Land Use Plan: Land Use Classification Map

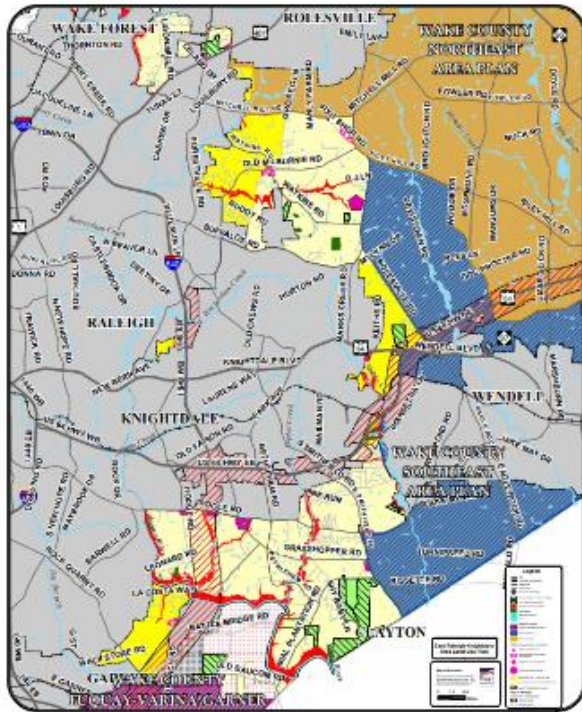
Key Information:

- Map Date: 10/2000
- Map Scale: 1 inch = 1 mile
- Map Projection: NAD 83 UTM Zone 18N
- Map Author: Southwest Water Area
- Map Reviewer: Southwest Water Area
- Map Approval: Southwest Water Area

Legend:

Land Use Category	Color	Description
Residential	Yellow	Single-Family Detached
Residential	Light Green	Single-Family Attached
Residential	Dark Green	Multi-Family Detached
Residential	Light Blue	Multi-Family Attached
Residential	Dark Blue	Commercial/Industrial
Residential	Light Grey	Undeveloped Land
Residential	Dark Grey	Water Bodies
Residential	Light Yellow	Highway Right-of-Way
Residential	Light Green	Highway Right-of-Way
Residential	Dark Green	Highway Right-of-Way
Residential	Light Blue	Highway Right-of-Way
Residential	Dark Blue	Highway Right-of-Way
Residential	Light Grey	Highway Right-of-Way
Residential	Dark Grey	Highway Right-of-Way

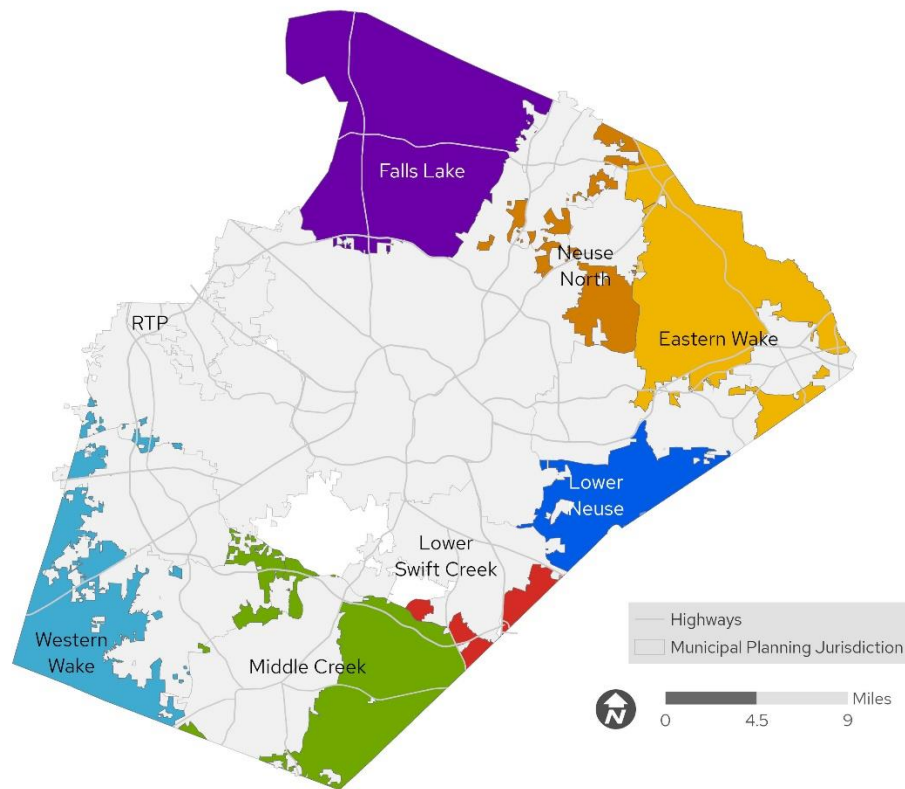
Figure 3: E. Raleigh/Knightdale Area Land Use Plan (2003)



Municipalities have grown significantly over the past 20 years, either through annexation or expansions of extra-territorial jurisdictions. This growth has resulted in the considerable reduction of Wake County's planning jurisdiction, which rendered the former area land use plan geographies obsolete and their policies outdated. The new boundaries for the area plans represent the logical and updated geographic groupings of the remaining area. Additional considerations such as watersheds, rights-of-way and U.S. Census block groups contributed to the updated boundaries.

While PLANWake will continue to serve as the overarching vision for the county, the area plans can and should be used as an opportunity for certain elements — i.e., the development framework — to be modified, updated or amended as necessary.

Figure 4: Wake County Area Plans



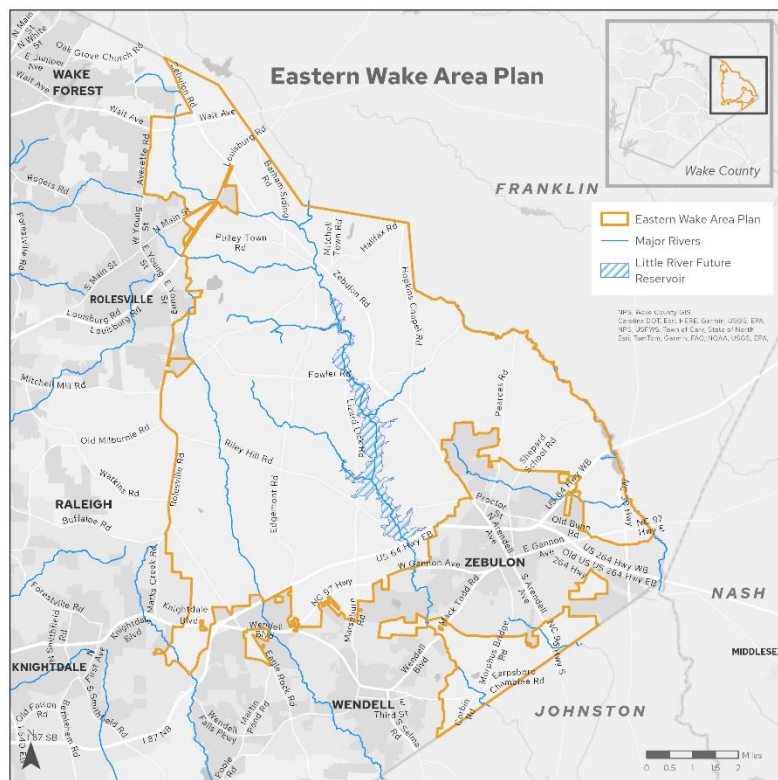
Eastern Wake Study Area

The Eastern Wake Area Plan is just over 46,000 acres or 72 square miles. It is located in the northeast part of Wake County and borders Nash, Franklin, and Johnston County to the northeast and southeast.

The area plan borders five of the county's 12 municipalities: the Town of Wake Forest, the Town of Rolesville, the City of Raleigh, the Town of Wendell, and the Town of Zebulon. In fact, the study area completely surrounds the Town of Zebulon's planning jurisdiction.

This part of the county has not experienced the same level of growth as others, which can be attributed somewhat to the restrictions on development for the future Little River Reservoir.

Figure 5: East Wake Area Plan



Eastern Wake and PLANWake

Based on current trends and expected projections, every community plan completed in Wake County must have a strategy for allocating continued job and population growth. As of July 1, 2023, **Wake County's estimated population is 1,190,275**. We frequently use the people-per-day metric to describe growth—now **51 people per day**. This is due to a variety of reasons, namely thriving industries, education and live/work/play opportunities around 12 municipalities. Over the next decade, these population growth trends are expected to continue, and another 225,000 new residents will likely call Wake County home.

PLANWake articulates the vision for how the greater Wake County community should account for the next wave of growth in a manner that enhances quality of life for all residents. This vision directs new growth to existing towns, supports the development of connected and walkable transit-supportive centers and works with rural landowners to protect important open spaces, farms, forests and historic resources.

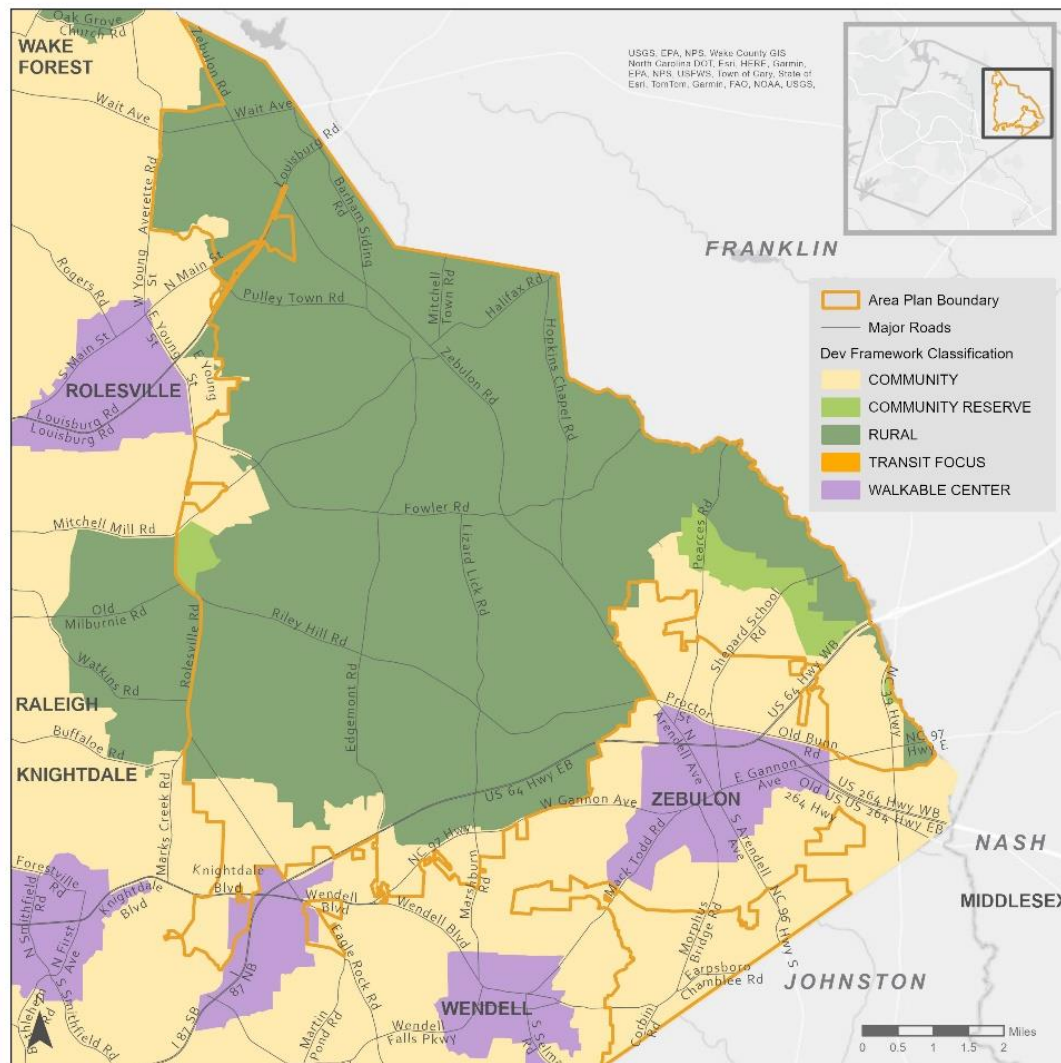
PLANWake's Development Framework map designates almost the entirety of the Eastern Wake area as Rural. These are the least developed areas with the lowest-density residential areas, marked with forest coverage and agricultural activity. The expectation is that these areas will remain the county's jurisdiction for the foreseeable future. To put it another way, the municipalities are not expected to expand utilities into these areas, which determines where they might grow into. Given the location of the future Little River Reservoir within the Eastern Wake study area and restrictions on development and density, this is not at all surprising.

The two smaller areas of Community Reserve indicate low-density areas not currently served by public utilities but that are proximate to municipal boundaries. It is expected that development within these areas will be served by community wells and septic systems. The main difference between Community Reserve and Rural is the expectation of development, but that will still stay in the county's jurisdiction.

Areas within the study area designated Community are where municipalities are expected to extend public utilities and grow into. While the timing varies overall, the expectation is that this will occur over the next 5–10 years. The county's coordination with the municipalities and their development priorities is paramount and underscores the importance of these area plans.

Lastly, Walkable Centers are where dense, walkable development is expected soon. These areas should have urban amenities that are proximate to jobs, schools, and transportation corridors.

Figure 6: PLANWake Development Framework



Section 2 – Existing Conditions

Little River Reservoir Water Supply Watershed Inter-Local Agreement

Over 30 years ago, Wake County was beginning to experience the type of growth that residents are very familiar with today, and planners began to take steps to plan for this growth into the future. A vital component of this planning effort was to consider how to provide enough clean drinking water for the growing population, and it was from this effort that the Little River Water Supply Watershed and future reservoir were identified. This was one of several potential drinking water resources that the City of Raleigh identified either for itself or its municipal partners for the next 50 years.

In order to protect this resource, Wake County, the City of Raleigh, and the Towns of Wake Forest, Wendell, and Zebulon entered into the Little River Reservoir Water Supply Watershed Inter-Local Agreement (ILA) in 2008¹. Per the ILA, the City of Raleigh became the lead agency in obtaining permits for the watershed area as the reservoir will become part of the city's public utility system.

As the ILA's primary intent is to protect the water quality of the future reservoir, it restricts the type and intensity of development within the watershed. When the ILA was first adopted in 2008, it prohibited any non-residential (commercial) development to occur unless it is within PLANWake-designated multi-use district (MUD). MUDs allow for a mix of residential and non-residential uses that serve as a focal point for meeting the neighborhood's shopping, social, and civic needs.

After some time, there was the sense that, while the intentions of the ILA were valid, the absolute prohibition of any non-residential development outside of MUDs was too restrictive. After extensive discussions, in 2016, Wake County and the municipal partners agreed to reasonably amend the ILA restrictions, allowing certain civic uses to expand (e.g. churches, schools) and accommodating public safety/utility uses (e.g. parks, fire stations, solar farms).²

Overall, the restrictions have spared the Eastern Wake area from much of the fast-paced growth that's occurring in the county and to preserve the county's last vestiges of its former agricultural past.

Presently, the City of Raleigh has no plans to construct the Little River Reservoir in the immediate future due to more efficient water usage from the at-large population, among other factors. Yet, the need to maintain the Little River Water Supply Watershed remains as important as ever, which is underscored by the continued commitment by all the parties of the ILA.

Population and Housing

Given Wake County's considerable growth over the past 20+ years, it would be easy to assume that this trend is universal throughout the area. However, the Eastern Wake area, with the Little River

¹ While the Town of Rolesville opted not to enter the ILA, they continue to be involved in discussions pertaining to the Little River Water Supply Watershed.

² Public/civic uses that are located outside of a MUD and were lawfully established prior to the effective date of the ILA are allowed to expand.

Interlocal Agreement (ILA) in place, has experienced some growth, but they appear to be largely limited to municipal growth through annexations at the fringes.

To get a sense of how the Eastern Wake's housing scenario's changed, staff analyzed parcel data from 2014 to 2024. Over those ten years, it is estimated the number of total residential units increased by 822 and the total occupied units increased by 893. This includes an increase in manufactured homes of just over 100. The study area's population has also increased by an estimated 1,561 but saw its group quarters³ population decrease by 33, which is most likely due to municipal growth.

The county's comprehensive plan, PLANWake, identified the areas that were expected to remain rural in scale and character (and conversely where municipalities were expected to grow into), and these growth trends have largely stayed consistent so far.

Eastern Wake Area Plan Housing Estimate 2014-2024				
	Residential Units	Manufactured Homes	Total Units	Total Occupied Units
2014	4,169	1,406	5,575	5,184
2024	4,887	1,510	6,397	6,077

Eastern Wake Area Plan Population Estimate 2014-2024			
	Household Population	Group Quarters Population	Population Estimate
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Sources: Wake County Property Data, U.S. Census

Affordable Housing

The Triangle continues to attract new residents to the area and, in the face of such high demand for housing, the issue of safe and accessible affordable housing will remain on the forefront.

[The Wake County Affordable Housing Plan](#), adopted in 2017, identifies challenges to housing affordability in the county, namely population growth, incommensurate household income-to-cost ratio, lack of affordable housing options among new residential development, and loss of existing affordable housing to redevelopment or market conversion (p. 17).

To put these trends into a real-world context, there is a current shortage of approximately 56,000 homes in Wake County that are affordable to households earning less than 50% of the County's Area Median Income (AMI), which equates to \$61,650 annually for a four-person household. Further, approximately 3,000 people in Wake County experience homelessness each year.

³ The Census Bureau classifies those not living in housing units (e.g. house, apartment, mobile home, rented room) as living in group quarters. There are two types: Institutional (e.g. nursing homes, correctional facilities) and Non-Institutional (e.g. college dormitories, military barracks, shelters, or group homes). (US Census Bureau)

The housing plan looks to ensure that quality affordable housing is available for all Wake County residents. Housing that is close to transit, employment centers, and other amenities is crucial to improving equity across the county. It also goes far in reducing affordability challenges to low-income households and improving health, community connectivity, and mobility to jobs and necessary services.

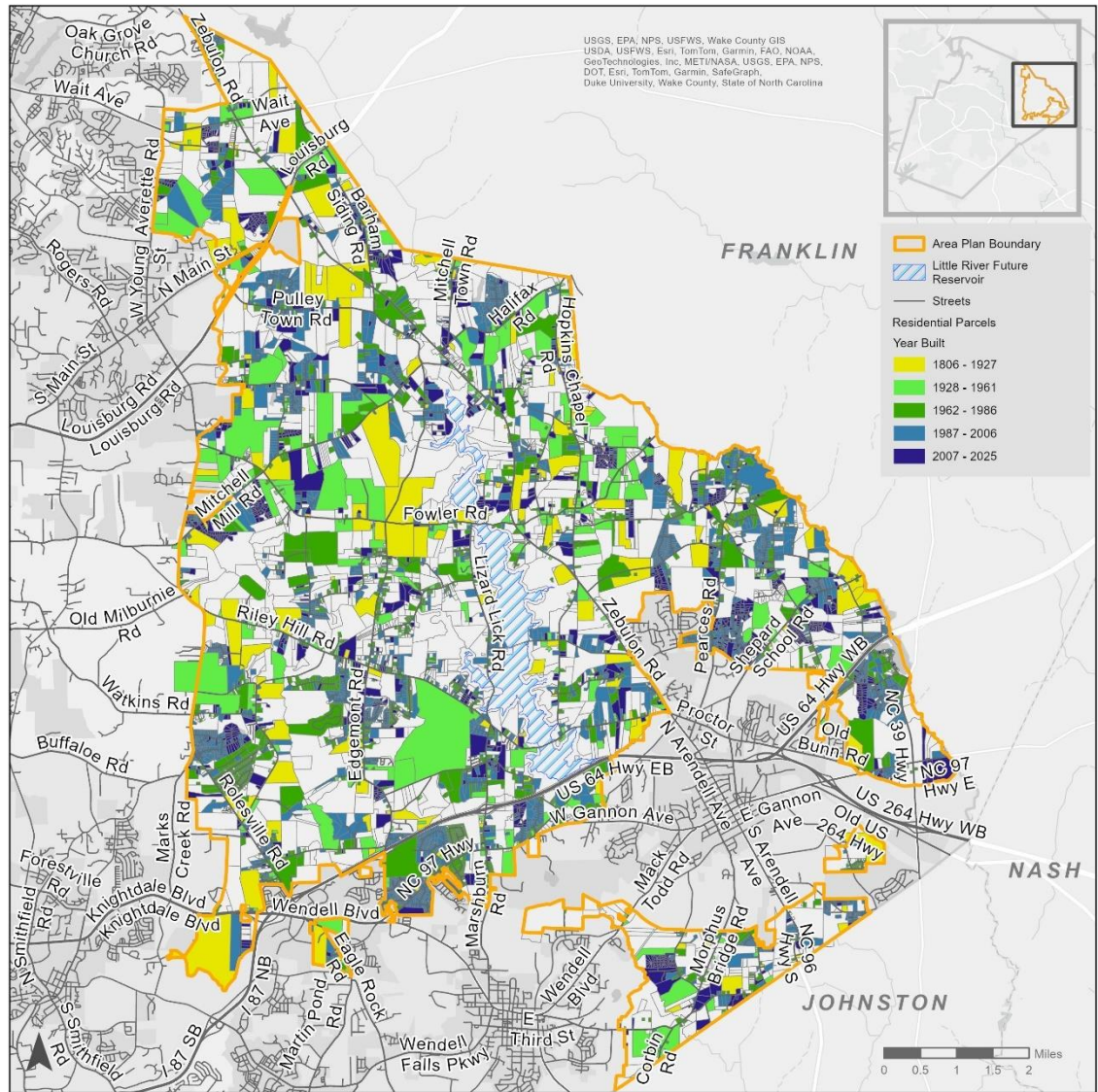
According to Wake County parcel data, there are 5,446 residential parcels out of 7,564 in the Eastern Wake area, with a median sales price of \$167,000 and the average was \$214,600. Per the real estate website Redfin, the median sales price for homes in the entire county was \$500,000 in June 2025. While homes in the study area are relatively more affordable than the county at large, more residents are spending at least 30% of their income on their mortgage or rent. Just under 30% of all homes were built in the last 25 years, and these have a median sales price of \$310,000 and an average of \$333,000, a significant increase.

The median year built for manufactured housing in Eastern Wake is 1997 and the median sales price is \$90,000. Manufactured housing in Wake County tends to serve very low-income households, and the data indicate that manufactured homes in the study area may face more prevalent age and quality issues than conventional or “stick-built” homes. Climate resiliency, a concern for all residential construction, is of particular concern for older manufactured housing. Addressing necessary repairs can be a burden for low-income households, which threatens manufactured housing residents’ ability to safely and stably remain in their homes.

Due to its higher restrictions on development, the Little River ILA has had a large impact in the relative lack of growth in the Eastern Wake area. Even so, there may be options out there that can provide more affordable solutions for residents while still maintaining the rural scale and character of the area.

The Little River ILA has and will continue to be a major factor in this area’s future, but more active measures must be taken to ensure that safe and adequate housing is available to all. An example may include allowing greater flexibility for small-scale multi-family units, such as cottage courts or duplexes.

Figure 7: Residential Parcels by Built Year



Race and Ethnicity

The Eastern Wake Area's population has grown, but its diversity has stayed relatively consistent. From 2010 to 2020, the largest increase by percent was the area's Asian population, which doubled during this time.

Eastern Wake Race and Ethnicity

	2010 Total	2010 Percent	2020 Total	2020 Percent	2010-2020 Percent Change
Asian	100	1%	201	1%	101%
Black	3,017	22%	3,334	20%	11%
White	8,652	63%	9,838	58%	14%

Hispanic	1,804	13%	2,800	16%	55%
All Other Races	263	2%	135	1%	-49%
Total	13,836	100%	17,029	100%	23%

(Differing population totals are due to census block group geography overlap)

When compared to Wake County at large, the Eastern Wake area shows very similar growth patterns in almost every category. The percentage changes between the county and the Eastern Wake area only differ by a few points.

WAKE COUNTY		
	Total Percent	Total Percent Change
	2020	2010-2020
ASIAN	9%	100%
BLACK	18%	12%
WHITE	57%	15%
HISPANIC	11%	46%
ALL OTHER RACES	5%	22%
	100%	

Social Equity

Social Equity identifies the health and well-being characteristics of the community by analyzing socioeconomic statistics (U.S. Census) including housing, education, food security, poverty levels and income, among others.

Wake County has created a Social Equity Atlas that combines these factors to indicate populations with varying degrees of vulnerability. Community Vulnerability and Economic Health are two key indices that the Social Equity Atlas uses to identify and measure our communities' socioeconomic conditions. The main source of these data is the most recent 5-year estimates of U.S. Census Bureau's American Community Survey at the Block Group level.

For the most up-to-date information, refer to Wake County's [Social Equity Atlas webpage](#).

COMMUNITY VULNERABILITY INDEX

The Community Vulnerability Index helps determine where resources and initiatives are lacking by using a combination of the following factors.

Unemployment - The population age 16 and older who are unemployed in the civilian labor force.

Age Dependency - The population younger than the age of 18 and older than the age of 64 combined.

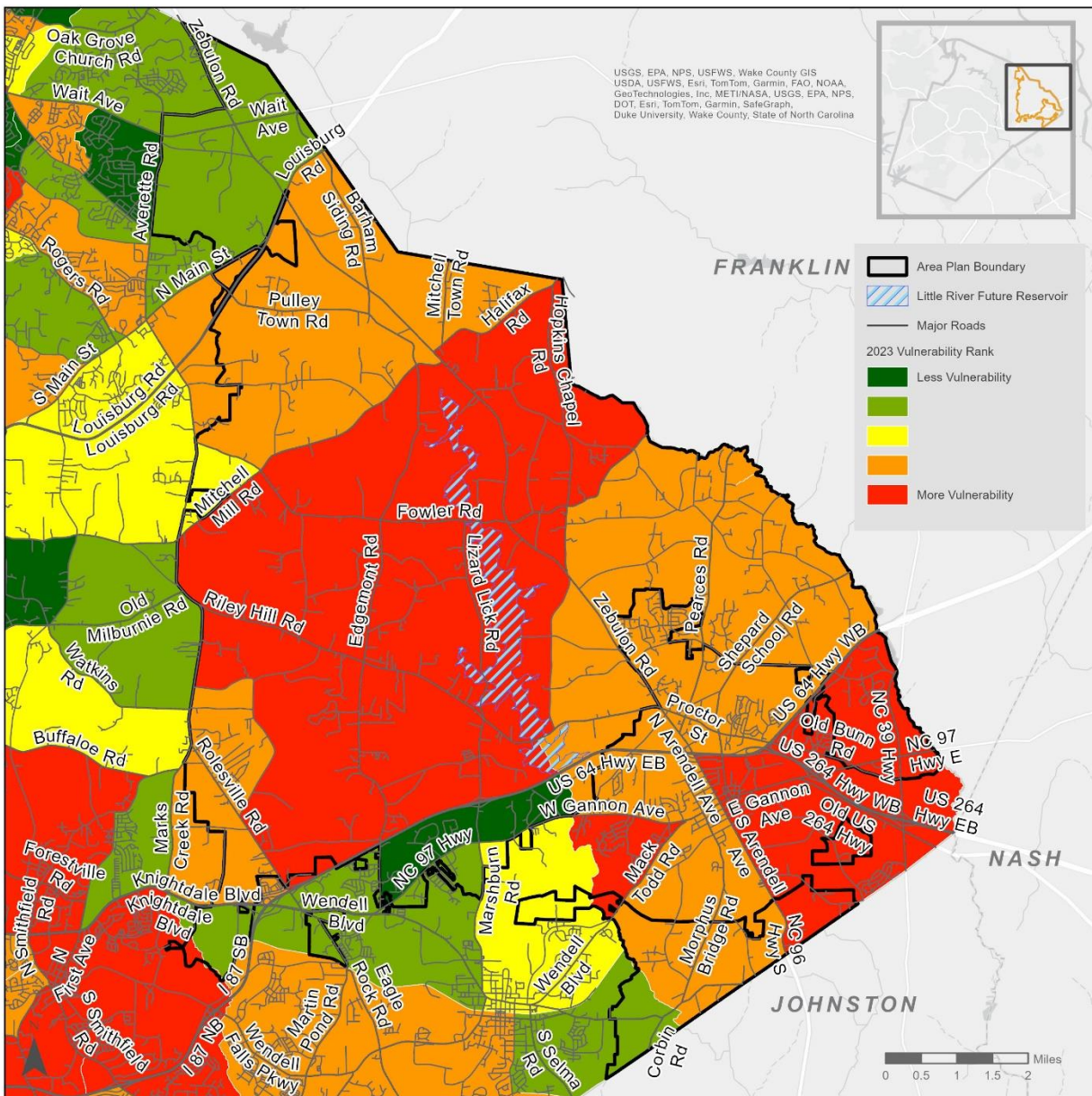
Low Educational Attainment - The population of ages 25 and older who have less than a high school diploma.

Housing Vacancy - The total number of vacant or unoccupied housing units in a block group.

Below Poverty Level - The population living below the federal poverty threshold in Wake County.

The Eastern Wake Area's community vulnerability spans the range of the index meaning that the population ranges from least vulnerable to the most vulnerable depending on geography. However, regardless of the overall score, the age dependency factor is the leading indicator in all but two of the block groups that fall within the Eastern Wake Study Area. This means that there are a higher percentage in this area that are either under the age of 18 or over the age of 65 than any factor. A closer look reveals that there tend to be more of the former than the latter. In other words, in an area where age dependency is the leading factor in determining vulnerability, it tends to be children rather than seniors.

Figure 8: 2023 Community Vulnerability Index



ECONOMIC HEALTH INDEX

The Economic Health Index uses the following factors to compare the conditions within each community to better understand what type of financial constraints residents within that community may be facing. Federal initiatives, such as the U.S. Department of Agriculture Food Program and the U.S. Department of Housing and Urban Development (HUD), utilize similar factors to identify low-income neighborhoods and household types, respectively.

Median Household Income - The median household income in the past 12 months.

Food Stamps - Measured as a percentage of households in each block group.

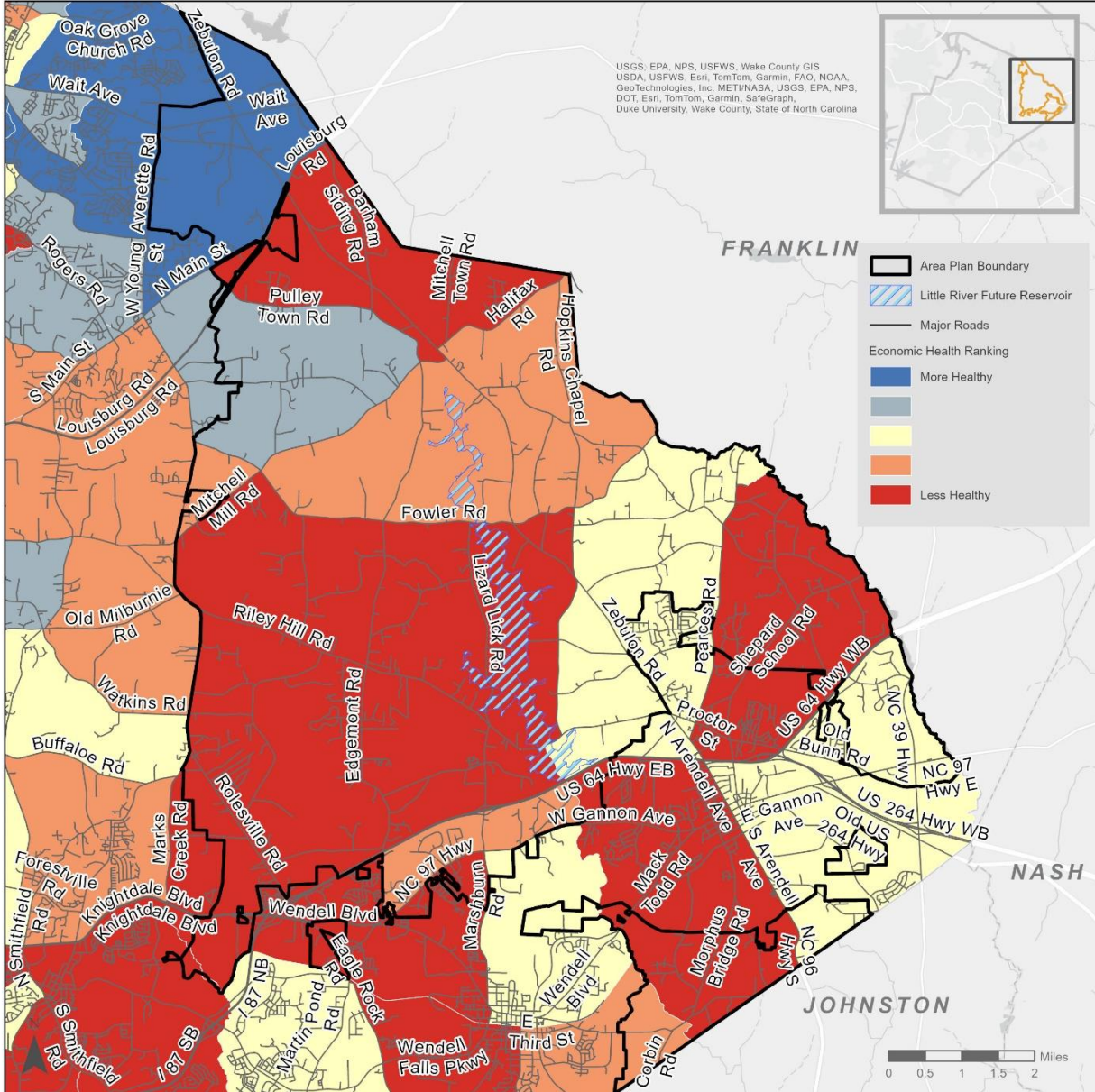
Rent as Greater than 30% of Income - Gross rent as a percentage of household income.

Home Mortgage as Greater than 30% of Income - Mortgage status by owner cost as a percentage of household income.

Persons Living 100%–200% of Federal Poverty Level - Ratio of income to poverty level for whom poverty status is determined between 100 and 200 percent.

The Eastern Wake area's wide range of economic health highlights the varying degrees of financial issues facing the residents today. Similar to the Community Vulnerability metrics, there is one factor connecting all of the areas in Eastern Wake: Rent as Greater than 30% of Income. In almost all of the block groups located within the area, this factor is the leading cause of residents being economically unhealthy. This underscores the need for more affordable housing in rural areas and not just urbanized areas. It is important to note that when this is not a significant factor to economic health, the Home Mortgage as Greater than 30% of income is. So, whether residents own or rent their home, a significant portion of their income is paying for it, leaving less for everything else.

Figure 9: Economic Health Index



Current Land Use

In order to get a better of understanding of how land in the study area is being utilized (instead of how it is zoned), staff grouped and analyzed the current land use via property data and how it is being taxed.

For the Eastern Wake study area, the agricultural land use, which includes horticulture and forestry, is the most prevalent by a considerable amount. Based on Wake County property records, there are 674 total agricultural parcels covering approximately 20,400 acres in the Eastern Wake area. To put this in perspective, there are more than 3,000 agricultural parcels totaling approximately 82,000

acres in all of Wake County, which means that the Eastern Wake study area has 21% of the county's agricultural properties and 25% of the county's total agricultural acreage.

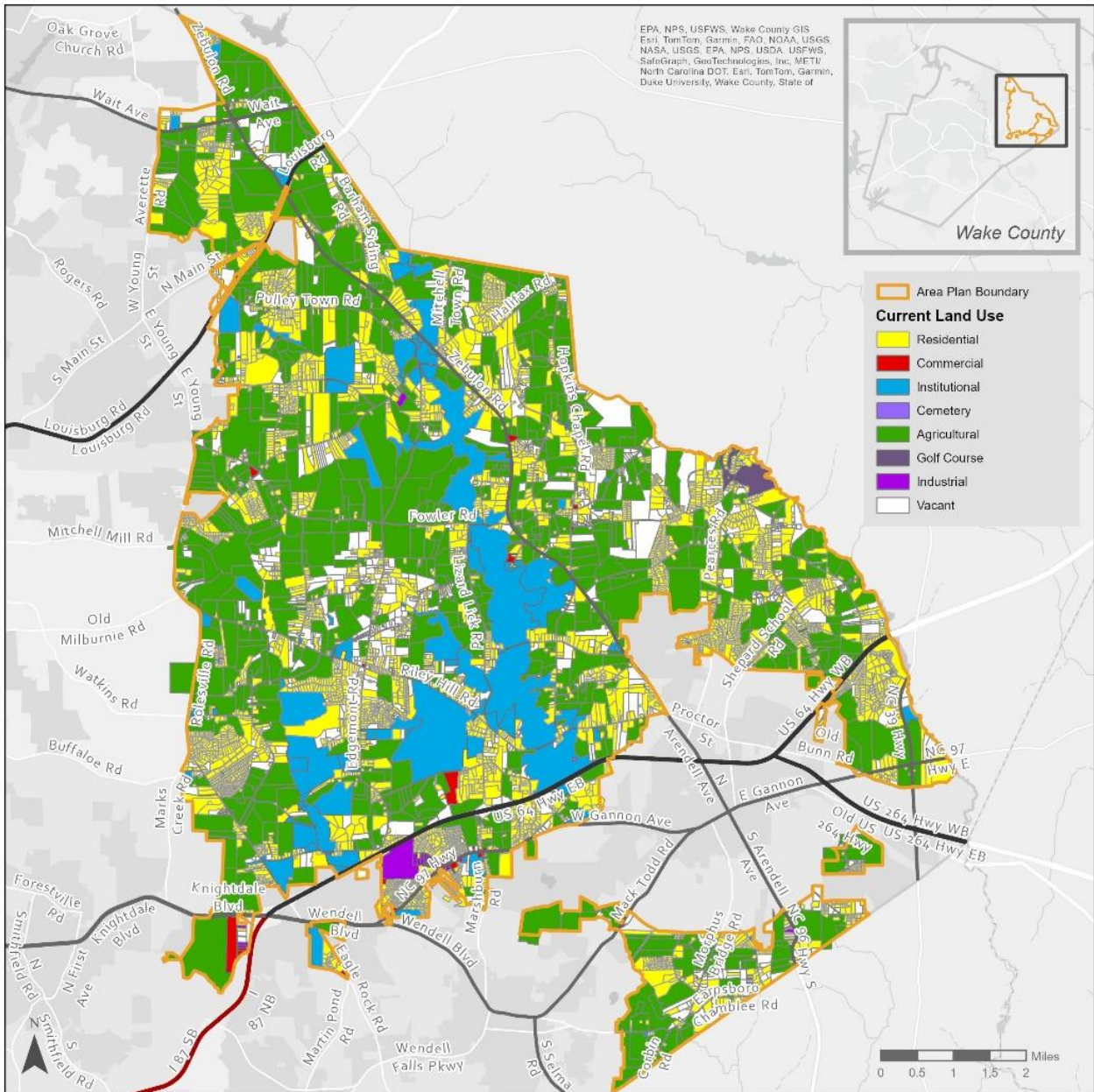
The second most predominant land use is residential with an approximate area of 11,900 acres over 5,446 parcels. This results in an average lot size of just over two acres. It is important to note that much of the study area is zoned the County's lowest density, R-40W or R-80W (one unit per acre and one unit per two acres respectively). These are the county's watershed zoning districts and are designed to limit development and impervious surfaces to minimize runoff that can adversely affect the watershed of the future Little River Reservoir

The land class marked institutional is the third-ranked land use in the Eastern Wake study area at approximately 5,100 acres over 109 parcels. This land class denotes property that is owned either by a government or religious entity. While there are some of the former present in the study area, many of these properties are owned by local governments, specifically Wake County. Again, this is due to the ILA agreement that went into effect to set aside land for the future reservoir. The vast natural areas of this part of the county have contributed to the creation of two of the county's outdoor recreation areas in Robertson Millpond Preserve and Sandy Pines Preserve, and the Mitchell Mill State Natural Area maintained by the State of North Carolina.

CURRENT LAND USE	PARCELS	ACRES	PERCENT ACRES
AGRICULTURAL	674	20,338	47.55%
CEMETERY	34	9.8	0.02%
COMMERCIAL	30	180	0.42%
GOLF COURSE	1	144	12.07%
INDUSTRIAL	21	200	0.34%
INSTITUTIONAL	109	5,172	0.47%
RESIDENTIAL	5,446	11,928	27.89%
VACANT	1,243	4,806	11.24%
TOTAL	7,564	42,768	100.00%

NOTE: While this analysis can be useful in observing overall land use trends, some of the land uses displayed may not be completely reflective of how the land is presently being used. This could be due to a discrepancy in the tax code, or it has not been updated as of this writing. As some residents have made staff aware, some of the coding on this is incorrect and that has been considered by staff.

Figure 10: Current Land Use



Agriculture and Farmland Preservation

The 2040 Farms Under Threat Report is a multi-year initiative conducted by the American Farmland Trust to document the country's farmland status. The report projected that, at the current rate of development, North Carolina will have lost nearly 1.2 million acres or 11.6% to development between 2016 and 2040, which ranks #2 and #6 nationally. Wake County, specifically, is projected to lose 46,600 acres between 2016 and 2040.

PLANWake has a goal to help preserve rural areas by easing the development pressures that they face. This is inherent in its policies to direct more dense development to the municipalities as

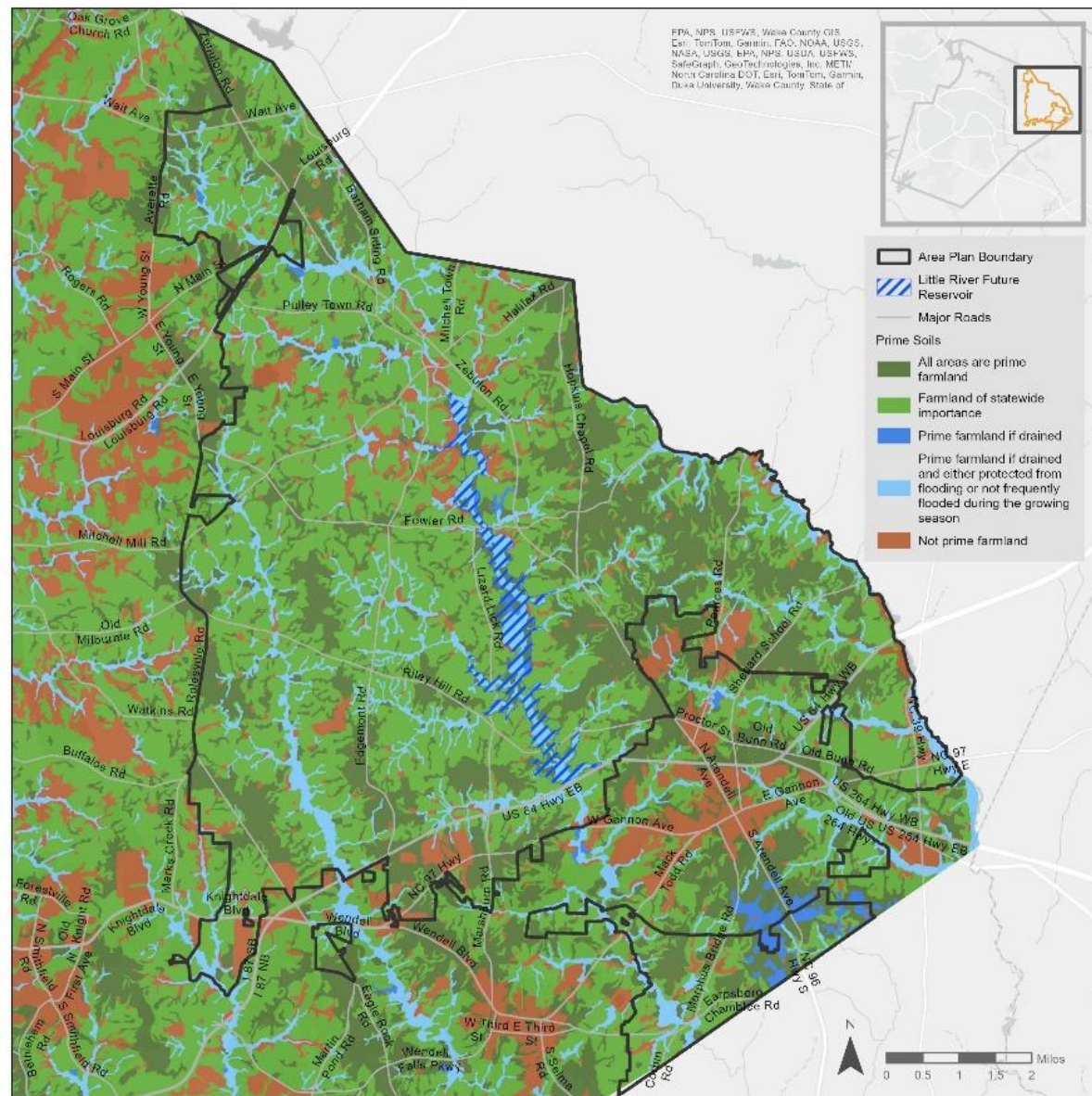
opposed to low density development that takes up more land, which contributes to a loss of natural resources and increases roadway congestion. The process to develop PLANWake included in depth discussions and planning exercises about where growth should be directed and where land should be prioritized for protection.

The prospect of the future Little River Reservoir has created a buffer to the typical development patterns that the county has seen over the past twenty years, and this has resulted in the Eastern Wake study area becoming home to a quarter of the county's total agricultural lands.

Prime Farmland

The Prime Farmland map shows varying types of soils in the Eastern Wake area that are or are not considered prime farmland. In addition, that map shows areas where there is the potential for farmland if the land is drained, or if the land is drained and either protected from flooding or doesn't frequently flood during the growing season.

Figure 11: Prime Farmland



Eastern Wake Farmland and Agriculture

According to Wake County property data, there are more than 3,000 parcels that are classified as agriculture, forestry, or horticulture that total approximately 82,000 acres. In the Eastern Wake area, there are 674 such parcels that total approximately 20,300 acres. This means that 21% of the county's farming property and 25% of the county's farming acreage is within the Eastern Wake study area.

The Wake Soil and Water Conservation District (SWCD) oversees programs created in 2002 (Wake County Voluntary Agricultural District Ordinance), updated in 2016, and replaced in 2022 with the [Farmland Preservation Program Ordinance](#). The three programs are the Voluntary Agricultural District (VAD) Program, the Enhanced Voluntary Agricultural District (EVAD) Program, and the

Agricultural Conservation Easement Program. These programs provide varying degrees of support based on the level of commitment by the farm owner.

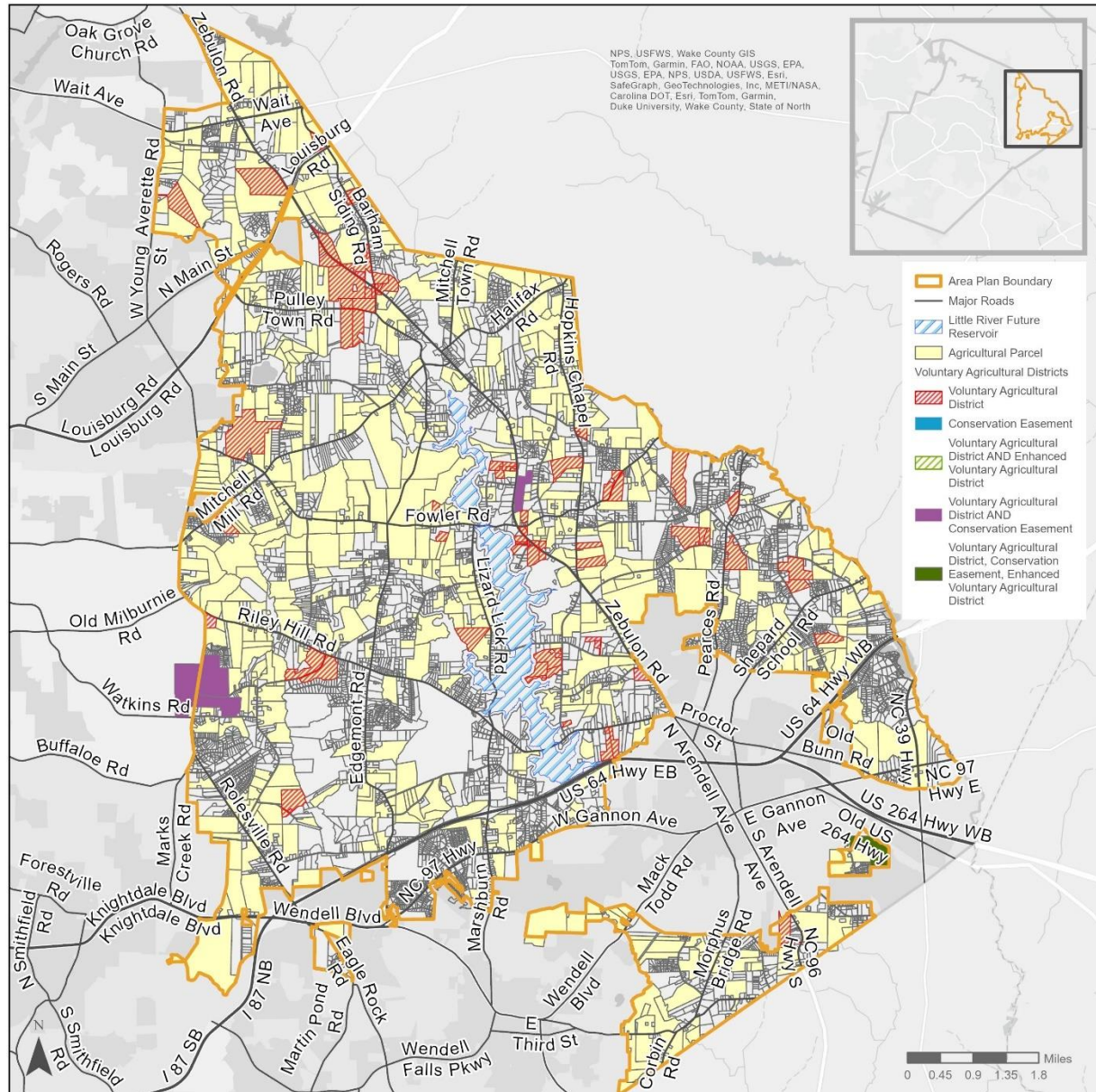
Farm owners can choose to enroll in the VAD program for a period of ten years in order to help promote the visibility of farms in the county, encourage the economic and financial health of agriculture, and reduce conflicts between them and non-farmland users. In this program, farms can opt out of the program before the ten years are up. This is SWCD's longest running program, which explains why there are more VAD properties than any other.

The EVAD program builds on the VAD program by increasing the requirements to enroll and requires an irrevocable 10-year commitment recorded on the deed. In return, landowners are allowed sale of non-farm products, participate in a cost share program, and receive priority consideration for farm grants.

Finally, the Agricultural Conservation Easement Program is the highest protection a farm can receive. Enrollment permanently protects the land for agricultural use, and the easement is a recorded deed between the owner and the SWCD. Any non-farm development is prohibited even if the land changes owners in the future.

Presently, there are 71 properties within the Eastern Wake study area totaling approximately 2,500 acres that are enrolled in one or a combination of the VAD, EVAD, or Conservation Easement programs. To put this in perspective, only 10% of the eligible properties are enrolled in these programs.

Figure 12: Farmland and Voluntary Agricultural Districts



Historic Properties and Landmarks

According to Capital Area Preservation, in order for a building, structure, site, or object to be considered a historic local landmark, it must have “historical, architectural, archaeological, or cultural significance and integrity and has been recognized by official designation for its importance.” This is a different designation than the National Register of Historic Places, which is a federal program administered by the state.

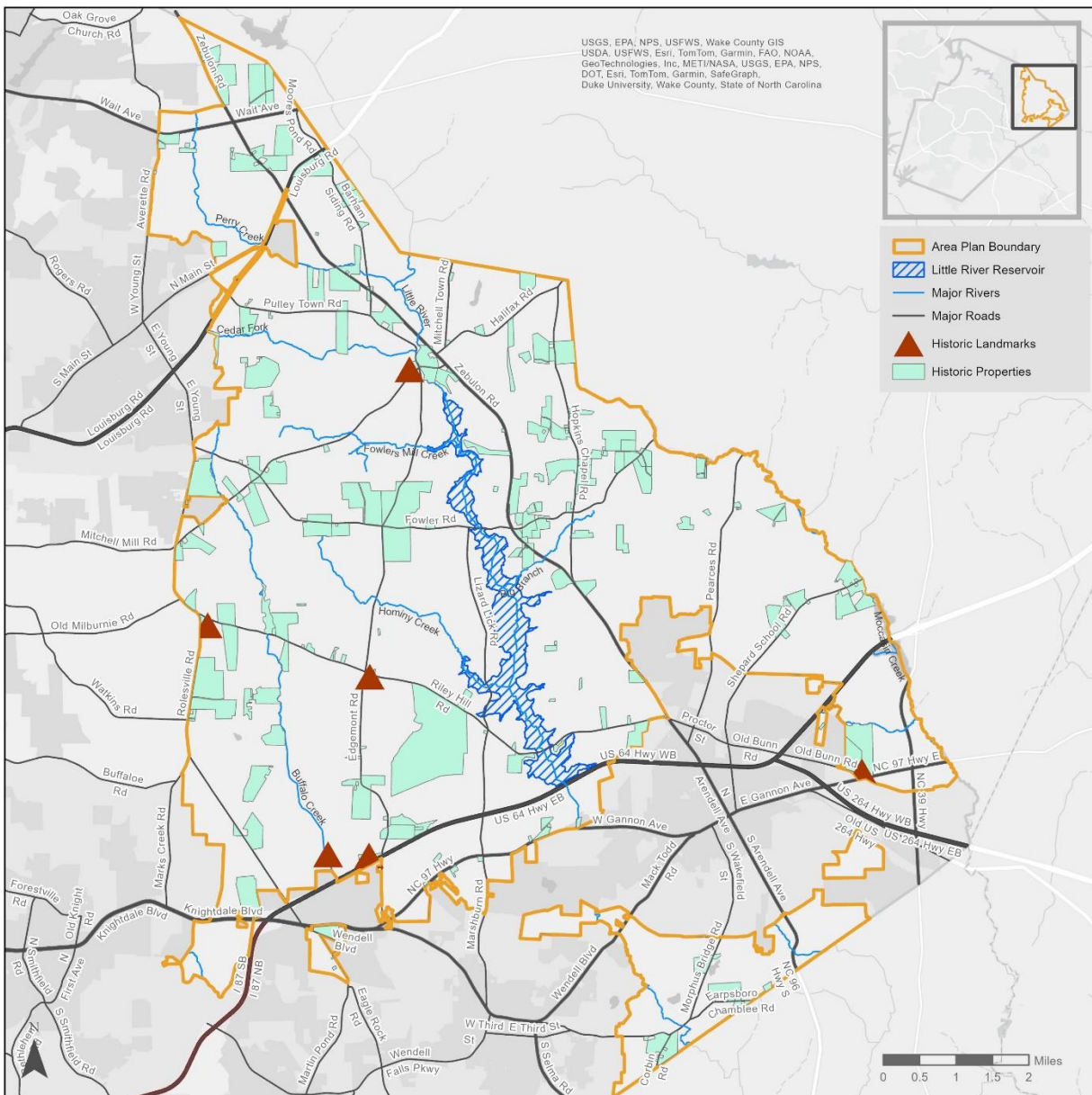
Within the Eastern Wake Area, there are six historic landmarks that meet these criteria:

- Dr. Thomas H. Avera House

- Perry Farm
- Harmony Plantation
- Heartsfield-Perry Farm
- Bennett Bunn Plantation
- Robertson Mill Dam

The Eastern Wake area contains 167 historic properties, but they were deemed either not significant to achieve landmark status or they lost their historic significance over time for various reasons.

Figure 13: Historic Properties & Landmarks



Online / Virtual Engagement

The virtual community meeting took place on March 6, 2025 and formally kicked off the public engagement portion of the plan. In the meeting, staff provided background information about planning in Wake County, the goals of the area plan, and ways to participate in the process.

Staff used the interactive map platform for two separate rounds: the first to gather initial thoughts and comments about the study area, and the second to receive comments on the proposed draft land uses. The draft land use map went live at the end of May 2025.

- 1246 Total Visits
- 779 Unique Users (number of unique visitors to the site)
- 186 Unique Stakeholders (number of visitors who submitted a survey response/map comment)
- 59 Comments
- 162 Survey Responses

[illegible]



Leave a Comment

I believe this should be left in agriculture to better serve the land and the community. Agriculture is a vital piece that is quickly being eliminated in our county



Ideas and Suggestions

Please protect this whole area. There is not enough road infrastructure as it is. This area is so beautiful. Please no more homes! Make this a nature preserve for people and children to enjoy. Please, none of us want this developed. Listen to your voting citizens please!



Ideas and Suggestions

Please stop tearing all the trees down. Take some tips from Wake Forest. They're taking the Forest away! Leave it there. Create nature pathways, similar to Joyner park! Create walkable space! This has added benefits, fitness, another activity for parents to get their kids outside, a little bit away from downtown! Jogging trails. Pet friendly areas! Kids kids kids, stop building homes before you put the desired infrastructure in place to even handle this surge of homeowners.



Ideas and Suggestions

A grocery store and gas station here to support all of the new residents.



Leave a Comment

If we wanted our area developed, we would move to the city or a housing development. We want to be left with land that suits our community in farming and agriculture- not parks, recreation or development. Without farmers, there is no food to eat!

Below is summary of the second round of online engagement for the draft future land uses:

- 387 Total Visits
- 261 Unique Users (number of unique visitors to the site)
- 3 Unique Stakeholders (number of visitors who submitted a survey response/map comment)
- 3 Comments

Figure 15: Comments from Second Round of Online Engagement



Leave a Comment

My property on Rolesville Road shows up in green. I would like for you to change it to yellow. I plan on developing the the property in the near future. The surrounding property is already colored yellow. The property owner is Watson family II LLC. Thank you very much. Johnny Watson 919-8 19-5509.



Leave a Comment

My property on Rolesville Road shows up in green. I would like for you to change it to yellow. I plan on developing the the property in the near future. The surrounding property is already colored yellow. The property owner is Watson family II LLC. Thank you very much. Johnny Watson 919-8 19-5509.



Leave a Comment

You are denoting part of Wendell and Knightdale's innovation district (coordinated through wake county ED) as 'Ag/Forestry' in this draft plan map.

In-Person Community Meetings

Wake County staff held two in-person meetings, both at the Eastern Regional Center in Zebulon, to provide residents with opportunities to receive information, ask questions, and have face-to-face conversations about the issues that they felt most strongly about. Both meetings were drop-in style to allow residents to come in at any time during the meeting.

Community Meeting #1

The first in-person meeting was held on April 16, 2025. Following a format created for the previous area plan, Western Wake, staff set up four information stations and one feedback station. The information stations were designed to provide residents with planning-related context and insight into how different factors can create issues or solutions related to their neighborhoods. Finally, residents were then given the opportunity to share their concerns, comments, or feedback to staff about the Eastern Wake study area at the feedback station.

Overall, residents were keenly aware of the area's uniqueness. The lack of development here compared to other parts of the county is not unnoticed, and there are concerns that that will change. However, there is a need for more services and retail, but they must be at the appropriate scale and character.

Along with Wake County Planning staff, county partner agencies were invited to set up information tables to promote and answer questions about the various services they provide. The agencies included:

- Soil & Water Conservation District
- Onsite Water Protection
- Wastewater
- Parks Recreation & Open Space
- Housing Affordability & Community Revitalization
- GoWake Access
- Triangle Land Conservancy

Insert Pictures

Community Meeting #2

The second in-person community meeting was held on June 26, 2025. The format was similar to the first meeting in that staff manned four information stations with planning-related information and a fifth feedback station. However, the fifth station solicited feedback for the draft future land use and the greenway/walkability maps.

Residents asked staff questions about the planning process, such as how comments and feedback given earlier in the process contributed to the future land use map and made comments or corrections to the maps.

County partner agencies were once again present to promote and highlight the work they do in the community.

- Soil & Water Conservation District
- Onsite Water Protection
- Wastewater
- Parks Recreation & Open Space

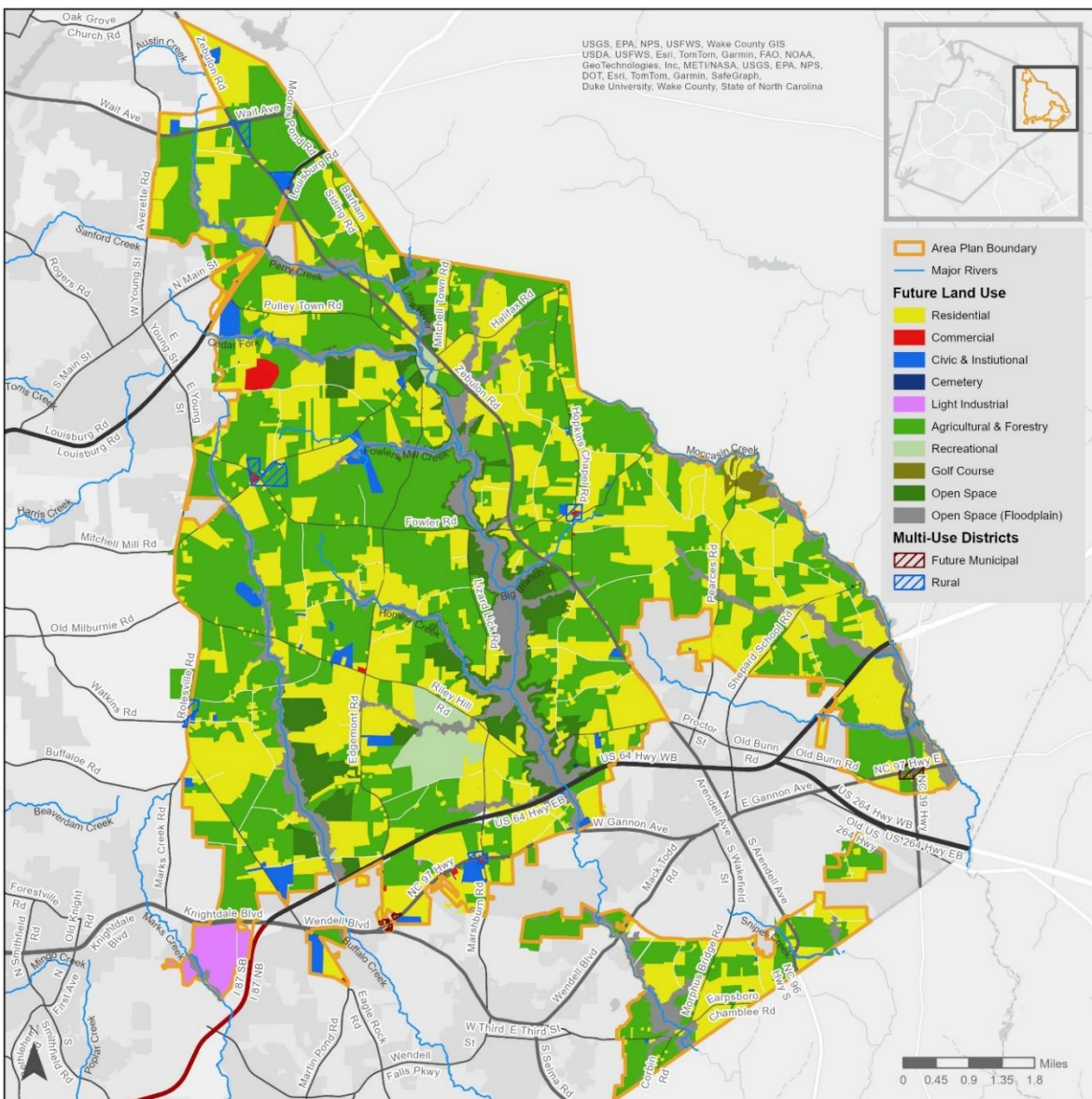
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DRAFT

Section 4 – Eastern Wake Future Land Use Map

Land use planning is typically performed by looking 20 to 30 years into the future to establish the best possible uses of land as determined by the public, planning staff and stakeholders. However, it is reasonable to assume what is considered the best use of this land now can and often does change well before the 20 years are complete. For this reason, planning documents are referred to as “living documents” in that they can and should be amended and updated as necessary. Amendments can be requested by individual property owners, which undergoes a public hearing process, and updates are typically conducted by planning staff every five years or so to ensure the data and information are still accurate and relevant. The future land use map is based on the most recent and up-to-date information.

Figure 16: Future Land Use



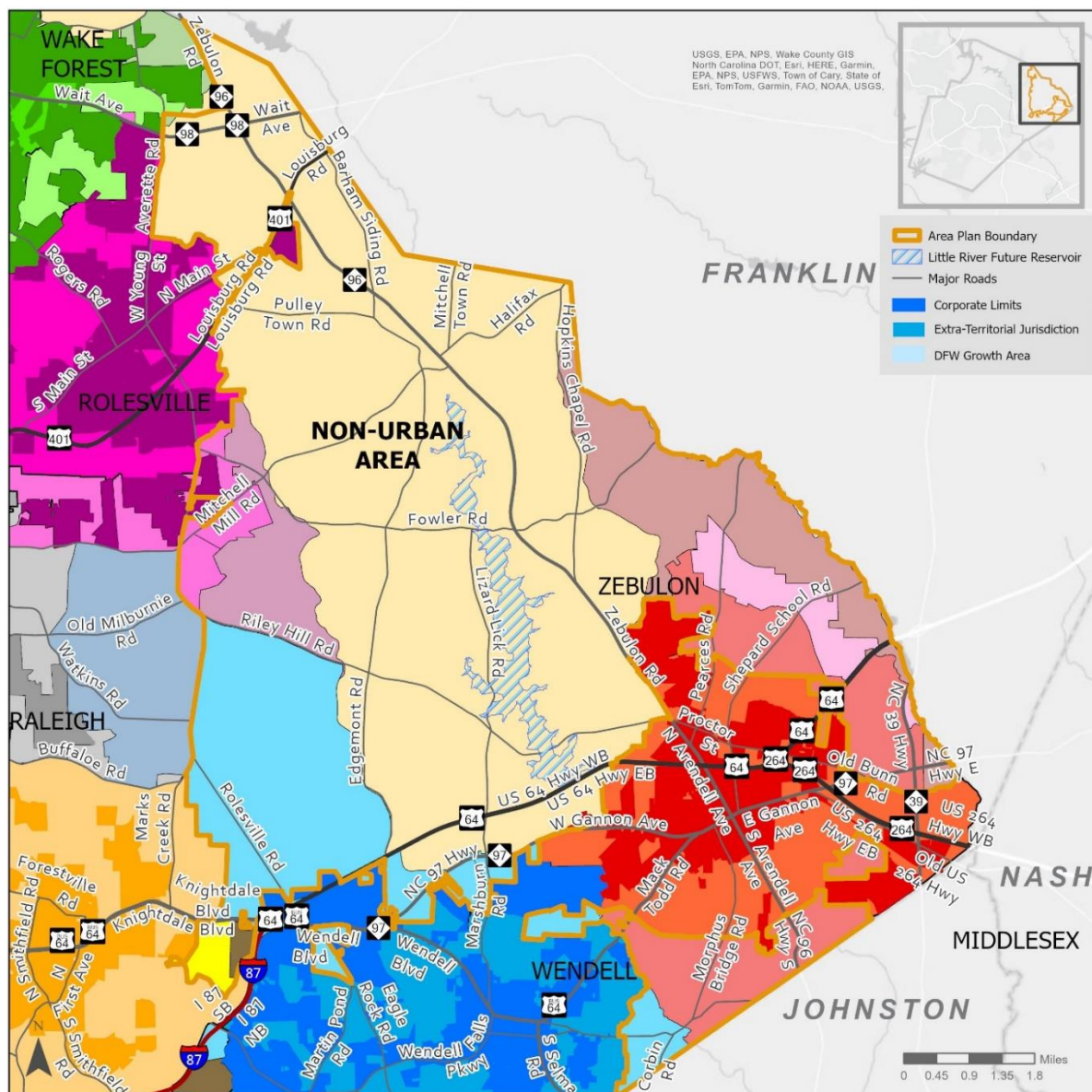
Land Use Classification	Description
Residential – 1-4 DU/Acre	The Residential classification indicates future areas for any residential land uses with a maximum density of <u>four</u> dwelling units per acre. The maximum density cannot exceed that of the existing zoning district.
Commercial	The Commercial classification indicates commercial uses outside of Multi-Use Districts (MUDs) that are currently in existence.
Civic & Institutional	The Civic & Institutional classification indicates areas intended for neighborhood-oriented non-residential development including schools, religious institutions or community centers. This classification is intended to be less intensive than other non-residential areas such as Multi-Use Districts.
Light Industrial	The Light Industrial classification indicates areas with existing or future industrial operations.
Agriculture & Forestry	The Agriculture & Forestry classification identifies areas where agricultural, horticultural, or forestry uses are expected to continue.
Recreational	The Recreation classification indicates public recreation areas that are maintained by either county or state.
Golf Course	The Golf Course classification indicates existing golf course locations.
Open Space	The Open Space classification indicates properties that have been purchased by Wake County or the State of North Carolina specifically to preserve open space. These properties may be used for appropriate active or passive recreation or agricultural operations.
Open Space (Floodplain)	The Open Space (Floodplain) classification indicates areas that are restricted from development or redevelopment to reduce impacts from regular flooding. These areas can be used for appropriate active or passive recreation, including greenways.
Multi-Use District	Formerly known as Activity Centers, Multi-Use Districts (MUDs) are areas near transportation corridors where non-residential development is envisioned to serve the community.

Section 5 – Additional Planning Elements

Municipal Planning Jurisdictions

A municipality's planning jurisdiction comprises the land within its corporate limits plus the land within its extraterritorial jurisdiction (ETJ). North Carolina state statutes have authorized municipalities to regulate development in their ETJs through their zoning laws and development ordinance since it is expected that they will become part of the corporate limits in the future. Wake County does not provide water and sewer services — this allows municipalities to better ensure development patterns and associated infrastructure will allow the efficient provision of urban services.

Figure 17: Municipal Transition Standards and Growth Areas



Municipal Transitions Standards (MTS)

In 2022, to better align policies with the goals of PLANWake, Wake County adopted its MTS policy. This policy builds off and expands the requirements of the Transitional Urban Development Policy (TUDS) that was put in place around the time the area plans were originally adopted in 2000-04. The older TUDS policy applied to residential developments proposed in Wake County's jurisdiction that were located less than 2,500 feet to an existing public water or sewer line (utilities). The TUDS policy required the developments to either connect to utilities and become municipal or to justify why a connection was not feasible.

Building off the TUDS policy that applied to developments within a certain distance of an existing utility service, the MTS policy includes commercial developments and all properties designated as Community, Walkable Center or Community Reserve on the PLANWake Development Framework Map. It requires any potential developer in these areas to talk with the municipality before applying to the County. The MTS tool, combined with many of the other planning elements listed, will better link municipal and developer efforts to achieve important goals set forth in PLANWake.

Multi-Use Districts (MUDs)

Formerly known as Activity Centers, Multi-Use Districts (MUDs) are the places stakeholders have felt are most appropriate for commercial and mixed-use development to occur. Typically, these are located at the intersections of major or moderate-sized roadways. In many instances, the district is centered around a location that is or has historically been a commercial use. A good example of this would be a gas station or community store that historically served the needs of the area's population. The county uses MUDs to guide decisions on rezoning requests and development permits.

MUDs are intended to play two primary roles. The first is to identify the most appropriate location for commercial development to help serve the daily needs of the surrounding neighborhoods. In this role, the county uses multi-use districts to guide decisions on rezoning requests and development permits. The county is also interested in how a proposed use fits and serves the existing population. The second role of the multi-use district is to preserve opportunity areas for commercial development to occur as the municipal areas expand to accommodate continued population growth. The multi-use district policy provides guidance on the intended maximum size of each multi-use district category. In this role, the county's interest is in how a proposed use would serve the needs of a future population.

To align multi-use districts with the intentional growth framework set out in PLANWake, the county will take a two-tiered approach (Rural and Municipal) with multi-use districts.

Rural Multi-Use Districts are multi-use districts designated as Community Reserve or Rural on the PLANWake Development Framework Map. These areas are intended to either remain in county jurisdiction in perpetuity or are not intended to become municipal in the foreseeable future. Non-residential development will occur on well and septic or private utility and will be small-scale in nature, especially within water supply watershed areas.

Municipal Multi-Use Districts are multi-use districts designated as Community or Walkable Center on the PLANWake Development Framework Map. These areas are intended to be annexed and served with municipal public utilities in the future. Multi-use districts in these areas generally align with municipal plans for development. The goal of development that occurs in the county jurisdiction is to harmonize with future expected municipal development.

Multi-Use District Amendment Recommendations

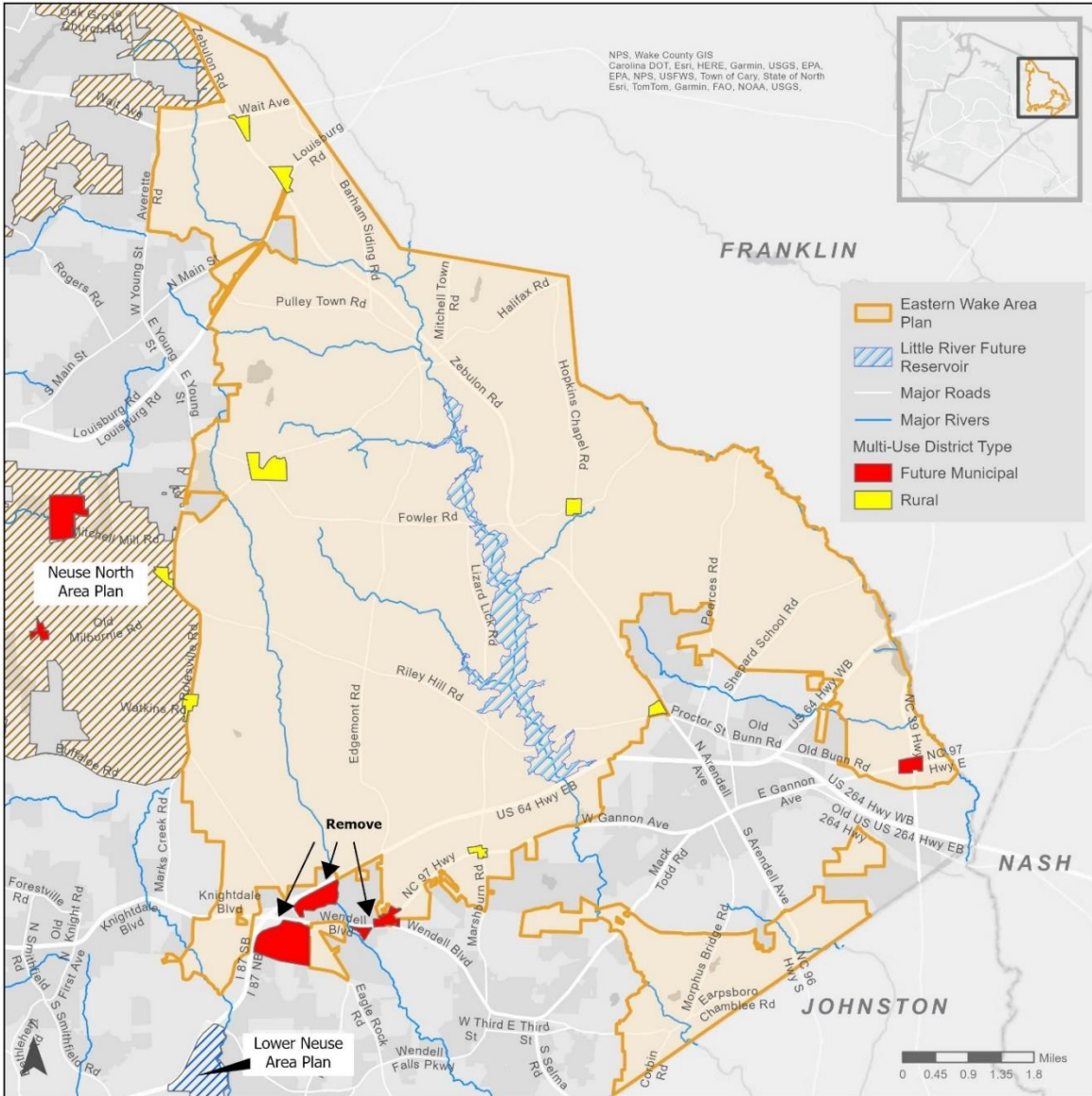
There are eight multi-use districts (MUDs) within the Eastern Wake study area and four just outside the area. Of the former, seven are classified as rural MUDs and one is classified as municipal. Similar to PLANWake's Development Framework map, these classifications indicate the likelihood of the MUDs either developing within the county's jurisdiction or eventually under the associated municipality's. One of the latter is completely outside the boundary area and will be addressed in the Neuse North Area Plan.

The Eastern Wake Area Plan is making the following recommendations.

- Remove four MUDs located outside of the study area, and by extension, outside of the county's jurisdiction.

LOCATION	ACRES	PARCELS
INTERSTATE 87 AND US 64	226	6
ROLESVILLE RD AND US 64	95	2
OLD BATTLE BRIDGE RD AND US 64	15	3
NC 97 AND US 64 ⁴	38	15

⁴ While the majority of this MUD is now within the Town of Wendell's jurisdiction, there are six parcels totaling 8.34 acres that are still within Wake County's jurisdiction. However, given the unlikelihood of these parcels redeveloping under the county, staff is recommending removing the MUD designation from these parcels but assigning them a Commercial designation in the future land use map.



Wait Avenue & Zebulon Road Multi-Use District

This MUD is located mostly at the southeastern corner of the new traffic circle at Wait Avenue and Zebulon Road; it extends to a small, bisected parcel northeast and northwest of the intersection.

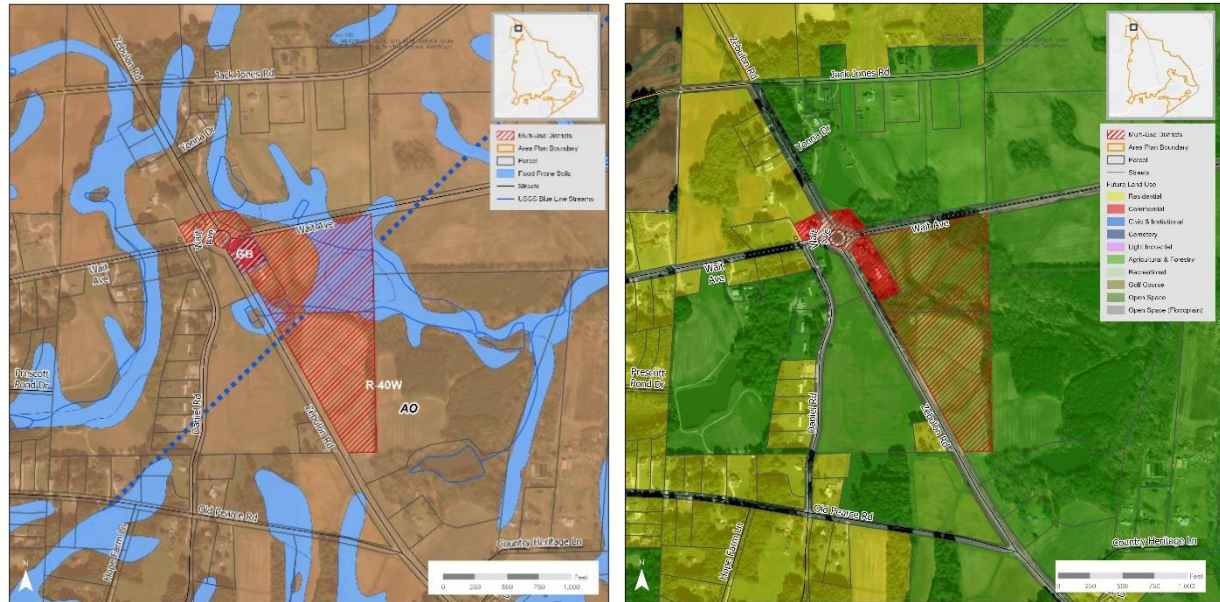
The MUD is just over 30 acres in size. It currently comprises five parcels that are a mix of agricultural, residential, commercial, and vacant uses. This includes a small gas station/convenience store, an auto repair shop, a single-family home, and farmland.

Regarding the PLANWake Development Framework, the MUD is within the Rural designation and is intended to remain within the county's jurisdiction. This means the scale and character of this area is expected to remain rural for the foreseeable future.

The majority of this MUD is zoned Residential-40 Watershed (R-40W) with one parcel zoned General Business (GB), which is the parcel with the auto repair shop. R-40W is a residential watershed district that allows very low-density residential development such as single-family homes. GB is a commercial district intended to allow neighborhood- or community-oriented activities such as offices, retail, or vehicle services. The southern portion of the MUD is within the Airport Overlay (AO) District. AO is an overlay district that protects the environs of the Triangle North Business Airport, located in Louisburg, Franklin County. The overlay places a height restriction of 1,050 feet so as to not interfere with aircraft operation and prevent conflicts with land development.

The Future Land Use map has the smaller parcels in this MUD designated as commercial with the larger parcels designated as Agricultural & Forestry.





Louisburg Road & Zebulon Road Multi-Use District

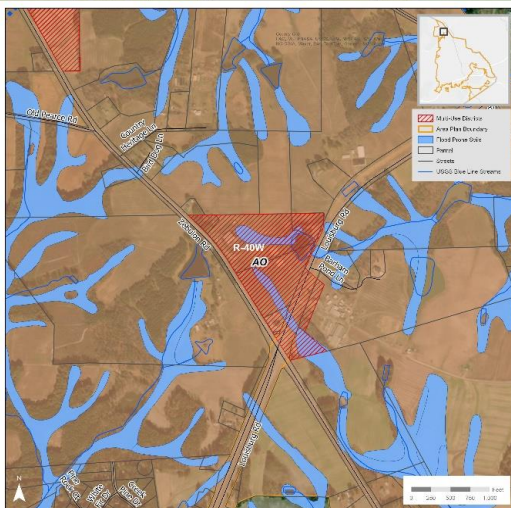
The MUD at Louisburg Road and Zebulon Road comprises seven parcels totaling just under 40 acres and is located north and east of the intersection.

This MUD's current land uses are residential, institutional, commercial, and agricultural. More specifically, the MUD contains a landscape supply store, a gas station/convenience store, a church and two single-family residences.

The PLANWake Development Framework map shows this MUD within the Rural designation, which indicates that it is expected to remain in the county's jurisdiction long term.

The entire MUD is within the Residential-40 Watershed (R-40W) Zoning District and the Airport Overlay (AO) District.

The Future Land Use Map stays relatively consistent with this MUD's current uses. However, it makes the recommendation to change one residential parcel along Louisburg Rd from Residential to Commercial.



Riley Hill Road & Zebulon Road Multi-Use District

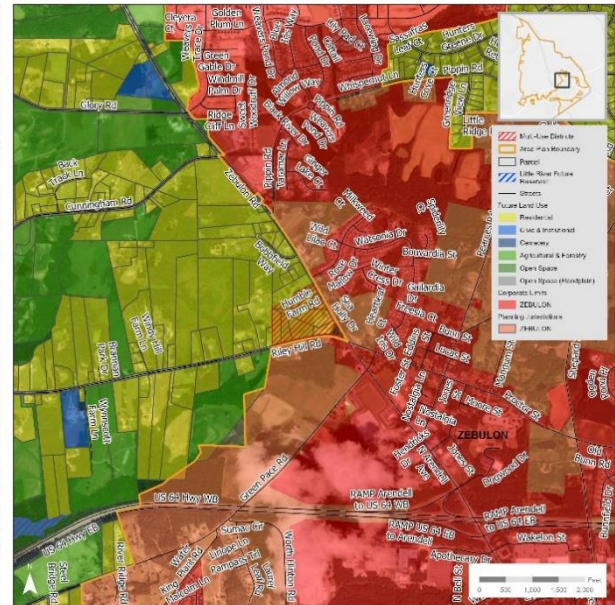
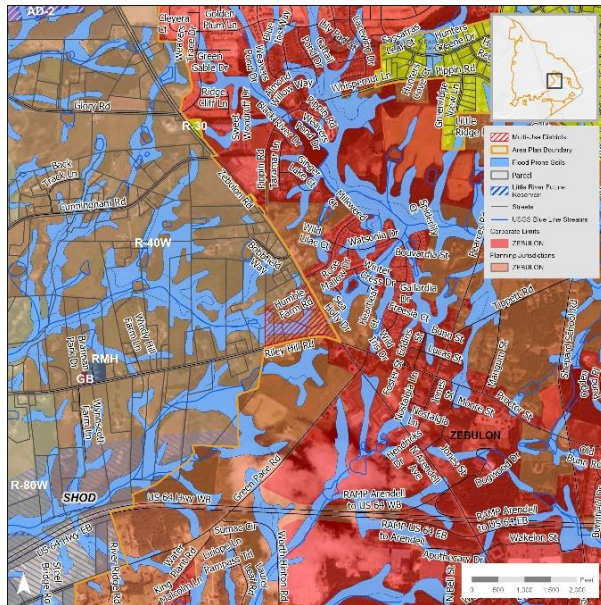
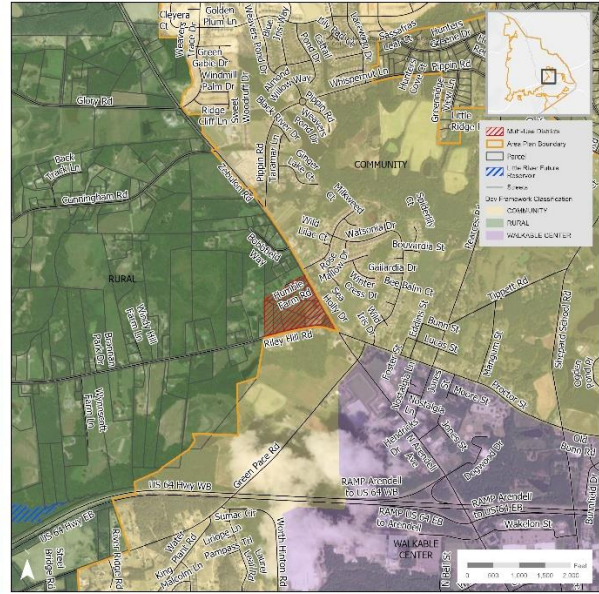
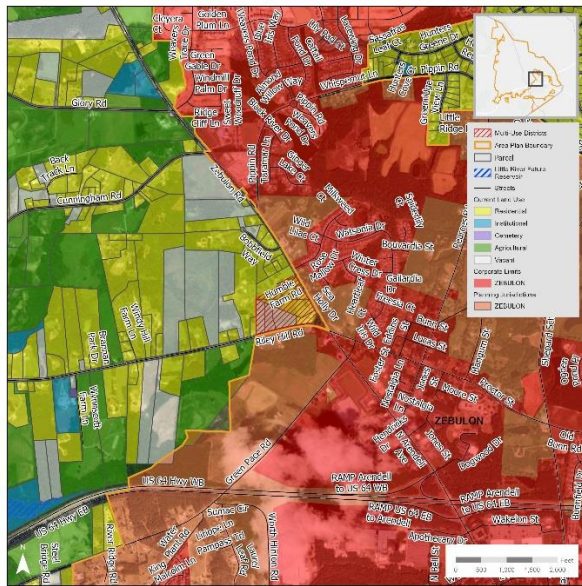
The MUD at Riley Hill Road and Zebulon Road comprises 11 parcels and totals 21 acres. It is in the northwest corner of the intersection and on the Eastern Wake area's border with the Town of Zebulon's jurisdiction.

Currently, the MUD is a mix of agricultural, vacant, and residential uses, which include four single-family homes.

PLANWake's Development Framework Map has this MUD within the Rural designation. However, it is on the border with Zebulon's jurisdiction, and it is adjacent to the Community designation and slightly removed from an area showing Walkable Center. The MUD's proximity to these areas makes a good location for serving the public in the event that non-residential development does occur.

This MUD is currently zoned Residential-40 Watershed (R-40W) with a significant area of flood-prone soils. R-40W is a residential watershed district that allows very low-density residential development.

The Future Land Use map shows this MUD remaining in place and its parcels designated as Residential and Agricultural



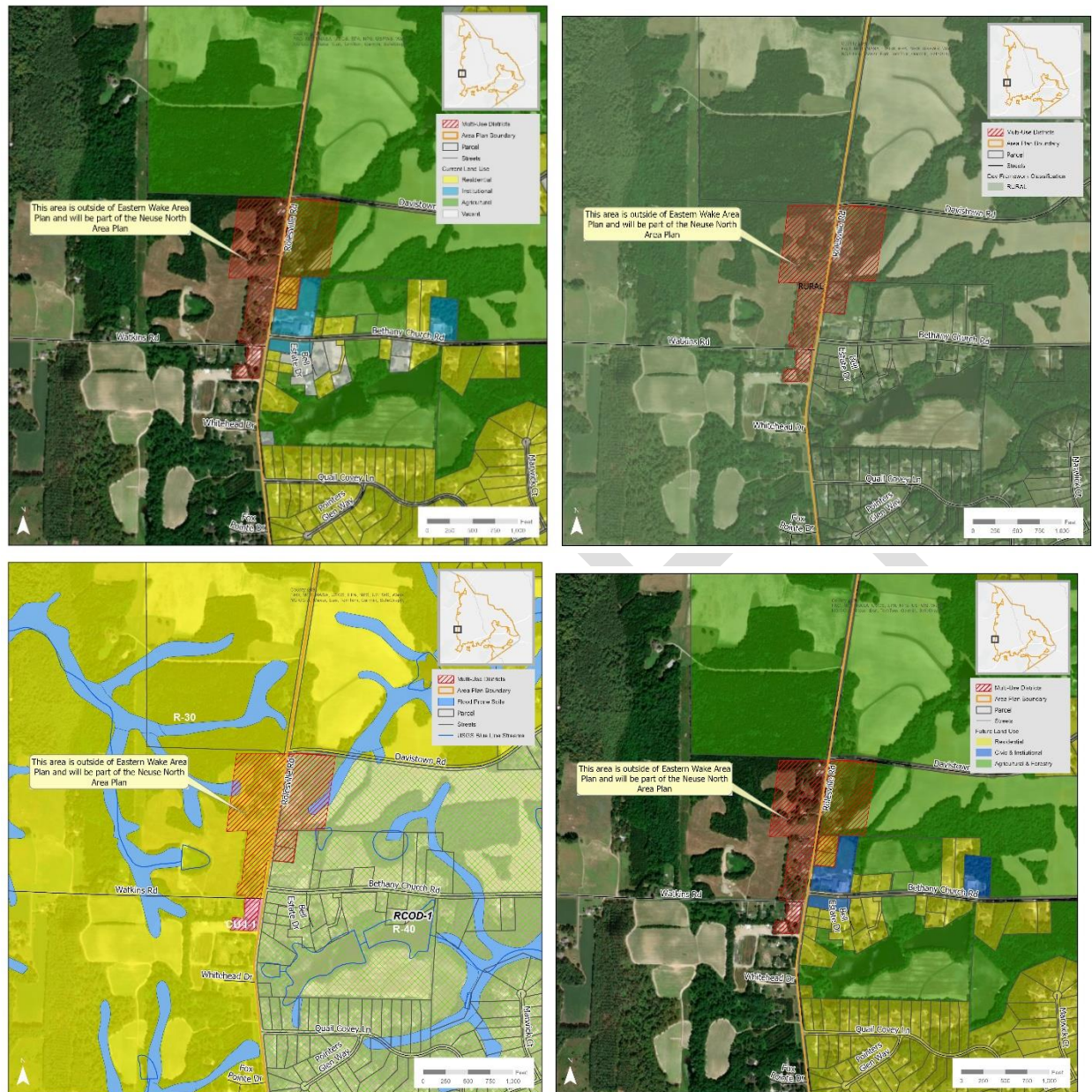
Rolesville Road & Daviston Road Multi-Use District

The MUD at Rolesville Road and Davistown Road is along the Eastern Wake study area's western border with the Wake County Neuse North Area Plan. The entire MUD comprises 18 parcels and totals just under 30 acres, but only three parcels (11.5 acres) of that are within the Eastern Wake study area.

Of the three parcels, two are currently residential and one is a large agricultural parcel. The former are single-family homes, and the latter has a now closed community grocery store and gas station.

The MUD, along with the surrounding area, is within the Rural designation in PLANWake's Development Framework.

The Future Land Use map continues the existing residential and agricultural land uses.

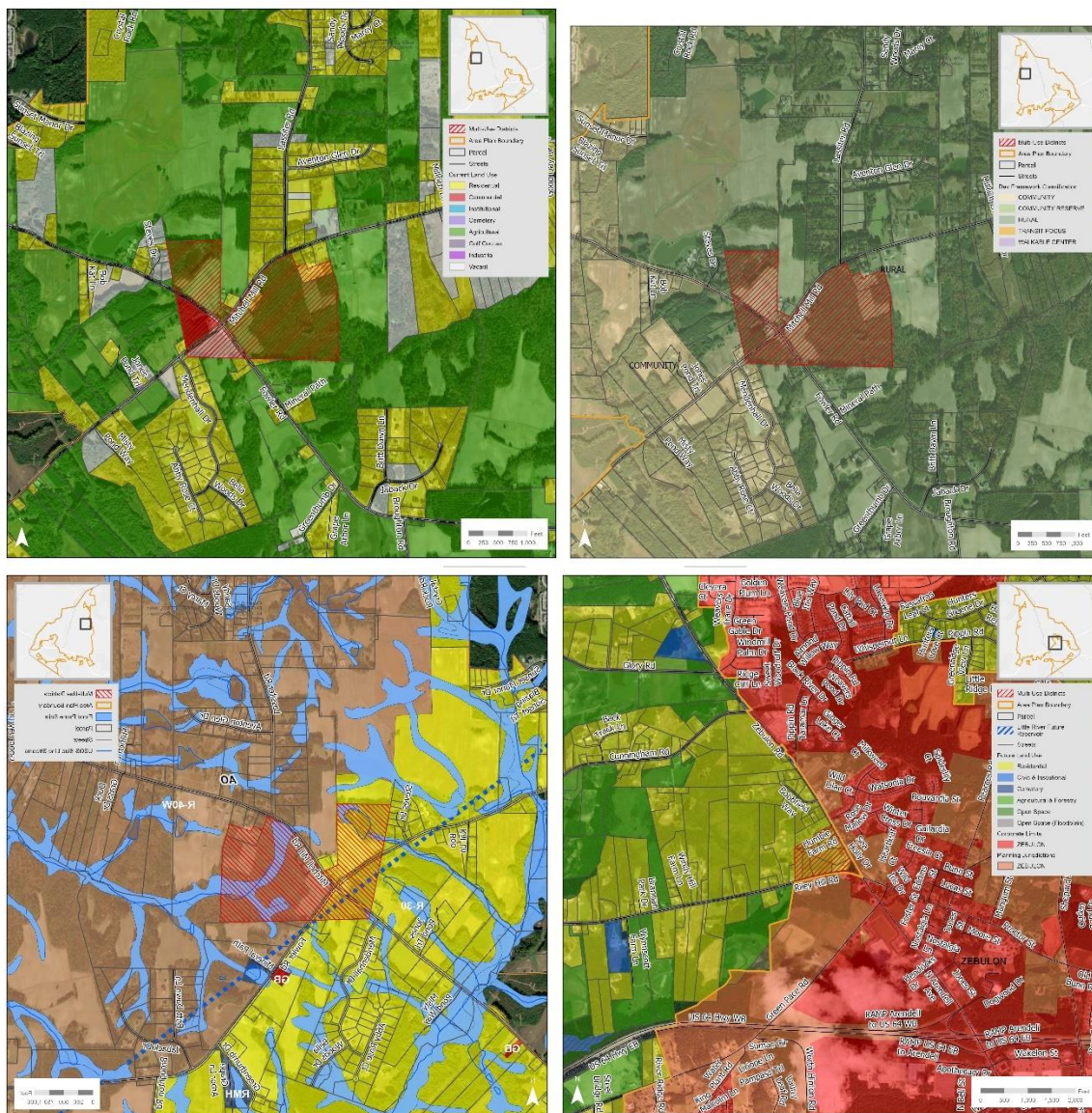


Mitchell Mill Rd & Fowler Rd Multi-Use District

The MUD at Mitchell Mill Road and Fowler Road covers six parcels and totals 97 acres, and it located in the northwest section of the Eastern Wake area.

It is currently a mix of commercial, vacant, residential, and agricultural parcels. There is a gas station/convenience store east of the intersection, two large agricultural parcels to the north and east, and the vacant lot to the south. The three residences are along Mitchell Mill Road northeast of the intersection.

The Development Framework map shows this MUD within the Rural designation; however, the Community designation is present just to the south and west, indicating where municipal development is expected to occur in the next 5-10 years.



NC 97 Hwy & NC 39 Hwy Multi-Use District

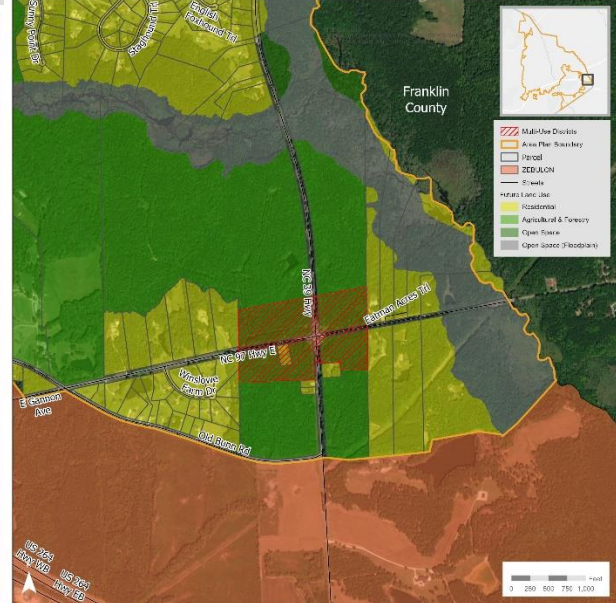
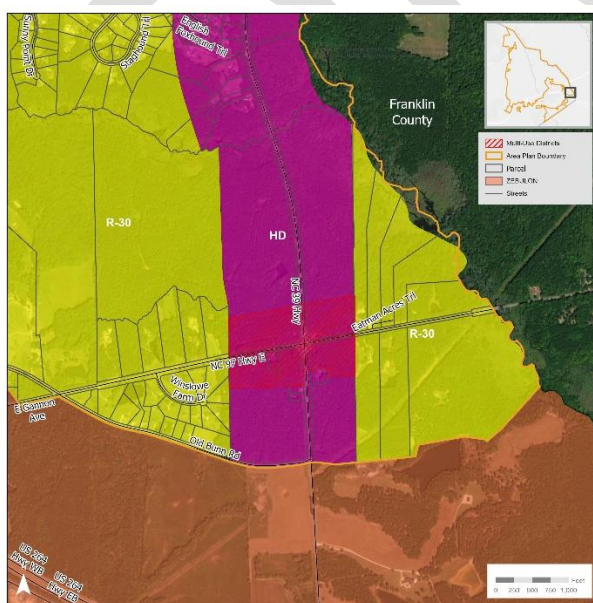
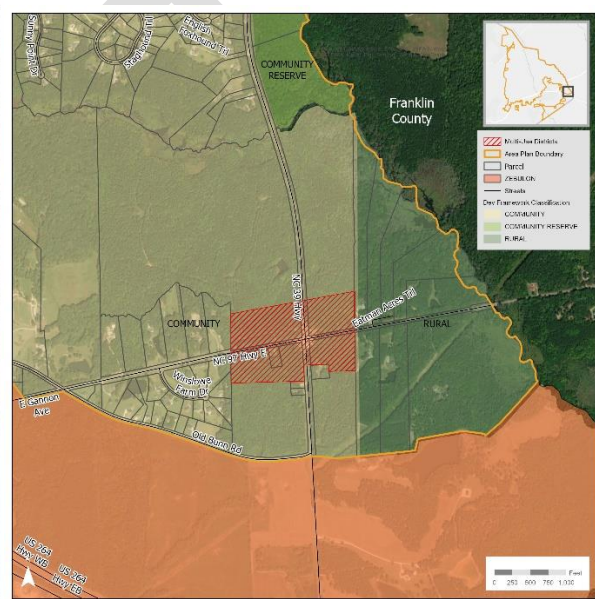
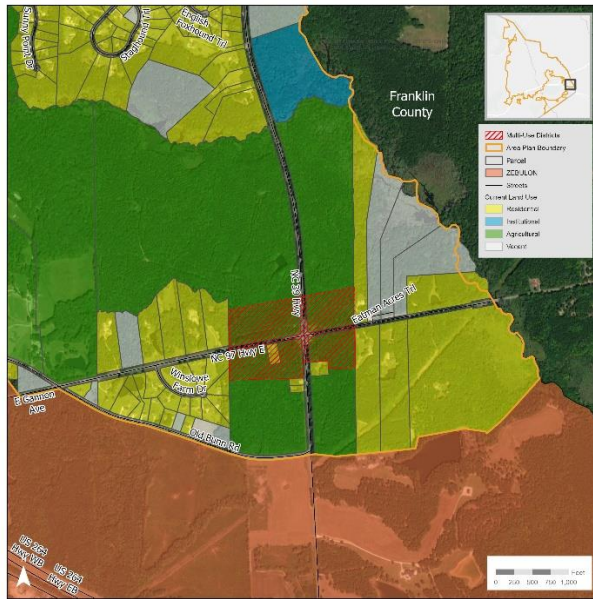
The MUD located at NC 97 & NC 39 Hwy is located in the eastern portion of the study area and is just north of the Town of Zebulon's current planning jurisdiction. Downtown Zebulon is just to the west past US 264 Hwy. The MUD itself is 40 acres in size and consists of two parcels. The first is entirely within the MUD designation, and the second, which is much larger and spread across the four quadrants of the intersection, is only partially within the designation. The smaller parcel is currently a single-family home and the larger parcel is currently operating as a forestry use.

PLANWake has designated this as a Municipal MUD, as opposed to a Rural MUD, meaning that the county expects it to develop in the municipality's jurisdiction through annexation. This is

underscored by its Community designation in PLANWake's Development Framework Map. Additionally, the Town of Zebulon has this area designated as Suburban Commercial (SC), which is consistent with PLANWake.

The MUD's current zoning is Highway District (HD), and this district runs the length of NC 39 Hwy to the county line. The HD District is primarily a residential zoning district that allows several types of nonresidential development through special use permits approved by the Wake County Board of Adjustment. This allows for flexibility while still maintaining oversight over any use that may be disruptive to residences.

The Future Land Use Map is continuing the agricultural use of the forestry operations and the residential use of the single-family home.



Hopkins Chapel Road & Fowler Road Multi-Use District

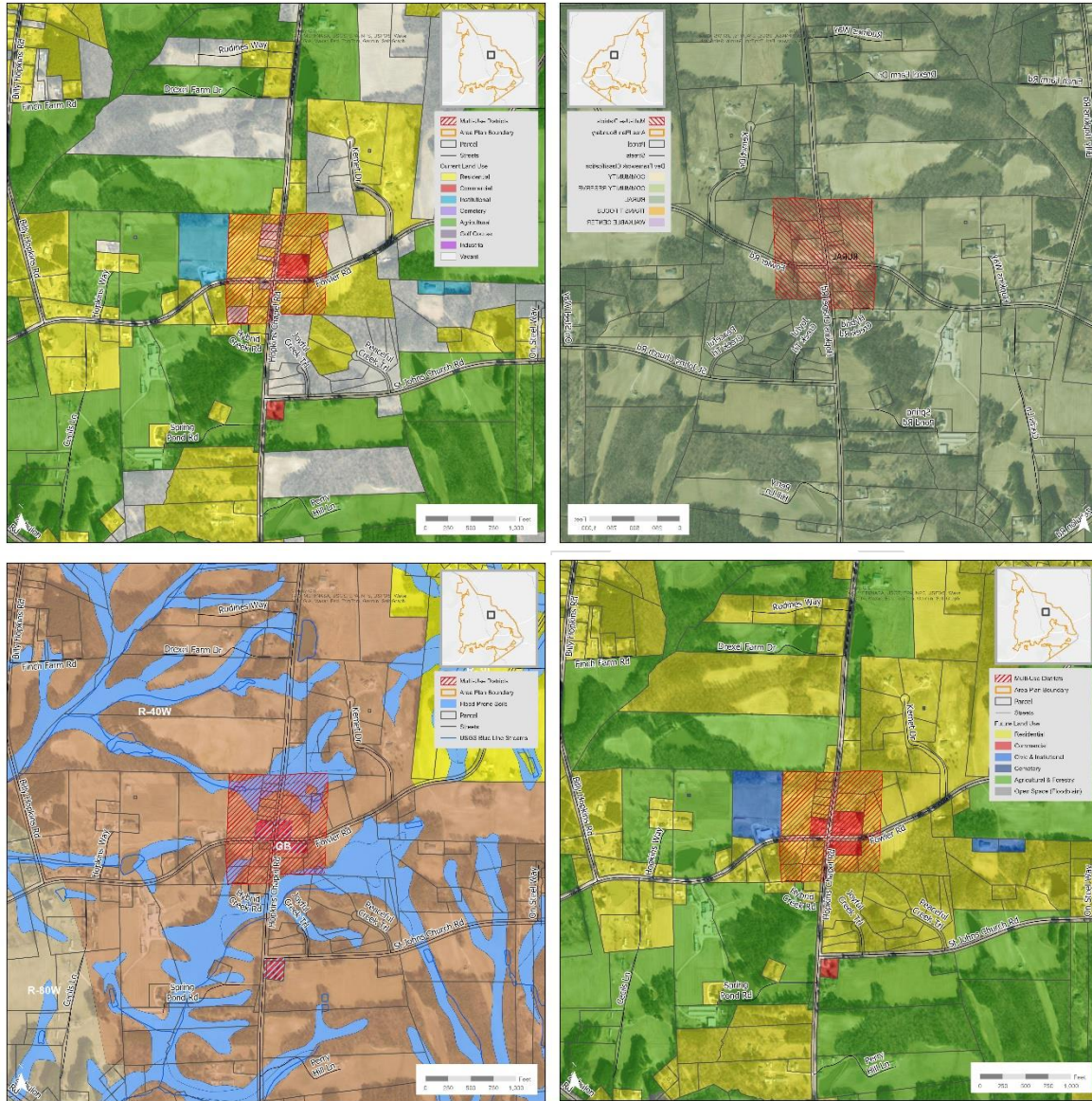
The MUD at Hopkins Chapel Road and Fowler Road encompasses 20 parcels and is 26.6 acres in size. This MUD is located squarely within the Eastern Wake study area. It is about one mile east of the future Little River Reservoir and 1.5 miles west of the county line. This intersection shows remnants of former commercial intersection typical of the area with corner stores and a service station.

Currently, the MUD is a mix of commercial, residential, and vacant uses. The former service station is the commercial use with the remaining parcels making up single-family homes and vacant lots.

Given the MUD's proximity within the study area, the Rural designation applies to it and the surrounding area. These areas are expected to remain within the county's jurisdiction and for any development to maintain this character and scale.

Most of the parcels in this MUD are zoned Residential-40 Watershed (R-40W) except for three, which are partially zoned General Business (GB) with a Water Supply Watershed II (Non-Critical Area) (WSO-2NC) Overlay District. The GB District is intended support a wide variety of neighborhood-oriented commercial activities. The WSO, in conjunction with the base zoning district, ensures the quality of public water supplies is protected while allowing for limited development. The different classifications are consistent with those used by the North Carolina Department of Environment and Natural Resources.

The Future Land Use Map continues the Commercial designation for the GB-zoned properties and the Residential designation for the remaining ones.



Lizard Lick Road and NC 97 Hwy Multi-Use District

The Lizard Lick Rd and NC 97 Hwy MUD is 18 acres and comprise 12 parcels on all four sides of the intersection. It is located south of US 64 Highway and 1.7 miles north of downtown Wendell. Of all the MUDs within the Eastern Wake area, this one is in the most developed area.

In terms of current use, the MUD is a mix of residential, commercial, and vacant lots. The four parcels at the intersection are non-residential uses and include a gas station/convenience store, a Dollar General, medical offices, and a towing/auto recovery shop. The other commercial lot contains a retail building comprising a barber shop and florist, and one of the vacant lots is used as a landscape supply area.

Given the amount of commercial use in the MUD, much of it has been zoned as such, with the exception of the residential parcels. Parcels in the MUD are zoned Conditional Use General Business (CU-GB), Highway Commercial (HC), and Residential-40 Watershed. The Water Supply Watershed II (Non-Critical Area) (WSO-2NC) Overlay District is also present over the westernmost two parcels in this MUD.



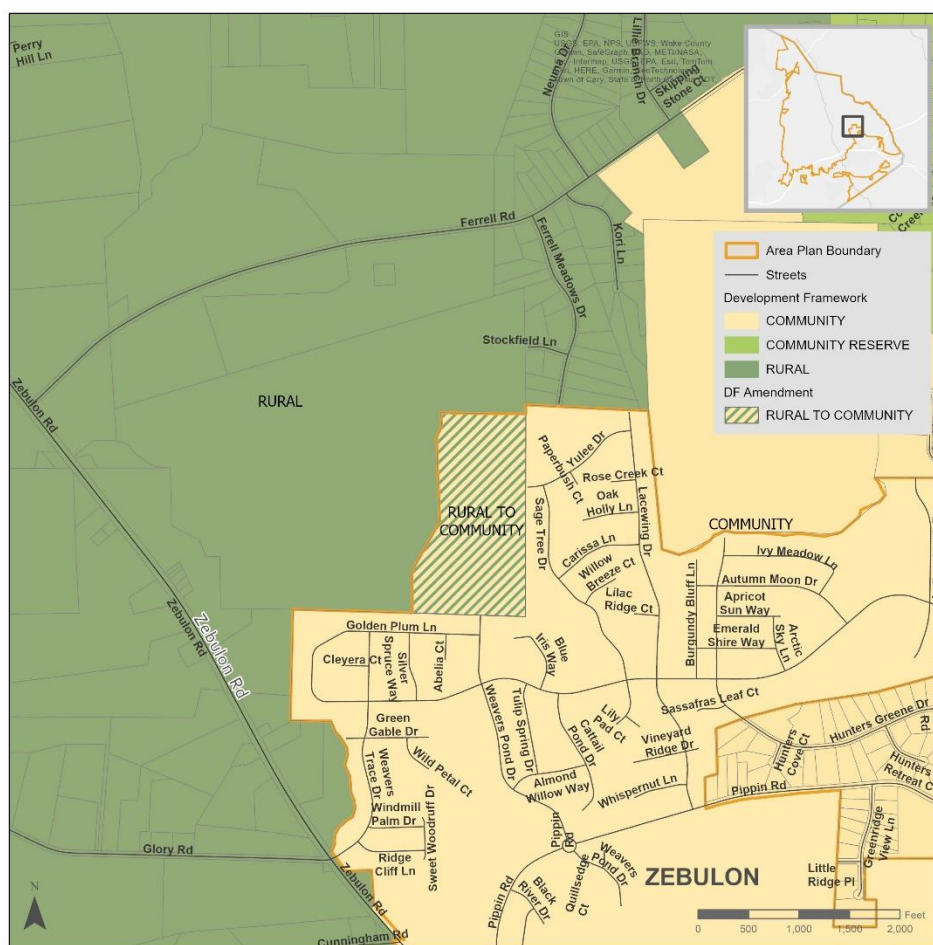
PLANWake Development Framework Map Amendment Recommendation

The PLANWake Development Framework Map is expected to stay conceptually the same for a long time. This works because the map is big picture with resiliency built in and no single development is required to move the needle over time. That said, it was always expected that the Development Framework Map would be changed and adjusted to reflect the overarching vision and align with new information.

In terms of the Eastern Wake area, the Rural classification remains appropriate given the Little River Watershed and the future reservoir. Part of PLANWake's engagement was to confirm when and where the neighboring municipalities believed their growth was to occur, and for the most part this has been consistent over the last few years since its adoption.

The area that staff identified for amendment is where growth has occurred in the Town of Zebulon. A 43-acre parcel is now within its jurisdiction and outside of the plan boundary. Thus, the Rural classification is inappropriate. Staff recommends that this parcel be amended to the Community classification.

Figure 18: Development Framework Amendment



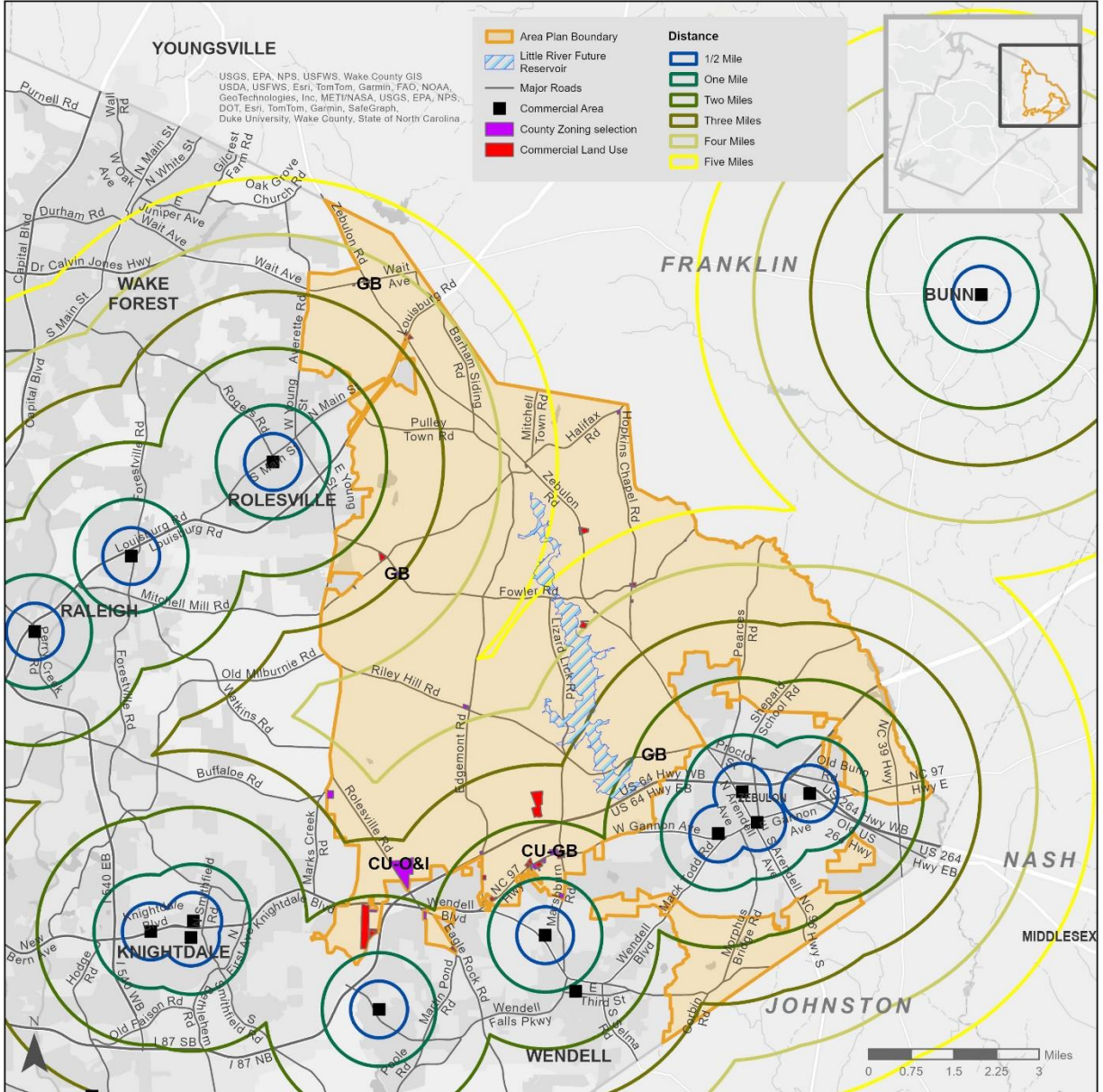
Commercial Location Strategy

For residents who live in unincorporated Wake County, a major concern is finding the right balance between maintaining the rural character that appeals to so many and having convenient and accessible services and retail close by. Many residents have remarked that they are satisfied with driving a little bit longer for two reasons: 1) it is what they signed up for when they chose to live in such an area and 2) they are worried that any development that will lead to more congestion and/or urbanization. The section detailing MUDs profiled current opportunities for commercial development within the study area, but it is worth looking at existing commercial areas that are outside the study as well.

Most of the Eastern Wake area is within a five-mile radius of a current commercial center, whether it be in Rolesville, Wendell, Zebulon, or even Knightdale. The exception is a small corner in the northeast along the county line that includes Halifax Rd, Hopkins Chapel Rd, and Zebulon Rd.

There are various areas within the study area that are either zoned for a commercial use or are currently operating as a commercial use, and these tend to be in the MUDs. However, the MUDs are not being utilized for their full potential as certain commercial uses tend to be better served by water and sewer, not well and septic. It is recommended to understand how to encourage more small-scale businesses within MUDs to complement the commercial centers that residents have to currently drive to.

Figure 19: Commercial Location Strategy



Greenway / Walkability Network

The Wake County trail network is the result of a collective planning effort from the county, its municipalities, and other agencies to create a connected and thoughtful layout for all users. The county has been fortunate to be able to offer residents different solutions (creekside trails, roadside trails, and through-trails across new development, parkland and open space) for its diverse landscapes. This is a result of collaboration and long-term planning that sometimes takes years to come to fruition.

However, the Eastern Wake area has a relative dearth of greenways/trails compared to other parts of the county despite the number of open space and public recreation areas. Planning staff looked

Trail Segment	Common Name	Notes
25EW.TR.01	NC 39	NC 39 on the East Side of Zebulon
25EW.TR.02	NC 98	NC 98 from Johnston County to Franklin County
25EW.TR.03	Little River South	Little River between Wendell and Zebulon
25EW.TR.04	Marshburn Rd, Lizard Lick Road, Little River North	From Wendell to Mitchell Mill Rd on Westside of Little River
25EW.TR.05	Barham Rd, Little River, Tarboro Rd (Franklin County)	From NC 39 to Youngsville
25EW.TR.06	Edgemont Rd	From US 64 to Sandy Pines Connector
25EW.TR.07	Buffalo Creek, Fowler Rd, Rolesville Rd, Young St	From Johnston County to Wake Forest
25EW.TR.08	Martin Pond	From Wendell Falls to Buffalo Creek
25EW.TR.09	Rolesville Rd	From Wendell Falls to Fowler Rd
25EW.TR.10	Marks Creek	From Knightdale Eagle Rock Rd to Rolesville Rd
25EW.TR.11	US 401 Bypass	
25EW.TR.13	NC 98, Wait Ave	Hatters Branch Creek to Moores Pond Rd
25EW.TR.14	Austin Creek, Perry Creek	From Wake Forest to Zebulon Rd, NC 96
25EW.TR.15	Quarry Rd	From Rolesville Rd to Mitchell Mill Rd
25EW.TR.16	Mitchell Mill Rd, Old Halifax Rd, Bunn Elementary School Rd, NC 39, Baptist Church Rd	From Neuse River to Tar River (Via Bunn)
25EW.TR.17	Riley Hill Rd, Tippet Rd, Shepard School Rd (Old US 64)	From Mitchell Mill Rd to NC 39
25EW.TR.18	Sandy Pines Connector	From Buffalo Creek to Riley Hill Rd
25EW.TR.19	Beaverdam Creek, Puryear Rd, Robertson Mill Pond Rd	From Neuse River to Edgemont Rd
25EW.TR.20	NC 97 Gannon Rd	From Buffalo Creek to NC 39
25EW.TR.21	Wendell, Zebulon, Middlesex Rail Connector	From Buffalo Creek to Middlesex

Section 6 Conclusion and Next Steps

The Eastern Wake Area Plan is the product of a months-long process involving community input, staff research and stakeholder guidance; however, this process should not be considered over at its adoption by the Wake County Board of Commissioners. The plan is not a static document to be placed on a shelf upon its adoption but a living document — one that can be amended based on the needs and vision of the community it serves. Along with these amendments, it is recommended that Wake County Planning staff take steps to update the Eastern Wake Area Plan every five years and give the community a chance to revisit its goals and visions.

Next Steps

The Eastern Wake Area Plan identified the following next steps:

- Work with Housing and other Wake County departments to develop strategies to create more affordable housing opportunities.
- Create more recognition for the historic aspects of this area, namely, the landscape and the numerous historic properties.
- Update regional transportation plans for consistency with the Eastern Wake Area Plan.
- Continue to partner with the City of Raleigh to ensure the long-term feasibility of the future Little River Reservoir.
- Collaborate with municipal partners on commercial development that can serve residents' needs while maintaining the area's rural landscapes.
- Track commitments to agricultural preservation and open space and update the plan as needed.

Appendix

- Community Meeting Booklets
- Engagement Materials
 - Flyers: English and Spanish
 - Postcard

DRAFT



Thank you for attending this meeting.
Your participation and feedback are
crucial to the planning process.



For more information and ways to engage:

Email: areaplan@wake.gov

Phone: 919-856-6310, press 8

Website: www.wake.gov/ew

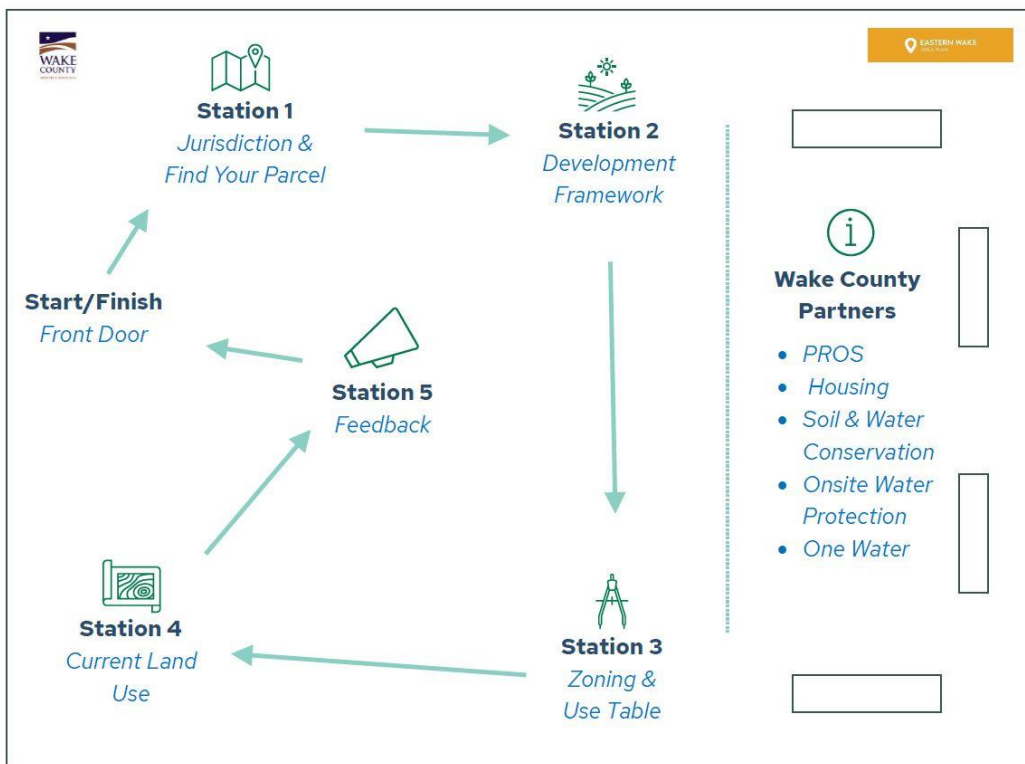


Community Meeting

Welcome!

Wake County Planning and **county partners**
are here to provide information and hear your
feedback about the Eastern Wake Area Plan.

Please visit each information station.





Thank you for attending this meeting.
Your participation and feedback are
crucial to the planning process.



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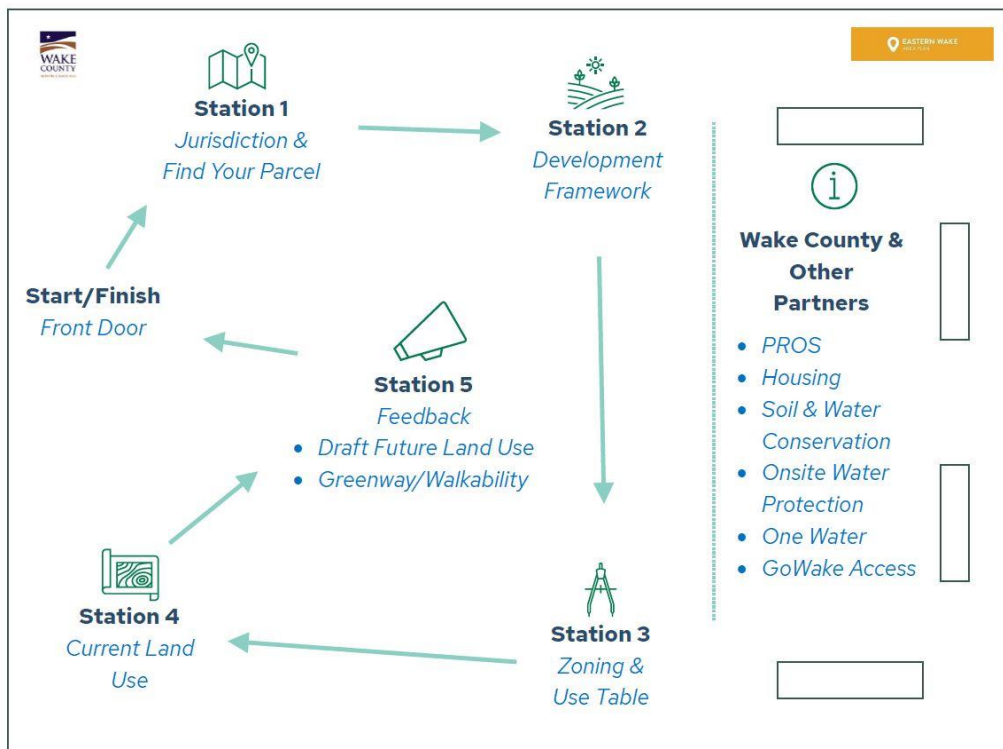


Community Meeting #2

Welcome!

Wake County Planning and **county partners**
are here to provide information and hear your
feedback about the Eastern Wake Area Plan.

Please visit each information station.





EASTERN WAKE AREA PLAN

WHO: Community Members, Stakeholders, and Leaders

The Wake County Planning Department invites everyone and anyone who has an interest to participate in shaping their community for the future.

WHAT: The Eastern Wake Area Plan

The Eastern Wake (EW) Area Plan is a component of Wake County's new comprehensive plan, PLANWake, that was adopted in April 2021. The area plans separate the county into seven distinct areas for more localized planning with community input. The EW Area Plan is in the northeastern portion of the county bordering Franklin, Nash, and Johnston Counties. This area plan will be the fifth plan in the process to determine what type of built environment – the homes, buildings, streets, open spaces, farms, and infrastructure – is envisioned for the future at the local level.

WHERE: wake.gov/EW

Our virtual engagement tools include an interactive map and surveys. Use the map to point out things you love about your community, where you'd like to see amenities (parks, greenways, sidewalks), or just share your thoughts. The survey will help staff understand your priorities for things like transportation and the types of development you'd like to see and where.

WHEN: Spring/Summer 2025

Public engagement is important throughout the entire area plan adoption process, and your input is needed now. You can help shape your community now to help determine where we want to be in the future.

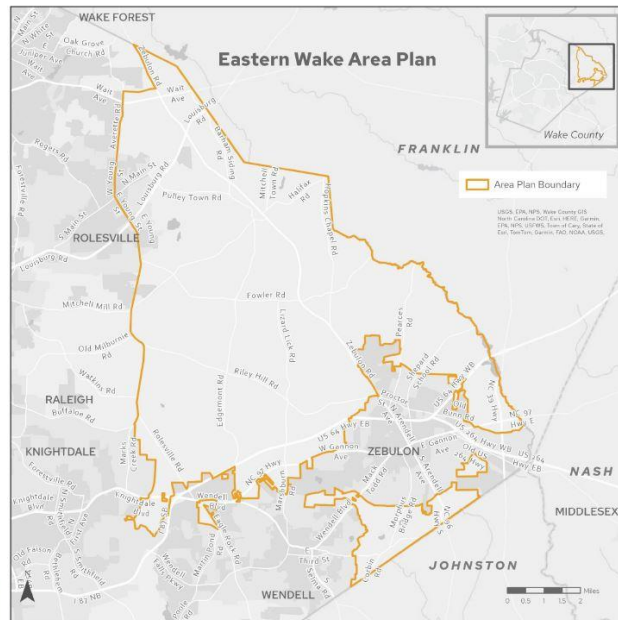
WHY: Public Participation is Vital

Input and participation from our diverse population are vital for any planning process to be considered successful. The unique and knowledgeable insight from those who live, work, and play in a certain area drive planning projects that are developed with the specific community's needs and desires as well as their vision for the future. Share experiences, stories, and memories to show why you love where you live and what you'd like to see more of.

MORE QUESTIONS?

w: www.wake.gov/EW | e: areaplan@wake.gov | p: 919-856-6310 press 8

DO YOU LIVE/WORK HERE? We need your input



EASTERN WAKE AREA PLAN

¿VIVE O TRABAJA AQUÍ? Necesitamos su opinión

¿QUIÉN?: Miembros, partes interesadas y líderes de la comunidad

El Departamento de Planificación del Condado de Wake invita a todas las personas interesadas en participar en darle forma a su comunidad para el futuro.

¿QUÉ?: Plan del Área Este de Wake

El Plan del Área Este de Wake es un componente del nuevo plan integral del condado de Wake (PLANWake) que se adoptó en abril del 2021 y separa al condado en siete áreas distintas para una planificación más localizada con la participación de la comunidad. El Plan del Área Este de Wake es para la parte noreste del condado que limita con los condados de Franklin, Nash y Johnston. Este plan del área será el quinto plan en el proceso para determinar el tipo de entorno construido (viviendas, edificios, calles, espacios abiertos, granjas e infraestructuras) que se visualiza a nivel local para el futuro.

¿DONDE?: wake.gov/EW?lang=es

Nuestras herramientas de participación virtual incluyen un mapa interactivo y encuestas. Utilice el mapa para señalar las cosas que le gustan de su comunidad, los lugares donde le gustaría que hubiera servicios (parques, vías verdes, aceras) o simplemente comparta sus opiniones. Las encuestas nos ayudarán a comprender sus prioridades, en cuanto a cosas como el transporte, y los tipos de desarrollo que le gustaría ver y a dónde.

¿CUÁNDO?: Primavera/verano del 2025

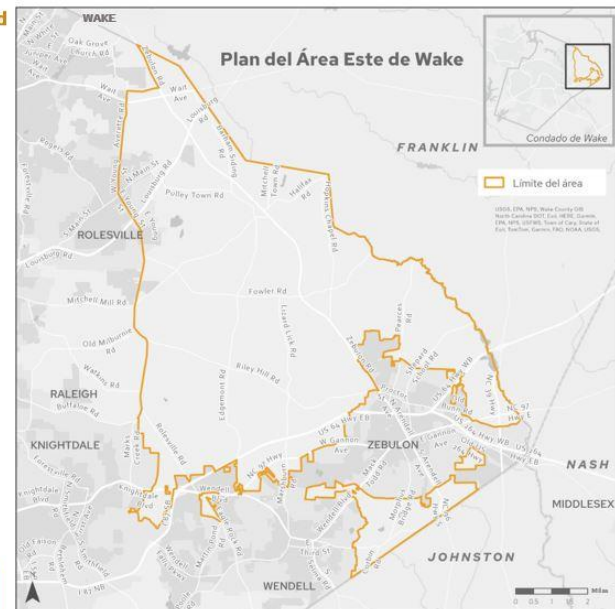
La participación pública es importante a lo largo de todo el proceso de adopción del plan del área y su aportación es necesaria ahora. Usted puede ayudar a darle forma a su comunidad ahora para determinar a dónde queremos estar en el futuro.

¿POR QUÉ?: La participación pública es vital

Las aportaciones y la participación de nuestra diversa población son vitales para que cualquier proceso de planificación sea exitoso. La visión única y bien informada de quienes viven, trabajan y se divierten en una determinada zona impulsa proyectos de planificación que se desarrollan teniendo en cuenta las necesidades y deseos de la comunidad específica, así como su visión del futuro. Comparta sus experiencias, historias y recuerdos para demostrar por qué le gusta el área donde vive y de qué le gustaría ver más.

¿TIENE MÁS PREGUNTAS?

Sitio web: www.wake.gov/EW?lang=es | Correo electrónico: areaplan@wake.gov |
Teléfono: 919-856-6310 (opción 8)





EASTERN WAKE
AREA PLAN

DO YOU LIVE HERE?
We need your input

WHO: Community members,
stakeholders, and leaders

WHAT: The Eastern Wake
Area Plan

WHERE: www.wakegov.com/EW

WHEN: Spring/summer 2025

WHY: Public participation is vital



MORE QUESTIONS?

w: www.wakegov.com/EW | e: areaplan@wakegov.com | p: 919-856-6310 press 8



Wake County Unified Development Ordinance Amendment OA-04-25

Tim Maloney, Planning Development & Inspections

August 6, 2025



@wakegov    

wake.gov

Purpose/Overview

1. To extend the validity of Preliminary Subdivision Plans and Special Use Permits.
2. To amend the definition of *Building* and *Structure* to help differentiate between the two.
3. To amend various standards for care homes (Family Care Homes, Group Homes) and add a new use for residential Youth Care Home that aligns with current trends and community needs.

Preliminary Subdivision Plan

A Preliminary Subdivision Plan is the first of three steps in the process to subdivide land.

1. Preliminary Subdivision Plan

A detailed plan for the development of a subdivision, which must be reviewed and approved before any construction can begin.

2. Construction Plan

Authorizes development of roads, utilities, stormwater facilities, erosion and sedimentation control devices, consistent with the preliminary plan.

3. Record Plat

Authorizes recording of the record plat with the Register of Deeds, an action that effectuates the creation of lots and parcels.

Preliminary Subdivision Plan

1. Preliminary Subdivision Plans are currently valid for two years with a one-time option for one-year extension (3-years total).
2. During this period, the developer constructs the subdivision roads, stormwater devices and community utilities (water/sewer).
3. We are seeing more situations where developers are bumping up against these time limitations.
4. Staff is proposing to extend the validity from 2 years to 3 years and retain the option for a one-year extension (4-years total).

Special Use Permit

1. A Special Use Permit is required for certain types of developments or facilities that may have specific impacts on the community.
2. Examples include a childcare center or church in a residential zone.
3. Special Use Permits require a public hearing and approval from the Board of Adjustment.

Special Use Permit

1. Permits are currently valid for two years with an option for six-month extension (2.5-years total).
2. During this period, the applicant must obtain necessary building permits and/or proceed with due diligence and good faith to start the authorized use or development.
3. We are seeing more situations where developers are bumping up against these time limitations.
4. Staff is proposing to extend the validity from 2 years to 3 years and increase the option for a one-time extension from six months to one year (4-years total).

Building vs Structure

Building	Structure
<ul style="list-style-type: none">Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.	<ul style="list-style-type: none">Any object anchored to the ground, constructed or installed by humankind, including signs, buildings, parking lots, garages, carports, flagpoles, stoops and utility buildings. All buildings are structures, but not all structures are buildings.

Problem:

The current definitions lack clarity on what “enclosure” means.

Building vs Structure

Proposed Amendment

Building	Structure
<ul style="list-style-type: none">Any structure having a roof supported by columns or walls, <u>where more than 50% of the building is enclosed</u> and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.	<ul style="list-style-type: none">Any object anchored to the ground, <u>where 50% or less of the structure is enclosed, and</u> constructed or installed by humankind, including, <u>but not limited to:</u> signs, buildings, parking lots, garages, carports, flagpoles, <u>patios</u>, stoops and utility buildings. All buildings are structures, but not all structures are buildings.

Family Care Homes

1. Remove the requirement that Family Care Home operators provide documentation of the closest licensed family care home and its proximity to the proposed family care home.

Group Homes

1. Remove the requirement that Group Homes must have a minimum land area equal to or greater than that required under the applicable zoning district.
2. Removal of this requirement allows Groups Homes to be located in Open Space Subdivisions that have smaller lots than the designated zoning district.

Youth Care Homes

1. The UDO currently defines/regulates several group living situations (family care home, group care facility, group home, etc.)
2. However, none specifically address homes/facilities for youth.
3. There is a growing trend for residential youth care homes/facilities.

Youth Care Homes

Proposed Amendment

Establish a new use called “Youth Care Homes”.

Youth care homes means a public or private health facility, establishment, or institution, however styled, where nonrelated individuals under the age of 18 reside to receive care under adult supervision.

Youth Care Homes

Standards

1. 1-6 youths permitted by right in all residential districts.
2. 7 or more youths requires Special Use Permit in residential districts.
3. May not be located within a one-half mile radius of an existing care home.

Stakeholder Engagement

1. Staff has reached out to the Homebuilders Association of Raleigh-Wake County.
2. Staff will share any feedback at the Planning Board meeting on September 3rd.

Staff Findings

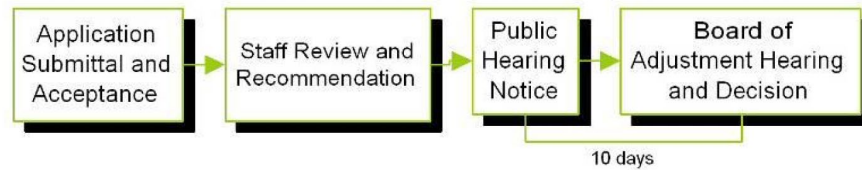
1. Introduces more flexibility to the preliminary subdivision and special use permit processes.
2. Provides clarification between what is a building and what is a structure.
3. Introduces a new use for youth care homes that aligns with recent trends and community needs.
4. Removes unnecessary requirements for Group Homes and Family Care Homes.
5. The amendments are consistent with the Wake County Comprehensive Plan and the Wake County Unified Development Ordinance.

Staff Recommendation

That the Land Use Committee:

Recommend that the Planning Board consider Amendment 04-25 as presented at their next meeting on September 3rd.

19-23 Special Use.



19-23-1 General.

- (A) Any use or development designated by applicable zoning district regulations as a special use, or as allowed only pursuant to a Special Use Permit, may be established in that district only after the use or development is authorized by a validly issued and recorded Special Use Permit.
- (B) This section sets forth required review and approval procedures for submitting, reviewing, and approving applications for Special Use Permit.
- (C) A Special Use Permit authorizes its holder to use or develop a particular parcel of land in a particular way, as specified by the Special Use Permit's terms and conditions.
- (D) A Special Use Permit imposes on its holder the responsibility of ensuring that the authorized use or development continues to comply with the terms and conditions of approval.
- (E) Issuance of a Special Use Permit does not relieve the holder of the Special Use Permit of the additional responsibility of obtaining a building permit or any other permit or approval required by any other applicable law.

19-23-2 Purpose. Regulations for the various zoning districts recognize and permit certain uses and developments that, because of their inherent nature, extent, and external effects, require special consideration of their location, design, and methods of operation to ensure that their location in the particular district is appropriate and the public health, safety, and general welfare is protected. Such uses and developments are designated as Special Uses or as uses allowed only pursuant to a Special Use Permit.

19-23-3 Applications. A person proposing uses or development requiring a Special Use Permit must submit a Special Use Permit application to the Planning Director.

(A) The application must:

- (1) Include, with sufficient copies for necessary referrals and records, those forms, maps, plans, and other documents prescribed by the Planning Director as necessary to identify the applicant and owner of the property on which development is proposed;
 - (2) Describe the development site;
 - (3) Identify and notify the owners of properties adjacent to the site;
 - (4) Depict the nature and scope of the proposed development, and show how the development would allow each of the required conclusions to be reached; and
 - (5) Be accompanied by a traffic impact analyses if required pursuant to Sec. 15-12;
- (B) The Planning Director may waive submittal requirements by certifying in writing that information is unnecessary in the particular case to determine compliance with applicable regulations or address the required conclusions.
- (C) Plans must be prepared by a licensed designed professional authorized by the North Carolina General Statutes to perform such work.

19-23-4 **Process Generally.**

- (A) Review of Special Use Permit applications is a quasi-judicial process, where the Board of Adjustment acts much like a panel of judges. It hears factual evidence presented to it at an evidentiary hearing, then makes findings of fact supported by competent, substantial, and material evidence. Based on those findings, the Board of Adjustment decides whether or not it can reach each of the required conclusions specified in 19-23-8 below.
- (B) Although Special Use Permit review procedures need not be as formal as those used by the courts, the same constitutional due process requirements apply. Thus, interested parties have the right to offer evidence, cross-examine adverse witnesses, inspect documents, have sworn testimony, have the decision based only on evidence that is properly in the hearing record, and have written findings of fact supported by competent, substantial, and material evidence.
- (C) All interested parties have a right to know all the evidence being considered as part of the Board of Adjustment's decision. Hence the Board of Adjustment may consider only evidence presented at the evidentiary hearing on the application, and it is improper for the applicant or any other interested party to communicate with Board of Adjustment members about the application outside of the hearing.

19-23-5 **Staff Review.**

- (A) After accepting an application as complete, the Planning Director must refer it to appropriate staff for review.
- (B) The review staff must determine whether the proposed development complies with all applicable regulations and standards, and identify any other significant concerns about whether the required conclusions can be reached.
- (C) The Planning Director must notify the applicant of the staff findings and concerns, and, on determining that revisions to the application could constructively address the staff findings, invite the applicant to revise the application to address those findings.
- (D) If a revised application is submitted, the Planning Director must cause it to be reviewed in the same manner as the original application.
- (E) The Planning Director must then prepare a staff report that summarizes the analysis.
- (F) At a reasonable time before the hearing, the Planning Director must send members of the Board of Adjustment copies of the application and the staff report. The Planning Director must also send the applicant a copy of the staff report.

19-23-6 **Public Hearings.**

- (A) **Timing.**
 - (1) After the staff has completed its review, the Board of Adjustment must hold a hearing on the application at its next available regularly scheduled meeting.
 - (2) Once a hearing on the application has been scheduled and advertised for a particular meeting, it must be held at that meeting unless some emergency or special circumstance requires cancellation or early recess of the meeting itself.
- (B) **Notice.**
 - (1) At least ten days before the hearing, the Planning Director post notice of the hearing on the proposed development site and send written notice of the hearing to the applicant and the owner of the property on which development is proposed, and to the owners of all real property

adjoining and across the street from the property on which development is proposed (as identified in County tax listings current when the application is filed).

- (2) On determining that the proposed development would likely have significant impacts on other properties in the neighborhood, the Planning Director must also send written notices to the owners of those properties (as identified in current County tax listings), and may require the applicant to submit the additional materials necessary to provide such notices.
- (3) Notices to the applicant and owner of the property on which the development is proposed must be sent via certified mail, return receipt requested. All other mailed notices must be sent via first-class mail.
- (4) On determining that the proposed development would likely have significant impacts on properties beyond the neighborhood of the proposed development site, the Planning Director must cause notice of the hearing to be published in a newspaper of general circulation in the County or area of the proposed development site. The notice must be published in each of two successive calendar weeks, with the first notice being published between ten and 25 days before the hearing date.

(C) Hearing.

- (1) At the hearing, the Board of Adjustment must receive the application and staff report as evidence, and must allow the applicant and other interested parties the opportunity to offer evidence, cross-examine adverse witnesses, inspect documents, and offer evidence in explanation and rebuttal. Board of Adjustment members may question any interested party with respect to testimony or evidence. Any Board of Adjustment member who has prior or specialized knowledge relevant to the application (such as that gathered from a visit to the proposed development site) must disclose such evidence at the hearing.
- (2) Witnesses presenting evidence during the hearing must do so under oath (sworn or affirmed). The Board of Adjustment's presiding officer, and the clerk to the board, may administer oaths to witnesses. The presiding officer may also take whatever action is necessary to limit testimony to the presentation of new factual evidence that is material to the application, to ensure fair and orderly proceedings, and to otherwise promote the efficient and effective gathering of evidence. Such actions may include barring the presentation of obvious hearsay evidence (e.g., another person's statement supporting or opposing the proposal), barring the presentation of non-expert opinion (i.e., an opinion from a person lacking sufficient experience or knowledge to form a basis for the opinion), interrupting digressions into immaterial testimony, interrupting repetitive testimony, reasonably limiting the time allotted each witness or cross-examination, providing for the selection of spokespersons to represent groups of persons with common interests, interrupting personal attacks, and ordering an end to disorderly conduct.
- (3) The Board of Adjustment may continue the hearing to a later meeting to accommodate additional witnesses or the presentation of additional testimony or evidence. If the time and place of the continued hearing is announced in open session during the hearing, no further notice need be given for the continued hearing.

19-23-7 Review and Decision.

- (A) Following the hearing, the Board of Adjustment must review and discuss the evidence presented at the hearing, make specific findings of fact supported by that evidence, and determine whether or not such findings allow it to reasonably reach each of the required conclusions. In making findings of fact and reaching conclusions, the Board of Adjustment may consider only competent, substantial, and material evidence presented at the hearing.

-
- (B) The applicant bears the burden of presenting sufficient evidence in support of the application to allow the Board of Adjustment, after weighing such evidence against that presented in opposition to the application, to make findings of fact that reasonably support each of the required conclusions. If that burden is met, the Board of Adjustment must approve the application. If that burden is not met, the Board of Adjustment must deny the application, provided that if the Board of Adjustment determines that specific minor changes or additions to, or restrictions on, the proposed development are necessary and sufficient to overcome impediments to its reaching the required conclusions, it may approve the application subject to reasonable conditions requiring such changes or additions or imposing such restrictions. Such conditions may include time limits for completion of development or for the start or end of certain uses or activities.
 - (C) A resolution or motion to approve the application must state the required conclusions and include findings of fact on which the conclusions are based, plus any proposed conditions of approval. The favorable vote of at least three members of the Board of Adjustment is necessary to adopt such a resolution or pass such a motion. A resolution or motion to deny the application must state which of the required conclusions cannot be reached and include findings of fact on which the inability to reach the conclusions is based. The favorable vote of a majority of Board of Adjustment members present is necessary to adopt such a resolution or pass such a motion. If a resolution or motion to approve the application fails, the application is deemed denied, and those members voting against the resolution or motion must state which of the required conclusions they could not reach as well as findings of fact on which their inability to reach the conclusions is based.
 - (D) If the Board of Adjustment approves an application that includes one or more plans qualifying as a site-specific development plan under Section 160D-102 of the North Carolina General Statutes, it must identify the approved plan as a site specific development plan that triggers a vested right pursuant to Section 160D-108 of the North Carolina General Statutes.

19-23-8 Conclusions Required for Approval. The Board of Adjustment may not approve an application for a Special Use Permit unless it first reaches each of the following conclusions based on findings of fact supported by competent, substantial, and material evidence presented at the hearing. The considerations listed below each required conclusion are intended to suggest some of the primary concerns pertinent to reaching the conclusion, but are not intended to be all-inclusive.

- (A) The proposed development will not materially endanger the public health or safety. Considerations:
 - (1) Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersection and curb cuts;
 - (2) Provision of services and utilities, including sewer, water, electrical, garbage collections, fire protection;
 - (3) Soil erosion and sedimentation; and
 - (4) Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater.
- (B) The proposed development will comply with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of Special Use or class of Special Uses. Special Use Permits for nonconformities are required to meet the provisions of Article 7.
- (C) The proposed development will not substantially injure the value of adjoining property, or is a public necessity. Considerations:
 - (1) The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved; and

-
- (2) Whether the proposed development is so necessary to the public health, safety, and general welfare of the community or County as a whole as to justify it regardless of its impact on the value of adjoining property.
 - (D) The proposed development will be in harmony with the area in which it is located. Considerations:
 - (1) The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved; and
 - (2) A Special Use Permit for a nonconformity will have equal or less of an adverse impact on those most affected by it or will be more compatible with the surrounding neighborhood than the use in operation at the time the permit is applied for.
 - (E) The proposed development will be consistent with the Wake County Comprehensive Plan.
Considerations:
 - (1) Consistency with the Plan's goals, objectives for the various planning areas, its definitions of the various land use classifications and multi-use districts, and its locational standards; and
 - (2) Consistency with the municipal and joint land use plans incorporated in the Plan.

[Amended on 11/21/2022 by OA-02-22]

19-23-9 Revised Applications. After the Board of Adjustment has held the hearing and fully discussed the application, but before it takes action on the application, the applicant may ask the Board of Adjustment for permission to revise the application to address concerns raised during the hearing and Board of Adjustment discussion. If the Board of Adjustment grants the request, the revised application must be submitted to the Planning Director, and must be reviewed in the same manner as an original application, following the posted Board of Adjustment schedule.

19-23-10 Notice of Decision and Issuance of Special Use Permit.

- (A) The Planning Director must send the applicant written notice of the Board of Adjustment's final decision on the application, and must file a copy of the decision in the Planning Department office. If the application is denied, the notice must state the Board of Adjustment's reasons for its decision. This required notice must be sent via certified mail, return receipt requested.
- (B) If the application is approved, the Planning Director must issue the applicant a Special Use Permit identifying the property to which it applies, the development plans on which it is based, and any conditions to which it is subject. The applicant must record the Special Use Permit in the office of the Wake County Register of Deeds.

19-23-11 Appeal of Decision. Any person aggrieved by the Board of Adjustment's decision to approve or deny an application for a Special Use Permit may appeal the decision to Superior Court by an action in the nature of certiorari, provided the appeal is made within 30 days after written notice of the decision is delivered to the applicant, or a copy of the decision is filed in the Planning Director's office, whichever is later.

19-23-12 Waiting Period for Resubmittal of Application.

- (A) If the Board of Adjustment denies a Special Use Permit application, or if the applicant withdraws the application after the hearing notice required in Sec. 19-23-6(B), the Planning Director may not accept another application for the same or similar use or development until at least one year after the denial or withdrawal, unless the Board of Adjustment first approves the applicant's request for an exemption from this provision.

-
- (B) An application for a rehearing may be considered by the Board of Adjustment within 12 months after the date of denial or withdrawal. The application for rehearing must be accompanied by an affidavit setting forth evidence that significant physical, economic or land use changes have taken place on the subject tract or within the immediate vicinity, or newly discovered evidence that was not available at the initial hearing, or a significant ordinance amendment has been adopted.

19-23-13 **Final Plans.**

- (A) **Final Plan Approval Required.** No use or development authorized by approval of a Special Use Permit application may be established until the Special Use Permit has been recorded and the Planning Director has approved, or certified others' approval of, final plans for the authorized development, or for an approved phase thereof, as conforming to the plans, terms, and conditions of the Special Use Permit application approval and as complying with all applicable requirements of this ordinance.

(B) **Plan Modifications.**

- (1) The Planning Director may approve, or certify approval of, final plans that reflect minor modifications of the plans approved as part of the Special Use Permit application on determining that the modifications continue to be consistent with the Board of Adjustment's approval of the Special Use Permit application (i.e., that the modifications are necessary to comply with conditions of approval or would not significantly change the development's general function, form, intensity, character, appearance, demand on public facilities, relationship to adjacent properties, impact on adjacent properties, or other characteristic from that indicated by the plans and materials approved as part of the Special Use Permit application).
- (2) Before making such a determination, the Planning Director must review the record of the proceedings on the Special Use Permit application and consider whether any proposed modification would require evidentiary support in addition to that on which the Board of Adjustment based its approval of the Special Use Permit application.

19-23-14 **Validity of Permit.**

- (A) **Special Use Permit Binding on Land.** A Special Use Permit runs with the land covered by the Special Use Permit and is binding on the original applicant as well as any subsequent successor, heir, or assign of the property to which it applies. Once the Special Use Permit is recorded with the Register of Deeds, no use or development other than that authorized by the Special Use Permit must be approved on that land unless the Special Use Permit is first voided or revoked in accordance with this subsection.

(B) **Time Limits and Extensions.**

(1) **Starting Time Limits.**

- (a) Approval of a Special Use permit will automatically expire within three years after the date of the Special Use Approval, and any associated permits or approvals granted pursuant to that Special Use approval will automatically become void, if the applicable land use and/or building permits has not been obtained and completed for the entire development or the first phase of a phased development. All remaining phases of a phased development must be completed within seven years of the approved Special Use permit approval.

(b)

(2) **Extension of Starting and Completion Time Limits.**

- (a) On request by the holder of a Special Use Permit, the Planning Director may extend the date on which the Special Use Permit would otherwise expire under Sec. 19-23-14(B)(1)(a) by up to twelve months on determining that:

-
- i. The Special Use Permit has not yet expired;
 - ii. The holder of the Special Use Permit has proceeded with due diligence and good faith to start or continue the authorized use or development; and
 - iii. Conditions or applicable regulations have not changed so substantially as to warrant reconsideration of the proposed use or development with respect to the public health, safety, and general welfare.
 - iii. No previous extension of approval has been granted for the Special Use Permit.

(C) **Abandonment of Permit.**

- (1) On request of the holder of a Special Use Permit, the Planning Director must approve the abandonment of the Special Use Permit on determining that the starting time limit established in Sec. 19-23-14(B) has not expired, or that the use or development authorized by the Special Use Permit no longer requires a Special Use Permit.
- (2) On approving the abandonment of a Special Use Permit, the Planning Director must issue the holder of the Special Use Permit a certification of Special Use Permit abandonment. The abandonment will not become effective until the holder of the Special Use Permit records that certification in the office of the Register of Deeds.

(D) **Cessation of Use.** If the use authorized by a Special Use Permit is started, but ceases for a continuous period of 12 months, the Special Use Permit will automatically become void. The Planning Director must then record an instrument noting the voiding of the Special Use Permit in the office of Wake County Register of Deeds.

(E) **Revocation of Permit.**

- (1) In accordance with Sec. 19-42-1(E) the Planning Director may revoke a Special Use Permit for failure to comply with the requirements of this section or the terms and conditions of the Special Use Permit. The Planning Director may also revoke a Special Use Permit in response to a request by the holder of the Special Use Permit on determining that:
 - (a) The Special Use Permit is still valid and any completion time limit has not yet expired;
 - (b) The request is made in conjunction with an application for approval of development other than that authorized by the Special Use Permit; and
 - (c) The proposed design of the new development incorporates adequate consideration of the site's already-disturbed land area and previous commitments made as part of the Special Use Permit review process.
- (2) On revoking a Special Use Permit, the Planning Director must record an instrument noting the voiding of the Special Use Permit in the office of Wake County Register of Deeds.

[Amended by OA 06-13 on 3/17/2014; Amended on 9/15/2014 by OA 02-14; Amended by OA 01-18 on 7/23/2018; Amended 6/7/2021 by OA-01-21]

Article 21. - Definitions and Measurement

21-11 - Definitions.

Building means ~~building means~~ any structure having a roof supported by columns or walls, where more than 50% of the building is enclosed and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

Structure means ~~structure means~~ any object anchored to the ground, where 50% or less of the structure is enclosed, and constructed or installed by humankind, including, but not limited to: signs, buildings, parking lots, garages, carports, flagpoles, patios, stoops and utility buildings (Note: All buildings are structures, but not all structures are buildings).

Text Amendment OA-04-25

4-11 - Use Table.

[illegible]

4-38 - Family Care Homes.

Family care homes are permitted, provided no proposed family care home will be located within a one-half mile radius of an existing family care home, group home, youth care home, or other such care facility. ~~The owner or operator must provide documentation of the closest licensed family care home and its proximity to the proposed family care home.~~

4-43 - Group Homes.

The proposed Group Home is no less than one-half mile radius from an existing group home, family care home, youth care home, or other such care facility.

~~Group homes are subject to the following standards:~~

~~4-43-1 — Each home is located on a lot which has as minimum land area equal to or greater than that required under the applicable zoning district;~~

~~4-43-2 — The home fronts upon a road, street, or highway that meets or exceeds minimum standards for roads established by this ordinance;~~

~~4-43-3 — The proposed home is no less than one-half mile radius from an existing family care home or group home.~~

4-66 – Youth Care Homes.

Youth Care Homes are permitted, provided no proposed youth care home will be located within a one-half mile radius of an existing family care home, group home, youth care home, or other such care facility.

21-11 - Definitions.

Youth care home means a public or private health facility, establishment, or institution, however styled, where nonrelated individuals under the age of 18 reside to receive care under adult supervision.



Planning, Development & Inspections

(Planning) ☎ 919 856 6310
(Inspections) ☎ 919 856 6222

A Division of Community Services
P.O. Box 550 • Raleigh, NC 27602
wake.gov

To: Wake County Planning Board – Code and Operations Committee
From: Tim Maloney, Director
Subject: Unified Development Ordinance Text Amendment OA-04-25
Date: August 6, 2025

Introduction

The proposed amendments reflect changes that extend the validity of certain permits and processes; clarify various standards and definitions; and amend care facility standards.

Request

That the Land Use Committee recommend approval to the Wake County Planning Board the following amendments to the Wake County Unified Development Ordinance:

1. Amend Section 19-34-6 *Effect of Preliminary Plan Approval; Lapse of Approval* to extend the period for which a preliminary subdivision plan is valid from two years to three years; and clarify that only one twelve-month extension may be granted
2. Amend Section 19-23-14 *Validity of Permit* to extend the period for which a Special Use permit is valid from two years to three years; increase the period for an extension from six months to twelve months; clarify that only one extension may be granted; and that all remaining phases of a phased development are completed within seven years
3. Amend Section 21-11 *Definitions* to amend the definition of *Structure* and *Building* that clarifies the difference between the two. More specifically, that a building constitutes an enclosure that is more than 50% enclosed.
4. Amend Article 4 *Use Regulations* as follows:
 - a. Remove the requirement from Section 4-38 *Family Care Homes* that the owner or operator must provide documentation of the closest licensed family care home and its proximity to the proposed family care home.
 - b. Remove the following requirements from Section 4-43 *Group Homes*: 1) that the lot has a minimum land area equal to or greater than that required under the applicable zoning district; and 2) the home fronts upon a road, street, or highway that meets or exceeds minimum standards for roads established by this ordinance.
 - c. Add a new use in Section 4-66 for *Youth Care Home* to address current trends and community needs for youth care facilities.

Staff Recommendation

Staff recommend that, in the matter of OA-04-25, the Land Use Committee recommend approval to the Planning Board.

Attachments

1. OA-04-25 Text Amendment
2. Presentation

19-34 Regular Subdivision—Preliminary Plan.

19-34-1 Application Submittal and Acceptance.

- (A) **Submittal.** Any person proposing a regular subdivision must submit an application for preliminary subdivision plan approval to the Planning Director.
- (B) **Contents.**
 - (1) The application must:
 - (a) Include, with sufficient copies for necessary referrals and records, those application forms, maps, plans, and other documents prescribed by the Planning Director;
 - (b) Include the property owner's signed authorization for submittal of the application;
 - (c) Indicate the site's relationship to adjacent development and improvements;
 - (d) Depict the nature and scope of the proposed subdivision and any associated development;
 - (e) Identify and depict the boundaries and area of all proposed lots and other parcels;
 - (f) Identify and depict the boundaries of all existing and proposed rights-of-way and easements;
 - (g) Indicate significant topographical, environmental and physical features of the subdivision site and surrounding area;
 - (h) Be accompanied by an environmental assessment describing plans for any proposed wastewater systems;
 - (i) Be accompanied by a traffic impact analyses if required pursuant to Sec. 15-12; and
 - (j) Show how the subdivision complies with all applicable provisions of this ordinance and all applicable requirements for recording set forth in the North Carolina General Statutes.
 - (2) The Planning Director may waive one or more application submittal requirements by certifying in writing that such information is unnecessary in the particular case to determine compliance with applicable regulations.
 - (3) Plans must be prepared by a licensed designed professional authorized by the North Carolina General Statutes to perform such work.
- (C) **Acceptance.**
 - (1) The Planning Director must review the application to determine whether it complies with submittal requirements.
 - (2) If the application does not comply with submittal requirements, the Planning Director must notify the applicant of the submittal deficiencies and invite the applicant to revise the application to correct the deficiencies.
 - (3) If or when the application complies with all submittal requirements, the Planning Director must accept the application as complete.

19-34-2 Withdrawal of Application. An applicant may withdraw an application for preliminary subdivision plan approval at any time by submitting written notice of the withdrawal to the Planning Director.

19-34-3 Staff Review.

-
- (A) After accepting an application as complete, the Planning Director must refer it to appropriate staff for review.
 - (B) Staff must review the application, determine whether the proposed subdivision complies with all applicable regulations, identify any noncompliant features of the proposal, and, whenever feasible, suggest modifications to correct the noncompliant features.
 - (C) The Planning Director must notify the applicant of the identified noncompliant features and suggested modifications, and invite the applicant to discuss the staff comments.
 - (D) The Planning Director must make every reasonable effort to process, review, and decide applications for preliminary subdivision plan in a timely manner, consistent with the need to fully consider the proposed subdivision's impact with respect to applicable regulations.

19-34-4 Opportunity to Revise Application.

- (A) Following receipt of the staff review comments and any discussions with the Planning Director, the applicant must either:
 - (1) Request that the Planning Director prepare a staff report on the application as submitted; or
 - (2) Notify the Planning Director of their intent to revise the application to address staff comments and submit a revised application to the Planning Director.
- (B) If the applicant submits a revised application, the Planning Director must determine whether it continues to comply with submittal requirements. On accepting a revised application as complete, the Planning Director must refer it to appropriate staff, who must review it for correction of previously identified noncompliant features.

19-34-5 Staff Action.

- (A) **If No Variance Requested.**
 - (1) Following the applicant's request for staff action on the original application, or staff review of a revised application, the Planning Director must review staff comments, and make findings regarding the proposed subdivision's compliance with all applicable provisions of this ordinance.
 - (2) Based on those findings, the Planning Director must approve the application as submitted, or approve the application subject to conditions, or deny the application. The decision must be issued in writing. If the Planning Director determines that the proposed subdivision is particularly controversial or problematic, the Planning Director may forward the application to the Planning Board for action. The Planning Board may approve the application as submitted, or approve the application subject to conditions, or deny the application.
 - (3) If the application is denied or approved subject to conditions, the decision must state the reasons for the denial or conditions. Any conditions of approval must be limited to requiring specific actions and/or minor changes or additions to, or restrictions on, the proposed subdivision that are deemed reasonably necessary to ensure compliance with applicable provisions of this ordinance. Such conditions may include time limits for completion of development or for the start or end of certain activities.
 - (4) The Planning Director must file the decision in the Planning Department office and send a copy to the applicant, along with a written notice that the decision becomes final unless the applicant submits to the Planning Director, within seven days after receiving a copy of the Planning Director's Decision, a written request that the application be forwarded to the Planning Board. If the applicant submits such a request within the prescribed time period, the Planning Director must forward the application to the Planning Board for further review and a final decision, and the Planning Director's decision must represent the staff report and recommendation for the

Planning Board action on the application. Otherwise, the Planning Director's decision becomes the final decision on the application.

(B) If Variance Requested.

- (1) The applicant must apply for a variance in accordance with Sec. 19-26.
- (2) If a variance is granted the applicant may proceed with the preliminary subdivision noting the variance. If the variance request is denied the applicant may proceed with the preliminary subdivision meeting the terms of this ordinance.

19-34-6 Effect of Preliminary Plan Approval; Lapse of Approval.

- (A) Approval of a preliminary plan does not authorize any development, but rather authorizes the applicant to apply for approval of construction plans and record plats for the subdivision or for an approved phase of the subdivision.
- (B) A valid, approved preliminary plan confers upon an applicant the right to have the construction plan and record plat for the subject subdivision reviewed in accordance with the standards in effect at the time of approval and insulates development of the subdivision from any subsequent changes to this ordinance or other county regulations incorporated by provisions of this ordinance.
- (C) Within ~~two~~three years of the date of preliminary plan approval, applications for construction plan and record plat approval must be submitted and recorded for the entire subdivision or the first phase of a phased subdivision. Construction plans and record plats must be submitted and approved for all remaining phases of a phased subdivision within seven years of the date of preliminary plan approval.
- (D) On request by the applicant or owner of the parcel proposed to be subdivided, the Planning Director may grant an extension up to twelve months ~~extend the date on which of the~~ preliminary plan approval ~~would otherwise expire by up to 12 months~~ if the Planning Director determines that:
 - (1) The preliminary plan approval has not yet expired;
 - (2) The applicant or owner of the parcel proposed to be subdivided has proceeded with due diligence and good faith to prepare a construction plan and record plat for the subdivision, or approved phases thereof; and
 - (3) Conditions or applicable regulations have not changed so substantially as to warrant reconsideration of the proposed subdivision with respect to the public health, safety, and general welfare.

(4) No previous extension of approval has been granted on the preliminary plan approval.

Commentary: The validity of preliminary plan approvals occurring before 1/22/01 may, at the option of the subdivider, be determined in accordance with either the amended validity provisions or those in effect at the time of the approval.

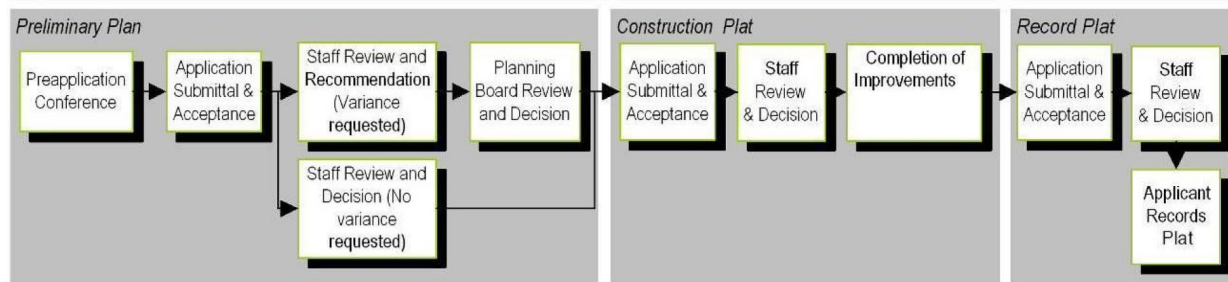
- (E) Preliminary plan approval will lapse and become void if complete applications for both construction plan approval and the recordation of the record plat approval for the subdivision have not been submitted to the Planning Director within the time period required by this subsection (19-34-6). If applications for construction plan approval and record plat approval are submitted for only part of the approved subdivision within the required time period, preliminary plan approval for remaining parts of the subdivision will automatically lapse and become void and applications for construction plan approval or record plat approval for development of the remaining parts of the subdivision site may be submitted only pursuant to a new preliminary plan approval granted in accordance with this section.

19-34-7 Public Notice. Upon approval of the preliminary plan application, the applicant must post the subject property with a sign providing public notice of preliminary plan approval.

- (A) **Provision of Signs.** The notification sign must be provided by the Planning Director to the applicant. It must be the applicant's responsibility to obtain the sign from the Planning Director and to post the sign on the subject property as prescribed herein. The applicant must submit the fee prescribed for the sign by the Board of Commissioners.
- (B) **Timing of Notice.** Required signs must be posted on the subject property within ten days after the date of preliminary plan approval and must remain posted for at least 25 days after the date of preliminary plan.
- (C) **Placement of Sign.** Signs must be posted along each public road that is adjacent to or runs through the subject property in a manner that makes the sign clearly visible to neighboring residents and the general public. The sign must be set back no more than 25 feet from the public road so that the lettering is visible from the road. Where the subject property does not have frontage on a public road, signs must be erected on the nearest public road with attached notation indicating generally the direction and distance to the subject property. It is the applicant's responsibility to ensure that signs remains on the property and visible from the public road for the required period of time.

[Amended on 2/5/2018 by OA 01-17]

19-35 Regular Subdivision—Construction Plan Review.



19-35-1 Generally. Construction plan approval authorizes development of roads, utilities, stormwater management facilities, erosion and sedimentation control devices, and other improvements consistent with the preliminary plan approval. No development associated with the construction or installation of improvements proposed or needed to serve the subdivision (roads, utilities, stormwater management measures, erosion and sedimentation control devices, etc.) may occur except in accordance with a construction plan that has been approved by the Planning Director.

19-35-2 Application Submittal and Acceptance.

- (A) **Submittal.** A person seeking final approval of development associated with a regular subdivision, or approved phase thereof, must submit an application for construction plan approval to the Planning Director.
- (B) **Contents.**
 - (1) The application must:
 - (a) Include, with sufficient copies for necessary referrals and records, those application forms, maps, plans, and other documents prescribed by the Planning Director;
 - (b) Include the property owner's signed authorization for submittal of the application;
 - (c) Indicate the site's relationship to adjacent development and improvements;
 - (d) Indicate the arrangement, layout and pattern of lots;

-
- (e) Indicate significant topographical, environmental and physical features of the subdivision site and surrounding area; and
 - (f) Show how development associated with the subdivision complies with the preliminary plan approval and all applicable provisions of this ordinance.
 - (2) The Planning Director may waive one or more application submittal requirements by certifying in writing that such information is unnecessary in the particular case to determine compliance with applicable regulations.
 - (3) Plans must be prepared by a licensed designed professional authorized by the North Carolina General Statutes to perform such work.
- (C) **Acceptance.**
- (1) The Planning Director must review a submitted application and determine whether it complies with submittal requirements.
 - (2) If the application does not comply with submittal requirements, the Planning Director must notify the applicant of the submittal deficiencies and invite the applicant to revise the application to correct the deficiencies.
 - (3) If or when the application complies with all submittal requirements, the Planning Director must accept the application as complete.

19-35-3 Withdrawal of Application. An applicant may withdraw an application for construction plan approval at any time by submitting written notice of the withdrawal to the Planning Director.

19-35-4 Staff Review.

- (A) After accepting an application as complete, the Planning Director must refer it to appropriate staff for review.
- (B) The review staff must review the application, determine whether the proposed development is consistent with the approved preliminary plan and complies with all applicable regulations, identify any noncompliant features of the proposed development, and, whenever feasible, suggest modifications to correct the noncompliant features.
- (C) The Planning Director must notify the applicant of the identified noncompliant features and suggested modifications, and invite the applicant to discuss the review staff comments.
- (D) The Planning Director must make every reasonable effort to process, review, and decide applications for construction plan approval in a timely manner, consistent with the need to fully consider the proposed development's impact with respect to applicable regulations.

19-35-5 Opportunity to Revise Application.

- (A) Following receipt of the review staff comments and any discussions thereof with the Planning Director, the applicant must either:
 - (1) Ask the Planning Director to take action on the application as submitted; or
 - (2) Notify the Planning Director of an intent to revise the application to address staff comments and submit a revised application to the Planning Director.
- (B) If the applicant submits a revised application, the Planning Director must determine whether it continues to comply with submittal requirements. On accepting a revised application as complete, the Planning Director must refer it to appropriate staff, who must review it for correction of previously identified noncompliant features.

19-35-6 Staff Action.

- (A) Following the applicant's request for staff action on the original application, or staff review of a revised application, the Planning Director must review staff comments, and make findings as to the application's consistency with the preliminary plan approval and compliance with all applicable provisions of this ordinance.
- (B) Based on those findings, the Planning Director must approve the application as submitted, or approve the application subject to conditions, or deny the application. The decision must be issued in writing.
- (C) If the application is denied or approved subject to conditions, the decision must state the reasons for the denial or conditions. Any conditions of approval must be limited to requiring specific actions and/or minor changes or additions to, or restrictions on, the proposed development that are deemed reasonably necessary to ensure consistency with the preliminary plan approval or compliance with applicable provisions of this ordinance. Such conditions may include time limits for completion of development or for the start or end of certain activities.

19-35-7 Approval Criterion. The Planning Director must approve a construction plan application only if the Planning Director determines that the proposed construction plan is consistent with the preliminary plan approval and complies with all applicable provisions of this ordinance.

19-35-8 Minor Modifications.

- (A) The Planning Director may approve construction plans that reflect minor modifications to the approved preliminary plan upon determining that the modifications continue to be consistent with the preliminary plan approval. Examples of such modifications include those that are necessary to comply with conditions of approval or would not significantly change the subdivision's general function, form, intensity, character, demand on public facilities, relationship to a local road network, relationship to adjacent properties, or other characteristic from that indicated by the preliminary plan approval.
- (B) Before making such a determination, the Planning Director must review the record of the proceedings on the application for preliminary plan approval and consider whether any proposed modification would raise compliance issues in addition to those considered in approving the preliminary plan.

19-35-9 Notice of Decision and Permit Issuance. The Planning Director must send the applicant written notice of the final decision on the application, and must file a copy of the decision in the Planning Department office. If the application is approved subject to conditions, the notice must state the reasons for the conditions. If the application is denied, the notice must state the reasons for the denial. Upon approval of the application, with or without conditions, the Planning Director must issue to the applicant the appropriate Land Use Permit for the approved development.

19-35-10 Appeal of Decision. Any person aggrieved by the Planning Director's decision to approve or deny an application for construction plan approval may appeal the decision in accordance with Sec. 19-41.

19-35-11 Effect of Construction Plan Approval; Lapse of Approval.

- (A) Construction plan approval will be valid for two years as authorizing the start of construction or installation of roads, utilities, stormwater management devices, erosion and sedimentation control devices, and other improvements approved as part of the construction plan approval, and as insulating the approved development from any subsequent changes to this ordinance or other County regulations incorporated by provisions of this ordinance.
- (B) Construction plan approval will automatically become void if the approved development has not been substantially started while the approval is still valid.

-
- (C) On request by the applicant or owner of the parcel proposed to be subdivided, the Planning Director may extend the date on which construction plan approval would otherwise expire by up to 12 months if the Planning Director determines that:
- (1) The applicant or owner of the parcel proposed to be subdivided has proceeded with due diligence and good faith to prepare a record plat for the subdivision, or approved phases thereof; and
 - (2) Conditions or applicable regulations have not changed so substantially as to warrant reconsideration of the proposed subdivision with respect to the public health, safety, and general welfare.

Wake County Unified Development Ordinance Amendment OA-05-25

Betsy Pearce, Assistant Program Manager

August 6, 2025



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Requested amendments

The proposed amendments clarify buffer language and incorporate changes to state law.

1. Section 11 Part 2 Water Supply Watershed Buffers
2. Section 11-10 Applicability of Neuse Riparian Buffer Protection Rules
3. Section 11-22-2 (N) Activities Allowed within Buffers
4. Section 10-30-2(B)(2)(b) Financial Responsibility and Ownership
5. Section 10-42-3(B) Notice of Civil Penalty Assessment
6. Section 10-42-4(B) Appeal of Civil Penalties.



UDO Section 11

Environmental Standards

Part 1- Neuse Riparian Buffers

Part 2 – Water Supply Watershed Buffers

Purpose

1. To clarify that the County administers the Jordan Lake Buffer rules in addition to the Neuse Buffer rules.
2. To amend the definition of buffer to be consistent throughout the UDO and with the State definition.
3. To clarify a stormwater pond may be installed within a buffer but it must be located outside the stream or river channel.

Background – Jordan Lake Buffers

- **The State adopted the Jordan Lake Buffer Rules September 2011**
 - 15A NCAC 02B .0267 JORDAN WATER SUPPLY NUTRIENT STRATEGY: PROTECTION OF EXISTING RIPARIAN BUFFERS
- **Delegated to Local Governments**
 - Local governments shall establish programs to meet or exceed the minimum requirements of this Rule.

Analysis – Jordan Lake Buffers

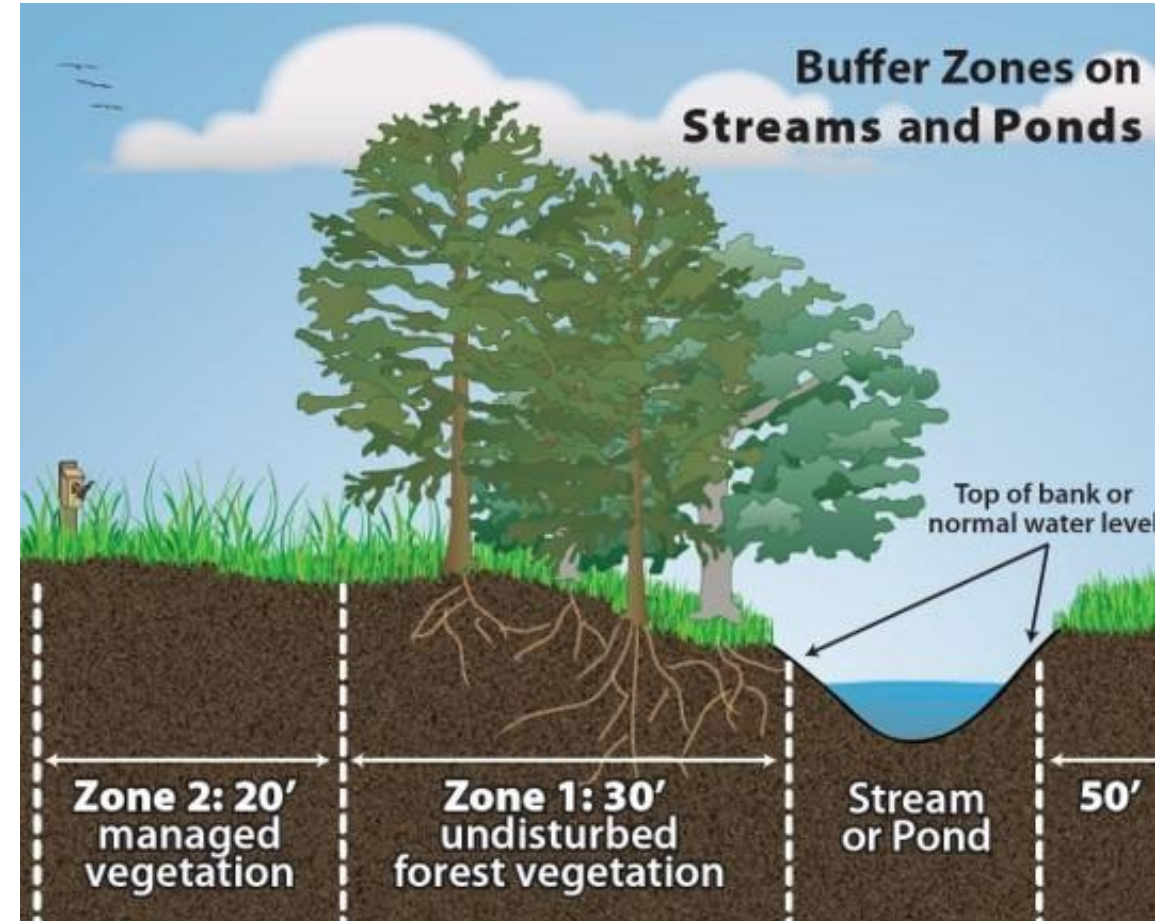
- **The County has been enforcing the Jordan Lake Buffer rule since 2012.**
 - Require protected riparian areas around Jordan Lake.
 - County staff field verifies buffer locations.
 - County staff processes requests for buffer impacts.
- **The text change clarifies that the County administers the rule by reference to the State rule.**

Background – Water Supply Buffers

Mandatory local program per NCGS 143-214.5

State mandated riparian buffers and water supply buffers are measured at the drainageway starting at the top of bank for a stream or pond.

The current County water supply buffers are measured from the centerline of the stream.



Analysis

- Staff proposes to modify our ordinance for consistency with State language.
- Staff proposes to provide additional guidance for developers on the placement of stormwater devices.
- The change was prompted by an increase in requests for instream stormwater treatment.
 - In “stream” is NOT allowable by the State
 - In “buffer” is allowed
- The change in text will provide clear direction for developers and better protect water resources.

Stormwater management ponds

- Amendment specifies stormwater ponds are not allowed in the stream channel.
- The State does not allow Stormwater Control Measures (SCMs) in jurisdictional streams.





UDO Section 10

Erosion and Sedimentation Control

Part 4- Enforcement and Penalties

Purpose

1. To amend Section 10-30-2(B)(2)(b) to be consistent with the State regulation.
 - To change the residency requirement for financially responsible party from Wake County to a resident of North Carolina.
2. To amend Section 10-42-3(B) to be consistent with the State regulation.
 - Changing the requirements for remission of a civil penalty from 60 days to 30 days.
3. To amend Section 10-42-4(B) to be consistent with the State regulation.
 - Changing the requirements for remission of a civil penalty from 60 days to 30 days.

Analysis

Response to 2024 State Audit of our Erosion Control Program

- Requires consistency with State regulations

Stakeholder Engagement

- Staff has reached out to the Homebuilders Association of Raleigh-Wake County.
- Staff will share any feedback at the Planning Board meeting on September 3rd.

Staff Findings

- No significant impact on development rights.
- The request for in-stream impacts is limited.
- The change would move the SCMs by a few feet in some cases and require the diversion of clean water around the SCMs as needed.
- Case by case review with field verification.

Staff Recommendation

That the Land Use Committee:

Recommend that the Planning Board consider Amendment 05-25 as presented at their next meeting on September 3rd.

Part 3 Review and Approval Procedures

10-30 Erosion and Sedimentation Control Plan and Land Disturbance Permit.

10-30-2 Application Submittal and Acceptance of Erosion and Sedimentation Control Plan.

- (A) **Submittal.** A complete erosion and sedimentation control plan must be filed with the Wake County Department of Environmental Services at least 30 days prior to the anticipated start of the land-disturbing activity.
- (B) **Contents.** The erosion and sedimentation control plan application submittal must include all of the following, with sufficient copies for necessary referrals and records, those forms, maps, plans, sets of calculations and other documents as prescribed by the Director of Environmental Services as necessary to determine compliance with applicable regulations or to address the required conclusions:
 - (1) **Erosion and Sedimentation Control Checklist.** The erosion and sedimentation control plan must contain at least all of the items specified on the Wake County Erosion and Sedimentation Control Checklist, including an application, administrative fees; architectural and engineering drawings; maps; assumptions; calculations; and narrative statements as needed to adequately describe the proposed development of the tract and the measures planned to comply with the erosion and sedimentation control regulations of this Article. Detailed guidelines for plan preparation may be obtained from the Wake County Department of Environmental Services upon request.
 - (2) **Financial Responsibility and Ownership.** The erosion and sedimentation control plan must include an authorized statement of financial responsibility and ownership that complies with the following:
 - (a) Is signed by the financially responsible party for the land-disturbing activity or their Attorney in Fact, including the mailing and street addresses of the principal place of business of the financially responsible party the owner of the land; and any registered agents. A post office box is not an acceptable mailing address;
 - (b) If the financially responsible party is not a resident of ~~Wake County~~North Carolina, a resident ~~Wake County~~North Carolina agent must be designated for the purpose of receiving notices of compliance or non-compliance with the erosion and sedimentation control plan, this Article, the North Carolina Sedimentation Pollution Control Act or any other applicable erosion and sedimentation control regulations;
 - (c) If the applicant is not the owner of the land to be disturbed, the erosion and sedimentation control plan must include the owner's written consent for the applicant to submit an erosion and sedimentation control plan and to conduct the anticipated land-disturbing activity.
 - (3) The Director of Environmental Services may waive one or more application requirements by certifying in writing that such information is unnecessary in the particular case to determine compliance with the applicable regulations.

10-42 Civil Penalties.

10-42-1 **Maximum Penalty.** Any person who commits a violation according to Sec. 10-40 is subject to a maximum civil penalty of up to \$5,000.00 per violation per day. A civil penalty may be assessed from the date of the violation. Each day of a continuing violation constitutes a separate violation.

10-42-2 **Civil Penalty Assessment Factors.** The Director of Environmental Services is authorized to assess the penalty. Fines will be determined by considering the following:

- (A) The degree and extent of harm caused by the violation;
- (B) The cost of rectifying the damage;
- (C) The money saved by the violator by non-compliance;
- (D) Whether the violation was willful; and
- (E) The prior record of the violator.

10-42-3 **Notice of Civil Penalty Assessment.**

- (A) The governing body of the County must provide notice of the civil penalty amount and the basis for assessment to the person assessed. The notice of assessment must be served by any means authorized under G.S. 1A-1, Rule 4; and
- (B) The notice must direct the violator to either pay the assessment, appeal the assessment within 30 days after receipt of the notice of assessment, or request a remission of the penalty within ~~60~~30 days after the receipt of the notice of assessment.

10-42-4 **Appeal of Civil Penalties.**

- (A) **Local Appeal.** The person conducting the land-disturbing activity may appeal the assessment of civil penalties to the Director of Environmental Services within 30 days of receipt of the notice of assessment. The Director of Environmental Services must consider any and all extenuating or mitigating circumstances in determining whether to uphold, reduce, or waive the civil penalty.
- (B) **State Remission of Civil Penalties.** A request for remission of a civil penalty imposed under G.S. 113A-64 may be filed with the Commission within ~~60~~30 days of receipt of the notice of assessment. Any such remission request must comply in all respects with the requirements set forth in G.S. 113A-64.2, including the requirement that any such remission request must be accompanied by a waiver of the right to a contested case hearing pursuant to Chapter 150B of the General Statutes, and a stipulation of the facts on which the assessment was based.

10-42-5 **Demand for Payment.**

- (A) The Director of Environmental Services must make a written demand, by registered or certified mail, return receipt requested, or other means provided in GS 1A-1, Rule 4 for payment upon the person in violation, and must set forth, in detail, a description of the violation for which the penalty has been imposed.
- (B) If the payment is not received or equitable settlement reached within 30 days after demand for payment is made, the matter must be referred to the County Attorney for institution of a civil action in the name of the County, in the appropriate division of the General Court of Justice in Wake County for recovery of the penalty.

Part 1 Neuse Riparian Buffers

11-1—11-9 Reserved for future use.

11-10 Applicability of Neuse Riparian Buffer Protection Rules.

The riparian buffer protection rules of 15 A NCAC 2B.0233 (Neuse River Basin: Nutrient Sensitive Waters Management Strategy: Protection and Maintenance of Existing Riparian Buffers) apply to all lands within the Neuse River and Cape Fear River basins. [The County administers the Jordan Lake Buffer Rules on behalf of the State of North Carolina per 15A NCAC 02B .0267 JORDAN WATER SUPPLY NUTRIENT STRATEGY: PROTECTION OF EXISTING RIPARIAN BUFFERS.](#)

11-11—11-19 Reserved for future use.

Part 2 Water Supply Watershed Buffers

11-20 Purpose.

Water supply watershed buffers provide strips of natural vegetation that remove pollutants from stormwater runoff before they reach a water supply source or a watercourse that drains to a water supply source. They do so by allowing infiltration of runoff and filtration of pollutants through the ground and soil, slowing runoff flow to allow settling and deposition of pollutants, and providing vegetation that absorbs pollutants through root systems. The provision of vegetated, undisturbed buffers within water supply watersheds, therefore, is an important and effective means of maintaining the quality of public water supply sources and protecting those sources from potential polluting activities associated with development.

11-21 Buffer Location and Width.

Water supply watershed buffers and building setbacks from such buffers must be provided in accordance with the following requirements.

11-21-1 General.

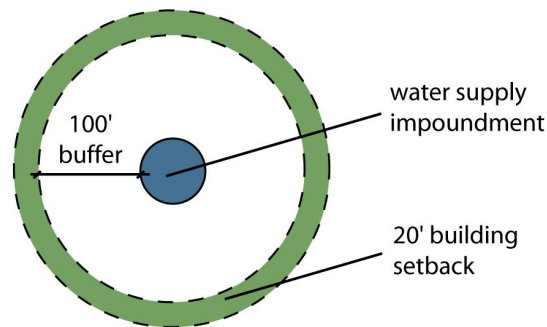
- (A) The United States Geologic Survey (USGS) 1:24,000 scale (7.5 minute) quadrangle topographic maps (also referred to as the historic quadrangle topographic maps) or the most recent paper-bound version of the soil survey map prepared by the Natural Resources Conservation Service of the United States Department of Agriculture (USDA) shall be used to identify surface water subject to the requirements of this section. If any surface water is depicted differently on the above referenced maps, the most restrictive depiction shall apply except as otherwise provided in paragraph 11-21-1(B).
- (B) A landowner or other affected party who believes that one or more maps inaccurately depict or omit existing surface water(s), based on site-specific evidence, may submit for review and approval an on-site determination prepared by a qualified professional. The professional must have successfully completed the North Carolina Division of Water Resources' Surface Water Identification Training Certification course, its successor, or other equivalent training curriculum approved by the State for the

purposes of determining stream classifications. All on-site determinations shall be subject to review and approval by the County and shall be valid for five years from the date of the determination unless a shorter time is specified otherwise therein.

- (C) Buffers described in Sec. 11-21-6 and Sec. 11-21-3 were previously identified and platted as "drainageway buffers." Because they serve the same function and are subject to the same limitations as water supply watershed buffers, they have been re-designated as "water supply watershed buffers."
- (D) Some streams may require both water supply watershed buffers and Neuse River riparian buffers.
- (E) All limits of disturbance within watershed buffers apply to each side of the water body.

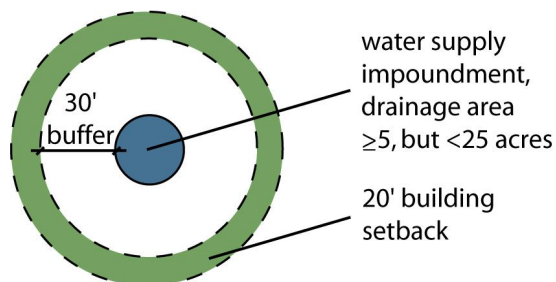
11-21-2 Water Supply Impoundments, 25 Acres or More.

- (A) A water supply watershed buffer with a minimum width of 100 feet must be provided around all water supply impoundments with a drainage area of 25 acres or more that are located inside the water supply watershed draining into the water supply water impoundment.
- (B) The buffer width is to be measured perpendicular to the shoreline starting at the flood pool elevation of the water supply impoundment.
- (C) Buildings must be setback at least 20 feet from the outer boundary of the required buffer area.



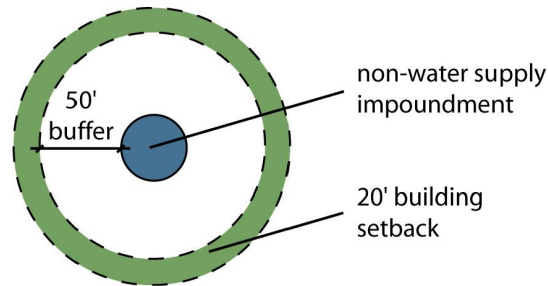
11-21-3 Water Supply Impoundments, At Least Five But Less Than 25 Acres.

- (A) A water supply watershed buffer with a minimum width of 30 feet must be provided around all water impoundments with a drainage area of at least five acres, but less than 25 acres, located inside the watershed draining into the water supply impoundment.
- (B) Required buffers are to be measured perpendicular to the shoreline starting at the normal pool elevation of the water impoundment.
- (C) Buildings must be setback at least 20 feet from the outer boundary of the required buffer area.



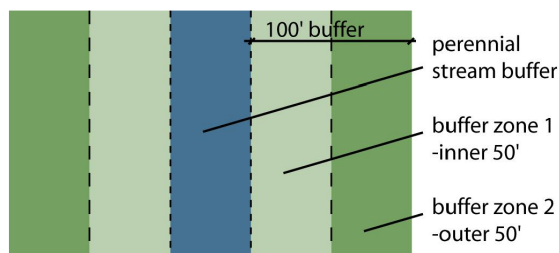
11-21-4 Non-Water Supply Impoundments, 25 Acres or More.

- (A) A water supply watershed buffer with a minimum width of 50 feet must be provided around all non-water supply impoundments with a drainage area of 25 acres or more that are located inside the watershed draining into the non-water supply impoundment.
- (B) The buffer width is to be measured perpendicular to the shoreline starting at the normal pool elevation of the non-water supply impoundment.
- (C) Buildings must be setback at least 20 feet from the outer boundary of the required buffer area.



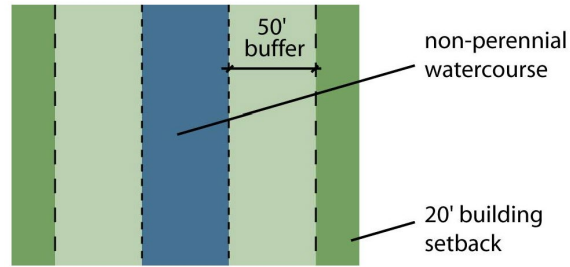
11-21-5 Perennial Streams.

- (A) A water supply watershed buffer with a minimum width of 100 feet must be provided along each side of a perennial stream.
- (B) The buffer width is to be measured perpendicular to the river or stream bank starting at the ~~river or top~~ of the stream bank.
- (C) The area of the required buffer that begins at the stream bank and extends landward 50 feet is subject to the Zone 1 standards of Sec. Section 11-22-1(A).
- (D) The area of the required buffer that begins at the outer edge of Zone 1 and extends landward 50 feet is subject to the Zone 2 standards of Sec. Section 11-22-1(B).
- (E) There is no minimum building setback from the required buffer.



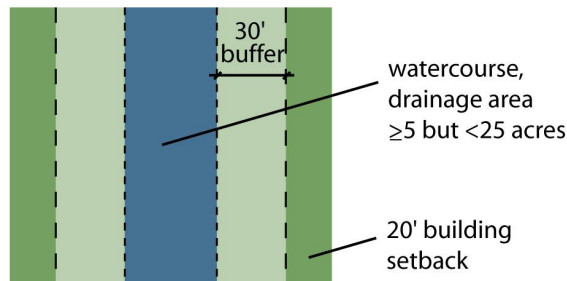
11-21-6 Non-Perennial Watercourses, 25 Acres or More.

- (A) A water supply watershed buffer with a minimum width of 50 feet must be provided along each side of non-perennial watercourses, channels, ditches or similar physiographic features with a drainage area of 25 acres or more that are located inside the watershed draining into the stream.
- (B) The buffer width is to be measured perpendicular to the river or stream bank starting at the top of the stream bank ~~drainageway starting at the natural drainage flow line of the watercourse.~~
- (C) Buildings must be setback at least 20 feet from the outer boundary of the required buffer area.



11-21-7 Watercourses and Channels, At Least Five But Less Than 25 Acres.

- (A) A water supply watershed buffer with a minimum width of 30 feet must be provided along each side of a watercourse, channel, ditch, non-water supply impoundment or similar physiographic feature with a drainage area of at least five acres, but less than 25 acres, located inside the drainage area of the drainageway.
- (B) Required buffers are to be measured perpendicular to the river or stream bank starting at the top of the stream bank~~drainageway starting at the natural drainage flow line of the watercourse.~~
- (C) Buildings must be setback at least 20 feet from the outer boundary of the required buffer area.



[Amended by OA 02-15 on 7/6/2015]

11-22 Activities Allowed Within Buffers.

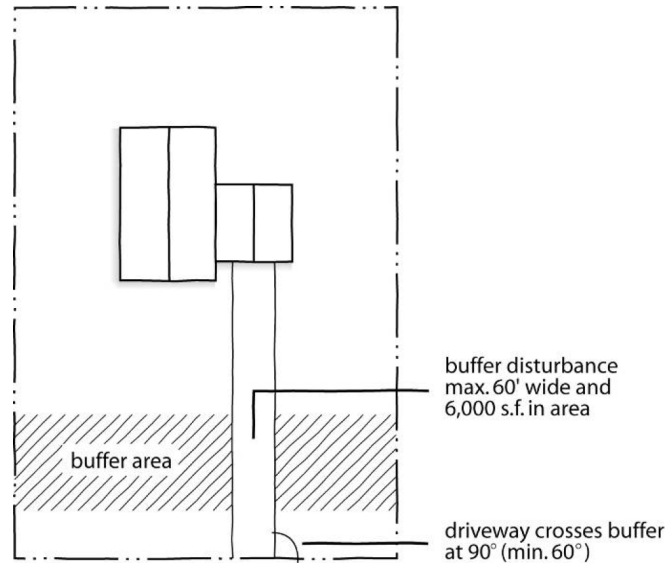
11-22-1 General.

- (A) The inner 50 feet ("Zone 1") of required 100-foot buffers along perennial streams and all other water supply watershed buffers must consist of a vegetated area that is undisturbed except for the activities expressly allowed to occur within water supply watershed buffers pursuant to subsection 11-22-2.
- (B) The outer 50 feet ("Zone 2") of required 100-foot buffers along perennial streams must consist of a stable vegetated area that is undisturbed except as necessary to accommodate the activities expressly allowed to occur within water supply watershed buffers pursuant to subsection 11-22-2. Grading and revegetation, as well as lawns and landscaping, are allowed within Zone 2 of the perennial stream buffer.
- (C) Any allowed disturbance that occurs as a result of the activities expressly permitted in subsection 11-22-2 must be designed, constructed, and maintained to:
 - (1) Minimize impervious or partially impervious surface coverage;
 - (2) Diffuse the flow of stormwater runoff, encourage sheet flow and avoid concentrated discharge of stormwater into surface waters;

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- (3) Maximize the use of Best Management Practices (BMPs) to minimize adverse water quality impacts; and
 - (4) Comply with all applicable standards and conditions of subsection 11-22-2.

11-22-2 Activities Allowed within Buffers. Only the activities listed below are allowed within required water supply watershed buffer areas:

- (A) Archeological activities, provided any vegetation removed is restored with vegetation of a comparable assimilative capacity;
- (B) Bridges, provided no alternative to their location in the buffer exists;
- (C) Dam maintenance activities;
- (D) Drainage ditches, roadside ditches, and stormwater outfalls, provided:
 - (1) No alternative to their location in the buffer exists; and
 - (2) A stormwater management facility is installed to control nitrogen and attenuate flow before the conveyance discharges through the buffer.
- (E) Drainage of a pond, provided a new vegetated water supply watershed buffer meeting the purpose and requirements of this section is established along the new drainageway;
- (F) Driveway crossings that access single-family dwellings, provided:
 - (1) No alternative to their location in the buffer (including opportunity for shared driveways) exists;
 - (2) Buffer disturbance is no more than 60 feet wide;
 - (3) Buffer disturbance is no more than 6,000 square feet in area (this area of disturbance may occur on "both" sides of the buffer);
 - (4) The driveway crosses the buffer at an angle as close to 90 degrees as possible (and not less than 60 degrees);
 - (5) Side slopes do not exceed a 2:1 (horizontal to vertical) ratio (bridging and/or retaining walls may be used to meet this and the disturbance width standard); and
 - (6) All culverts are designed and constructed for the 25-year storm event or as otherwise required by the Department of Environmental Services.



(G) Utility lines, provided:

- (1) No alternative to their location in the buffer exists;
- (2) A line crossing the buffer is combined with other permitted buffer crossings where practicable;
- (3) Buffer disturbance is not more than 40 feet wide;
- (4) Woody vegetation is removed by hand (no land grubbing or grading);
- (5) Vegetative root systems and stumps from cut trees are retained;
- (6) No rip rap is used unless necessary to stabilize a pole or tower;
- (7) Active measures are taken after construction and during routine maintenance to ensure diffuse flow of stormwater through the buffer;
- (8) Mats are used to minimize soil disturbance (in wetlands);
- (9) Poles or towers are not installed within ten feet of the lake, pond, river, stream, or drainageway;
- (10) The area within ten feet of the lake, pond, river, stream, or drainageway is managed so that only vegetation posing a hazard or with a potential to grow tall enough to interfere with the line is removed;
- (11) Construction activities minimize removal of woody vegetation, the extent of disturbed area, and the time during which areas remain in a disturbed state;
- (12) Cables are installed by vibratory plow or trenching; and
- (13) Trenches are backfilled with the excavated material immediately following line installation.

(H) Pedestrian, bikeway, equestrian, golf cart, and other recreation trails (public or private), provided:

- (1) No alternative to their location in the buffers exists;
- (2) A trail crossing the buffer is combined with other permitted buffer crossings where practicable;
- (3) Buffer disturbance is no more than 20 feet wide (unless otherwise approved by the Department of Environmental Services);

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- (4) The trail is no more than 12 feet wide;
 - (5) A trail crossing the buffer does so at an angle as close to 90 degrees as possible (and not less than 60 degrees); and
 - (6) A trail running linearly within the buffer must be located, where possible, in the outer 20 feet of the buffer and in no instances may such trail be closer than ten feet to the edge of the lake, pond, river, stream or drainageway.
- (I) Railroad crossings, provided:
- (1) No alternative to their location in the buffer exists;
 - (2) Buffer disturbance is not more than 60 feet wide; and
 - (3) Buffer disturbance is no more than 6,000 square feet in area (this area of disturbance may occur on "both" sides of the buffer).
- (J) Removal of previous fill or debris, provided:
- (1) Diffuse flow is maintained; and
 - (2) Any vegetation removed is restored with vegetation of comparable assimilative capacity.
- (K) Road crossings (public or private roads), provided:
- (1) No alternative to their location in the buffer exists;
 - (2) Buffer disturbance does not extend beyond the required right-of-way or easement width, or in no case is more than 90 feet wide;
 - (3) Buffer disturbance is no more than 9,000 square feet in area (this area of disturbance may occur on "both" sides of the buffer);
 - (4) The road crosses the buffer at an angle as close to 90 degrees as possible (and not less than 60 degrees);
 - (5) Side slopes do not exceed a 2:1 horizontal: vertical ratio (bridging and/or retaining walls may be used to meet this and the disturbance width standard); and
 - (6) All culverts are designed and constructed for the 25-year storm event or as otherwise required by the Department of Environmental Services.
- (L) Scientific studies and stream gauging;
- (M) On-site sewage disposal systems and irrigation of reclaimed water meeting the standards set forth in 15A NCAC 02H .0219 (k) of the North Carolina Administrative Code, provided that such facilities may be located only within areas of water supply watershed buffers that are subject to Zone 2 standards as specified in Sec. 11-21;
- (N) Stormwater management ponds, provided:
- (1) No alternative to their location in the buffer exists; and
 - (2) A new vegetated water supply watershed buffer meeting the purpose and requirements of this Paragraph is established around the new pond.
 - (3) Stormwater control measures are installed outside the centerline of the stream or river channel. A clean water diversion may be required.
- (O) Stream restoration;
- (P) Stream bank stabilization;

-
- (Q) Temporary in-stream sediment and erosion control measures for work within a stream channel;
 - (R) Vegetation management, including:
 - (1) Emergency fire control measures, provided topography is restored;
 - (2) Planting vegetation to enhance the buffer's function;
 - (3) Pruning forest vegetation, provided the health and function of the vegetation is not compromised;
 - (4) Removing individual trees that are in danger of causing damage to dwellings, other structures, or human life;
 - (5) Removing poison ivy; and other noxious growth; and
 - (6) Removing understory nuisance vegetation as defined in Exotic Plant Guidelines (Guideline #30, NC DENR, Div. of Parks and Recreation, 1998).
 - (S) Water-dependent structures;
 - (T) Wetland restoration.



Planning, Development & Inspections

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A Division of Community Services
P.O. Box 550 • Raleigh, NC 27602
www.wakegov.com

To: Wake County Planning Board – Code and Operations Committee
From: Betsy Pearce, Assistant Program Manager – Post Construction Stormwater
Subject: Unified Development Ordinance Text Amendment OA-05-25
Date: August 6, 2025

Introduction

The proposed amendments clarify county authority, align regulations with State law, provide a consistent definition of a common measurement, and clarify where stormwater ponds may be installed. Community stakeholders were given the opportunity to provide feedback.

Request

That the Land Use Committee recommend approval to the Wake County Planning Board the following amendments to the Wake County UDO:

1. Amend Section 11 Part 2 *Water Supply Watershed Buffers* to consistently define a stream buffer width as measuring from the top of the stream bank.
2. Amend Section 11-10 *Applicability of Neuse Riparian Buffer Protection Rules* to **add** text stating the County administers the Jordan Lake Buffer Rules.
3. Amend Section 11-22-2 (N) *Activities Allowed within Buffers* **adding** text to clarify stormwater management ponds may be installed outside the stream or river channel.
4. Amend Section 10-30-2(B)(2)(b) *Financial Responsibility and Ownership* changes the residency requirement from a resident of Wake County to a resident of North Carolina.
5. Amend Section 10-42-3(B) Notice of Civil Penalty Assessment and 10-42-4(B) Appeal of Civil Penalties to correct the time to request remission of the penalty from 60 days to 30 days.

Staff Recommendation

Staff recommend that, in the matter of OA-05-25, the Land Use Committee recommend approval to the Planning Board

Attachments

1. OA-05-25 Text Amendment
2. Presentation