



Board Meeting Agenda Abstract

Monday, May 4, 2026

Location:

Agenda Item

*Town Code Amendment - Town of Fuquay-Varina - Land Development Ordinance (LDO)
Amendment #31 - CTA-2025-05 - (Davison) - Item 7.B*

Item Explanation

The purpose of this agenda item is to consider a proposed text amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, Amendment #31 that addresses several areas of improvement.

Staff Comments

Since its adoption in December 2016, Town staff and the community have gained significant experience using the Land Development Ordinance (LDO) and a better understanding of its intent and proper function. Periodically, staff and management bring amendments to the Board after consolidating an ongoing list of proposed modifications that accomplish a number of goals including keeping the LDO relevant to development trends, encouraging quality development and innovative design solutions, streamlining the standards and addressing confusing or conflicting language. This amendment seeks to harness that experience by clarifying and correcting the LDO's language.

The proposed changes are as follows:

Throughout the LDO (where articles only include amendments from this general category; they are not otherwise called out herein):

Article D - Conventional Zoning Districts

- A missing word was added to the section on the Downtown Center-2 Zoning District.

Article F - Use Regulations

- Permitted Use Table updates:

- The Tobacco and/or CBD Retailer use definition has been clarified to include THC based products to coordinate with current industry practices.

- A reference has been added to Vertical Mixed-Use in the Use Standards column since the use is also permitted in the General Commercial zoning district.

- A clarification has been made to the Accessory Use, Residential - Chickens section to indicate that chickens defined and kept as agricultural animals are not included in this section's standards. This serves to clarify that chickens are regulated with other agricultural

animals on larger properties in the ETJ.

- *The section on Telecommunication Facilities has been amended to simplify the standards and bring them in line with both neighboring municipalities and current industry standards. The setbacks and minimum lot area requirements are now according to the proposed height of the tower and its construction rather than the zoning of the subject property or the adjacent properties.*

- *The specific standards for chain-link fence required coatings have been removed from throughout the LDO to be limited to the section on fences. The overall standards for chain-link fences being required to be vinyl or powder coated have not changed.*

- *The Home Occupation section has undergone an update. As home-based business and jobs are more popular today, the standards for what may or may not be allowed with a home occupation permit needed to be updated. This section, now more in line with neighboring municipalities, identifies specific prohibited uses, thereby creating flexibility and allowing for a wider range of home occupations while clearly establishing standards and expectations to ensure the uses will not become a nuisance to neighbors.*

- *Further standards for developing vertical mixed-use in the General Commercial zoning district have been added. Vertical mixed-use was previously a permitted use in the district, but the standards were listed only in the Downtown and Form-Based sections.*

- *Language under Retail Sales & Services regarding parking in the front of a retail building has been removed as it is duplicate language from the Parking Standards section.*

- *Language has been added that permits outdoor storage as an accessory use to a storage facility in the Industrial zoning district. The language serves as clarification as currently the standards only state that outdoor storage is prohibited if the facility is in the General Commercial zoning district.*

Article G - Lot & Structure Provisions:

- *Language has been added to the pie-shaped lot and cul-de-sac lot standards for clarity and ease of use.*

- *The specific standards for chain-link fence required coatings have been removed from throughout the LDO to be limited to the section on fences. The overall standards for chain-link fences being required to be vinyl or powder coated have not changed.*

- *Standards for fence placement have been removed as they have been determined to be impractical from a standards enforcement perspective.*

Article H - Building Types & Architectural Standards:

- *Exterior accessory lighting standards have been added to establish what types of lighting is acceptable for non-residential uses. This type of lighting does not require a permit, but has become a popular design element.*

- *The section on overhead doors has been edited to specify where screening standards can be found. Overhead doors are now permitted on the sides of buildings as well as the rear to better align with the loading dock standards.*

- *An exception for secondary facade glazing via administrative adjustment has been added to both the shopping center and multi-family standards to allow for flexibility in the design of non-residential structures. This opportunity for a glazing reduction with supplemental architectural features was previously added to the commercial building standards and has served to facilitate attractive facades where the interior configuration may not allow for substantial glazing on multiple facades.*

Article I - Environmental Protection & Standards:

- *The process for verification of projects within the water supply watershed has been simplified*

to allow for ease of use. Since Town jurisdiction includes only a few properties within the water supply watershed, it was determined that the standards do not need to be applied to all development projects.

Article J - Subdivision Regulations:

- The required minimum width for a permanent access easement for an exempt major subdivision has been corrected from 30 feet to 50 feet to align with the private road standards established in Article M.

Article L - Signs:

- Language has been added to allow changeable copy signs for assembly and educational uses.

- The requirement for window signs to get a permit prior to installation has been removed as window signs are not inspected and are often temporary signage. Window signs will still be required to meet Town standards.

- "A"s have been added to the Off-Site Sign row on the Permitted Signs table indicating that they are allowed by right in certain circumstances. This is a reflection of language added later in the article regarding commercial real estate signs which will be described later in this report.

- On-Site Real Estate Signs has been added as a row on the Permitted Signs table with "A"s indicating they are allowed by right under some circumstances. This is a reflection of language added later in the article which will be described later in this report.

- Language has been added that prohibits digital signage on integrated center signs.

- Language has been simplified in the traffic control device (e.g., Stop Sign) on private property section; no impactful change has been made.

- The on-site real estate sign section has been rewritten for clarity and ease of use. Standards have been added regarding the allowed duration of display.

- The off-site sign section has been rewritten for clarity and ease of use. It now includes standards on commercial sales events, open house signs, and civic organization event signs.

- The newly designated types of temporary signs have been added to the section on Signs Not Requiring a Permit as they are temporary signs with standards included in their respective sections. This revision provides clear standards for a wider variety of temporary signs to ease both the posting and enforcement.

Article M - Thoroughfares, Drainage & Utility Standards:

- Traffic Impact Analyses (TIA) are now required with the first step of a project's development. This includes rezoning, site plan, and/or subdivision plan. This is in an effort to get more information up front on the expected burden a project may have on the Town's traffic and what steps the development may be able to take to remedy any conflicts. The Town's Standard Specifications and Construction Details document is also being updated in conjunction. Adding rezoning to the TIA timing aligns the Town's standards with neighboring municipalities and facilitates discussion about traffic concerns during the public hearing process.

Article O - Landscaping & Tree Protection Standards:

- Language has been added to specify that perimeter buffers are only required on the development boundary for shopping centers and not between parcels or outparcels. Since outparcels are developed as part of a shopping center project removing the perimeter buffer requirement allows site development to prioritize pedestrian and vehicular connections to the larger development.

- The hyphen in the term "chain link" has been removed throughout the LDO, where applicable.

- An exception has been added to the section on buffers where a driveway is shared. Since shared driveways streamline vehicular circulation and reduce the number of driveways along a roadway, a perimeter buffer is not required along the property perimeter adjacent to the driveway.
- An exception has been added to the section on buffers allowing for flexibility via an administrative adjustment where nonresidential projects are adjacent to federal or NC state highway as identified on the STIP. This revision will help maintain the development viability of parcels impacted by roadway projects.

Article Q - Procedures & Administration:

- The section on successive applications has been simplified to state that there are no limits on the number of successive applications for development approvals that can be submitted. This edit is necessary based on a recent State general statute update.
- The requirement for a TIA with the first step of development has been added to the zoning map amendment procedures section.
- The requirement for documentation showing that covenants for a homeowners' association have been recorded is required prior to submittal of the final plat has been added. Additionally, language has been added detailing the responsibilities of HOAs has been added.
- The section on TIA procedures has been amended to indicate the requirement for submittal of the TIA with the first step of development.

Article R - Violations, Penalties & Legal Provisions:

- Standards have been added that correlate to the updated standards in Article L Signs. This is to allow code enforcement the ability to better respond to repeated issues with temporary sign placement.

Article S - Interpretations & Definitions:

- The definition for Animal, Domestic has been edited to combine it with the definition for Domestic Animal. This was an unintentionally duplicated definition. The definition for Domestic Animal has been removed.
- The definition for Life Care Community/Retirement Community has been changed to refer to Congregate Living to match the terminology used on the Permitted Use Table. The intent of the use has not changed.
- A definition has been added for the term Outparcel.
- The Tobacco and/or CBD Retailer use definition has been clarified to include THC based products to coordinate with current industry practices.

Appendix A - DC-1 & DC-2 Form-Based Districts:

- Composite and vinyl have been added as the types of fencing materials that are not permitted in the DC zoning districts. This does not change the current standard which lists wrought iron, stone, masonry, or black painted metal as the permitted fencing but serves to clarify the prohibited fence materials.
- Language permitting flexibility in the required building height along the built frontage via an administrative adjustment has been added to this section to encourage vibrant and lively downtown streetscapes.
- Language has been added stating that all buildings facing primary streets shall have nonresidential uses on their first floors. Flexibility is provided for buildings that encompass an entire block to facilitate the integration economically viable uses for larger developments.

Appendix B - RMU, CMU & EMU Form-Based Districts:

- Language in the section requiring glazing has been amended for clarity regarding the percentage required for non-residential versus residential.
- An error has been corrected in the easement standards section.

Appendix C - Town Center Residential District:

- The design flexibility standards found in Appendix B & Appendix D have been added to this Appendix as well as it has been determined by staff to be relevant. The flexibility allows for creativity in the master planning process and has been a successful option for PUD and form-based master plans.
- On Table - TCR Zoning District Dimensions & Standards:
- Duplexes have been added to the line for single-family dwellings and removed from the line for triplexes. Duplexes are classified as single-family dwellings elsewhere in the LDO.
- The requirement for a quadplex to be a single story only has been removed as it has been determined by staff that it was overly restrictive and quadplexes of more than one story would be appropriate in the TCR zoning district.
- The minimum lot size for triplexes in TCR has been upped to 13,000 square feet to better align with the allowable density.
- The minimum lot size for quadplexes in TCR has been upped to 17,500 square feet to better align with the allowable density.
- Terminology for multi-family structures has been standardized throughout the article.
- Language has been added for the required minimum parking for residential and vertical mixed-used projects in TCR.

Appendix D - Planned Unit Development District:

- The standard for alley width for row houses has been removed, and the section now refers to standards found in the Town's Spec Book.

RECOMMENDATION: Management & staff recommend approval of the proposed Town Code Amendment. It is reasonable and, in the public's, best interest as it improves upon the Land Development Ordinance's intent to modernize, provide sustainability, and allow for ease of use and enforcement concerning the Town's current standards.

ADDITIONAL INFORMATION: At its regular meeting on April 20, 2026, the Planning Board unanimously recommended approval.

Fiscal Note

No

Recommendation

PUBLIC HEARING

MOTION TO: Approve CTA-2025-05 Amendment #31, an amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, as presented and recommended by management & staff. The text amendment improves upon the Land Development Ordinance and is reasonable and in the best interest of the public for the reasons identified by management & staff.

ATTACHMENTS

CTA-2025-05 Amendment 31

Attachment A - Table - Permitted Use Table

Attachment B - Table - Permitted Signs

Attachment C - Table - TCR Zoning District Dimensions & Standards