



Fuquay-Varina Board of Commissioners

April 7, 2025

*AN ORDINANCE BY THE GOVERNING BOARD
OF THE TOWN OF FUQUAY-VARINA, NORTH CAROLINA
AMENDING THE TOWN CODE OF ORDINANCES
PART 9, LAND DEVELOPMENT ORDINANCE
AMENDMENT NO. 29*

CTA-2025-01

NOW, THEREFORE BE IT ORDAINED, by the Board of Commissioners of the Town of Fuquay-Varina, North Carolina, the following:

Section 1. Article F USE REGULATIONS is amended as follows:

§9-1255 USE STANDARDS

c. Assembly

(6) Place of Worship.

A. Place of Worship.

vii. **Parsonage.** A parsonage may be permitted on the same parcel as a Place of Worship use. The parsonage shall be required to meet all setbacks of the zoning district in which the Place of Worship is located. A parsonage that has driveway access to a street shall be required to have a driveway setback of at least 20 feet to the street right-of-way.

**No text amendments are proposed for i.-vi. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for B. of this section; hence, it is omitted from this document.*

**No text amendments are proposed for (1)-(4) of this section; hence, they are omitted from this document.*

I. Residential Development

(2) Multi-Family.

D. Townhouse Development.

vii. Setback Standards.

- 1. Front Setback.** Minimum 15 feet, or smaller, in accordance with the Town's Standard Specifications & Construction Details, except in the Town Center Residential (TCR) Zoning District, Planned Unit Development (PUD) and the Downtown Center-2 (DC-2) Zoning District where the applicable setback of those zoning districts shall apply. The

minimum front setback may be reduced to 10 feet where garages are located on alleys for rear access.

- I. ~~Public Right-of-Way. Minimum 30 feet, or a minimum of 20 feet when fronting on a public right-of-way identified as a "Type 6" street or smaller, in accordance with the Town's Standard Specifications & Construction Details, except in the Town Center Residential (TCR) Zoning District, Planned Unit Development (PUD) and the Downtown Center-2 (DC-2) Zoning District where the applicable setback of those zoning districts shall apply. The minimum front setback may be reduced to 10 feet where garages are located on alleys for rear access.~~
- II. ~~Private Right-of-Way. Minimum 15 feet, measured from back of sidewalk, back of curb, or edge of pavement.~~
- III. ~~Off-Street Parking Lot. Minimum 10 feet, measured from back of sidewalk, back of curb, or edge of pavement.~~

*No text amendments are proposed for 2. of this section; hence, it is omitted from this document.

*No text amendments are proposed for i.-vi. Or viii.-xiii. of this section; hence, they are omitted from this document.

*No text amendments are proposed for A.-C. of this section; hence, they are omitted from this document.

(5) **Manufactured Home.**

- C. *Dimensional Requirements.* A manufactured home shall ~~be a minimum of 24 feet in width (measured along the narrowest axis) and its length shall not exceed its width by three (3) times (measured along the longest axis, excluding towing apparatus, wheels, axles and transporting lights)~~ meet all size requirements as established by US Department of Housing and Urban Development (HUD).

*No text amendments are proposed for A., B., D., or E. of this section; hence, they are omitted from this document.

*No text amendments are proposed for (1), (3), (4) or (6) of this section; hence, they are omitted from this document.

p. **Miscellaneous Use**

(1) **Accessory Uses.**

A. *Accessory Use, Nonresidential.*

ii. *Accessory Units*

1. *Location.* Accessory units shall be located in the rear or side yard of the zoning lot where the principal structure is located or shall be roof mounted.

2. *Screening.*

- I. *Not Visible from Public Right-of-Way.* Screening is not required where an accessory unit or above-ground utility is not visible from a public right-of-way.

II. Visible from or Adjacent to a Public Right-of-Way or Access Drive.

- a. Ground-Mounted. Accessory units, or above-ground utilities visible from or adjacent to public rights-of-way shall provide a constructed screen with a minimum height of one (1) foot above the highest point of the accessory unit. Such screening shall be constructed of the same materials and coloration as the principal structure and shall be reviewed and approved as part of the site plan or prior to approval of the building plans. This requirement shall not apply to accessory units adjacent to parking lots where there is no private right-of-way or access drive.
- b. Roof-Mounted. Accessory units, visible from public rights-of-way, shall provide a parapet the same height or taller than the accessory unit. The parapet shall be constructed of the same materials or coloration as the principal structure and shall be reviewed and approved as part of the site plan or prior to approval of the building plans.

III. Dumpster Enclosure Gate Required. Wherever a dumpster enclosure is required, the enclosure shall include an opaque service gate that fully screens the dumpster.

IV. Transformer Screening.

- a. Transformers three (3) feet in height or less may be screened with medium evergreen shrubs only.
- b. Transformers greater than three (3) feet in height shall be screened with a constructed screen per II. above, in addition to the medium evergreen shrubs.
- c. Staff may approve alternative screening configurations based on location and utility requirements.

~~2. Not Visible from Public Right-of-Way. No screening is required where an accessory unit is not visible from a public right-of-way.~~

~~3. Visible from Public Right-of-Way or Access Drive. Accessory units visible from a public right-of-way shall provide a constructed screen with a minimum height one (1) foot above the highest point of the accessory unit. Such screening shall be constructed of the same materials and/or coloration as the principal structure and shall be reviewed and approved as part of the site plan or prior to approval of the building plans. This requirement shall not apply to accessory units adjacent to parking lots where there is no private right-of-way or access drive.~~

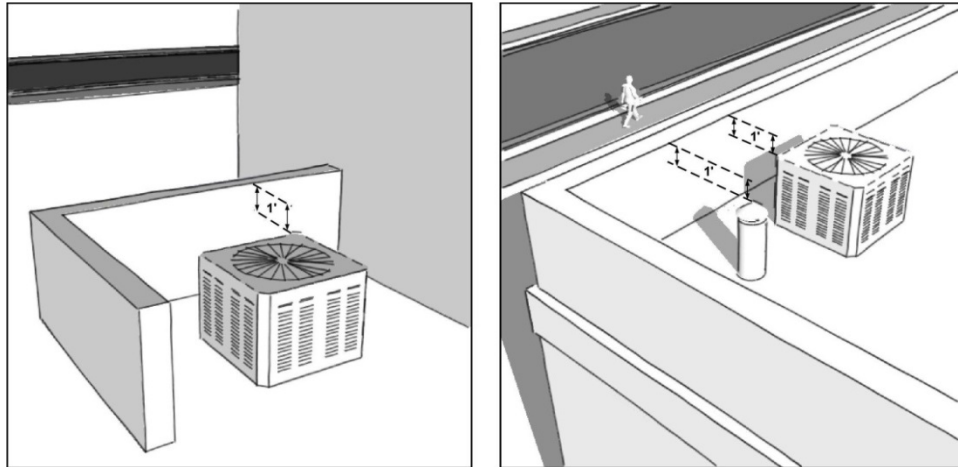


Figure – Accessory Unit Screening

- ~~4. Adjacent to a Public Right-of-Way. Where an accessory unit is located in a side or rear yard such that the yard is adjacent to a public right-of-way, such accessory unit shall provide a constructed screen in compliance with this Section, as well as landscaping in compliance with Article Q Landscaping & Tree Protection.~~
- ~~3.5. Compliance with Additional Regulations.~~ Certain accessory units, including dumpsters and trash receptacles, shall further comply with the Town's Standard Specifications & Construction Details.
- ~~4.6. Administrative Adjustment.~~ Where an accessory unit is roof mounted an administrative adjustment may be approved by the Town Manager or their designee, in accordance with ~~Article Q Procedures & Administration~~ and the following:
- I. ~~DC-1 & DC-2 Zoning Districts.~~ Adjacent to a secondary street, an accessory unit may exceed the height of the parapet wall up to a maximum of 10% of the accessory unit's ~~exterior surface height~~. ~~Such measurement shall be calculated by taking the total height of the accessory unit.~~ The administrative adjustment shall provide for the exact percentage approved.
 - II. ~~All Other Zoning Districts.~~ ~~Within~~ Where greater than 100 feet ~~of from~~ the property line ~~and not visible from the right-of-way~~, an accessory unit may exceed the height of the parapet wall ~~up to a maximum of 10% of the accessory unit's exterior surface, or where greater than 100 feet from the property line, the required screening shall not apply.~~
- ~~7. Dumpster Enclosure Gate Required.~~ Wherever a dumpster enclosure is required, the enclosure shall include an opaque service gate that fully screens the dumpster.

**No text amendments are proposed for a., b., d.-k., or m.-cc. of this section; hence, they are omitted from this document.*

Section 2. Article H BUILDING TYPE & ARCHITECTURAL STANDARDS is amended as follows:

§9-1354 ARCHITECTURAL & DESIGN REQUIREMENTS

c. **General Building Façade Materials**

(2) ***Building Façade Material***

A. *Permitted Building Façade Materials*

~~iv. Architectural Concrete (surface is designed to simulate brick or stone)~~

iv. Tilt-Up Concrete Panels (demonstrating scale and variation through textured patterns, color variation, chamfered edges at panel joints, and architectural reveals)

**No text amendments are proposed for i. - vii. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for B. of this section; hence, it is omitted from this document.*

(3) ***Exception for Innovative Use of Alternate Façade Accent Materials***

A. The Town Manager or their designee may approve the use of non-permitted façade materials for up to 25% of a façade through an administrative adjustment (see Article Q Procedures & Administration, §9-1808, a. Administrative Adjustments). The applicant must document the following regarding the proposed alternate material:

i. The proposed material is compatible with the primary building materials;

ii. The proposed material will support the architectural design of the building;

iii. The proposed material highlights a key structural element of the building (such as the main entrance, a tower feature, or an exterior gathering area);

iv. The proposed material is a high quality, durable product, appropriate for the setting and proposed building use;

**No text amendments are proposed for (1), (3) or (4) of this section; hence, they are omitted from this document. Additionally, (3) and (4) have been renumbered as (4) and (5).*

d. **Window Treatment.**

(2) ***Overhead Doors.*** Full-view overhead doors for the purpose of creating an indoor/outdoor space may be installed on front or side facades as a window treatment option. Overhead doors for any other purpose shall only be permitted on the rear façade.

**No text amendments are proposed for (1) of this section; hence, it is omitted from this document.*

**No text amendments are proposed for a. or b. of this section; hence, they are omitted from this document.*

Section 3. Article J SUBDIVISION REGULATIONS is amended as follows:

§9-1458 SUBDIVISION LOTS

a. **Lot Configuration**

(2) **Lot Frontage on Public Right-of-Way.**

- A. *Exceptions to Residential Lot Frontage Requirements.* ~~Am An expanded minor exempt major~~ subdivision may create up to eight (8) lots that abut one (1) or more existing or extended private streets or permanent access easements, rather than a public right-of-way, but only if all of the following conditions are met: An exempt major subdivision is exempt from preliminary plat review as well as Town Board review and approval.
- iv. *Minor Subdivision Classification.* The proposed ~~expanded minor exempt major~~ subdivision shall be in compliance with ~~Article J Subdivision Regulations §9-1455 Minor Subdivision, a. Minor Subdivision Classification, (3) No Utility Extensions, (4) No Impact to Remaining Parcel, and (5) No Nonconforming Lots Created,~~ as well as ~~§9-1455 Minor Subdivision, b. Public Right-of-Way Dedication Required.~~ Expanded minor Exempt major subdivisions shall only be permitted in the extraterritorial jurisdiction (ETJ).
- v. *Private Streets.* All private streets in an ~~expanded minor exempt major~~ subdivision shall be subject to ~~Article M Thoroughfares, Drainage & Utility Standards, §9-1610 Private Streets & Utilities.~~

**No text amendments are proposed for i., ii., or v., - vii. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for B. of this section; hence, it is omitted from this document.*

**No text amendments are proposed for (1) or (3)-(11) of this section; hence, they are omitted from this document.*

**No text amendments are proposed for b. of this section; hence, it is omitted from this document.*

§9-1460 BLOCKS

a. **Block Length**

Block lengths shall not exceed 800 feet in length, nor shall a block be less than 200 feet in length. Blocks adjacent environmentally sensitive, historic land, or preexisting incomplete blocks may be exempt from block ~~face~~ length and block perimeter requirements by administrative adjustment, in accordance with ~~Article Q Procedures & Administration, §9-1808 Common Application Procedures, a. Administrative Adjustment.~~

**No text amendments are proposed for b. of this section; hence, it is omitted from this document.*

§9-1466 GUARANTEES

a. **Construction Guarantees**

(3) **Acceptance Criteria**

- F. Approval of Surety to Town Board. ~~If the Town Manager does require a surety, it will be presented to the Town Board of Commissioners at a regular meeting to review and consider approval of such surety. If the Town Board of Commissioners approves the surety and all associated documentation is executed and the surety is submitted to the Town in the form required~~ If it is determined that a surety is required, it shall be submitted for review by staff, with final approval by the Town Manager or their designee. Then Once approved by the Town Manager or their designee, a final subdivision

plat may be signed and submitted for recordation at the Office of Wake County Register of Deeds or a Certificate of Occupancy may be issued for a building(s) associated with a site plan.

**No text amendments are proposed for A.-E., G., or H. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for (1) or (2) of this section; hence, they are omitted from this document.*

**No text amendments are proposed for b., c. or e.-i. of this section; hence, they are omitted from this document.*

Section 4. Article L SIGNS is amended as follows:

§9-1552 GENERAL SIGN STANDARDS

d. Sign Location & Setbacks

- (3) **Utility & Traffic Control Poles.** No signs or sign structures shall be erected, constructed, or attached, maintained on any utility pole or traffic control poles, unless such signs are under the same ownership of the utility or traffic control pole or with approval of the Town.

- (4) **Integrated Center.** All signage in an Integrated Center shall be in compliance with other provisions of the Land Development Ordinance, including but not limited to Article H Building Type & Architectural Standards and Article S Interpretations & Definitions.

**No text amendments are proposed for (1), (2) or (4)-(6) of this section; hence, they are omitted from this document. Additionally, (4)-(6) have been renumbered as (5)-(7).*

e. Sign Area Computation

- (1) **Aggregate Signage Computation.**

- B. **Minimum Stand-Alone Building Frontage.** If the stand-alone building frontage identified and utilized for aggregate sign computation calculated is 35 linear feet or less, then the total aggregate square footage of signage permitted shall be based on 35 linear feet.

- C. **Multi-Tenant Building.** Where a building contains space for multiple tenants, the aggregate sign calculation for each individual business shall be calculated using the standard aggregate sign computation based on the frontage of the individual business. No square footage minimums apply.

**No text amendments are proposed for C. Or D. of this section; hence, they are omitted from this document. Additionally, C & D have been relettered as D & E.*

**No text amendments are proposed for (2) of this section; hence, it is omitted from this document.*

g. Changeable Copy & Digital Signage

- (2) **Digital Display.**

- B. **Maximum Surface Area.** The property on which the sign is located shall be limited to one (1) digital display area, which shall not exceed 25% of the freestanding sign surface area whether a single-sided or double-sided sign unless otherwise specified in this Article.

- D. **Off-Premises Site Signage.** The provisions for digital display cannot be utilized for the purpose of off-premises site signage, as permitted by the Land Development Ordinance (LDO), except where provided d for the purpose of public safety or public information by a governmental entity.

**No text amendments are proposed for A., or C. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for (1) of this section; hence, it is omitted from this document.*

i. **Permitted Sign Table**

See Attachment A – CTA-2025-01 – Table – Permitted Signs

**No text amendments are proposed for a.-c., f., h. or j. of this section; hence, they are omitted from this document.*

§9-1553 PERMANENT FREESTANDING SIGN STANDARDS

A permanent freestanding sign(s) shall be ~~permitted as a standard column sign, ground sign or monolithic sign and~~ secured to the ground with the copy or message mounted flat against the permitted sign surface area, and with limitations on the height, square footage and use or purpose of the freestanding sign in accordance with this Article. Use of tents, portable signs, or other similar sign display mechanisms shall not be considered a permitted form of a freestanding sign and are prohibited.

a. **General Standards**

(4) **Location.**

B. *Signs in Median.* A ~~ground or monolithic monument~~ sign may be located in a median of a public driveway or right-of-way where the median and sign meet the following conditions:

ii. *Sign Setback.* The freestanding sign shall be located in the median no closer than 10 feet to either end of the median ~~and equidistant from the median sides.~~

**No text amendments are proposed for i., iii., or iv. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for A. of this section; hence, it is omitted from this document.*

(6) **Landscaping.**

A. ~~Annual & Perennial Planting Evergreen Materials.~~ The landscaping shall be designed to include but is not limited to the following: ~~annual and/or perennial flower beds, evergreen~~ groundcover, ornamental grasses and ~~evergreen~~ shrubs less than 24 inches in height at maturity. ~~Annual or perennial flowers may be used to supplement the required evergreen materials.~~

**No text amendments are proposed for B. of this section; hence, it is omitted from this document.*

**No text amendments are proposed for (1)-(3) or (5) of this section; hence, they are omitted from this document.*

e. **Ground Monument Sign**

A freestanding ~~ground monument~~ sign shall be supported by a continuous base, between 24 inches and 48 inches in height, a depth equal to or greater than that of the sign and a minimum of 90% of the width of the principal sign, unless otherwise provided herein.

(1) **Residential Zoning Districts.** A freestanding ~~ground monument~~ sign is permitted in a residential zoning district in compliance with the specific standards provided herein. When located in a residential zoning district, a ~~ground monument~~ sign may or may not include decorative columns and is typically provided as an entrance sign; or as development or subdivision identification feature, whether located along the perimeter or internal to the subdivision or development.

- A. *Sign Surface Area.* A maximum of 48 square feet of ground monument sign area shall be permitted per access onto a public right-of-way sign.
- C. *Maximum Quantity.* A maximum of two (2) ground monument signs shall be permitted at each public right-of-way access, where the total surface area computation in both signs shall not exceed the maximum allowed by this Subsection.

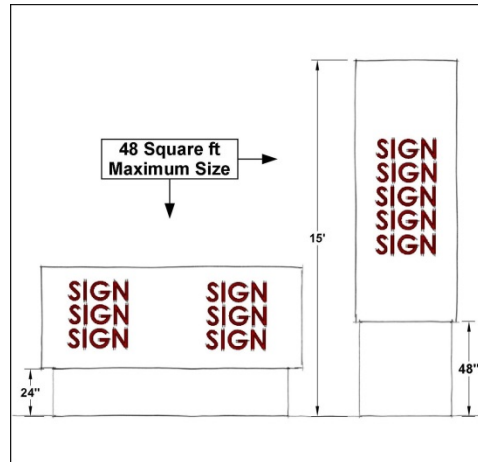


Figure – Ground Monument Sign

- D. *Large-Scale Ground Monument Sign.* If the residential subdivision or development proposing a ground monument sign is proposed to be 750 lots or more, a more substantial sign may be permitted at any entrance to the subdivision that is proposed to be median-divided. This large-scale ground monument sign shall be a maximum of 96 square feet of sign per access onto a public right-of-way, shall only be approved when the proposed subdivision has frontage on a Type 8 street or greater, and shall have a continuous base and be constructed of either brick, stone, or brick or stone veneers. No feature of this sign shall exceed 15 feet in height measured from the finished grade to the top of the sign or monument.

**No text amendments are proposed for B. of this section; hence, it is omitted from this document.*

g. Menu Board Sign

(5) **Digital Display.** Use of 100% digital displays shall be allowed in accordance with the following:

- A. **Display intensity** shall be adjusted to correspond with natural lighting conditions.
- B. **Displays visible from the public right-of-way** shall be shielded in a way to prevent distraction and glare to motorists.
- C. **Movement of any image, scrolling, flashing or changes of light intensity** shall only occur during menu changes, not less than a 90-minute cycle.

h. Monolithic Sign.

A monolithic freestanding sign is structurally designed to be secured to a foundation without a visible structural base. The base shall be located below the finish grade and shall extend vertically from the finished grade up to the maximum height and square footage permitted in this Article. The copy, message, logo, emblem, insignia or

~~graphics area displayed on a monolithic sign shall not be located less than 30 inches, measured from the finished grade vertically to the bottom edge of any copy area.~~

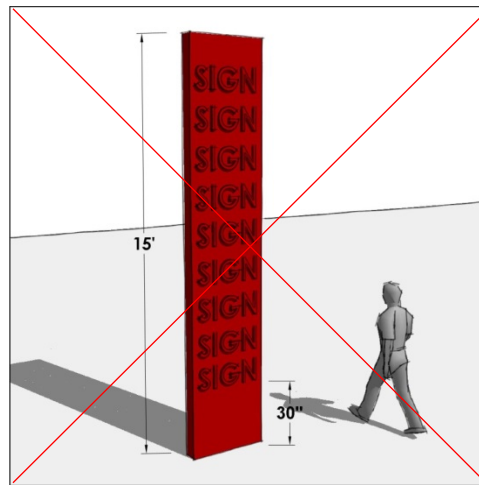


Figure – Monolithic Sign

i. Monument Sign

~~A monument sign shall have a maximum sign surface area of 24 square feet and a maximum height of six (6) feet. The maximum width of the monument sign shall be four (4) feet and depth of the sign shall be one (1) foot. The monument sign shall be supported by a continuous base, a minimum height of 18 inches and not more than 36 inches and with a required minimum width of 90% of the width of the monument sign.~~

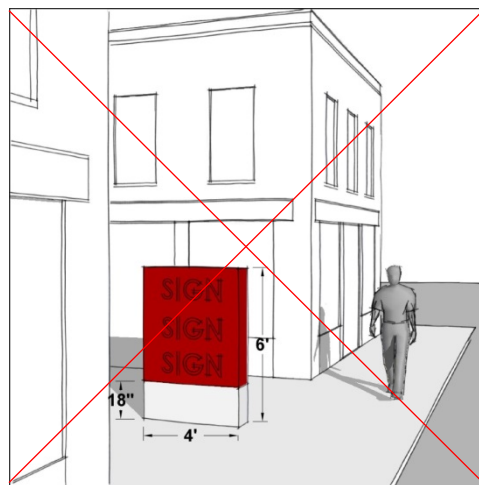


Figure – Monument Sign

**No text amendments are proposed for b.-d., f., or j. of this section; hence, they are omitted from this document. Additionally, j. has been relettered as h.*

§9-1554 PERMANENT ATTACHED SIGN STANDARDS

a. General Standards

- (2) **Sign Surface Area.** The total aggregate surface area for attached signs shall not exceed 15% of a single side of the building wall surface where the sign is to be located. The allowable sign surface area is measured by multiplying the length and height, up to a maximum of 25 feet of a single side of a building wall and multiplying by 15%; where no such provisions are provided herein for a specific type of attached sign.

~~A. **Number of Attached Signs.** More than one (1) attached sign may be permitted on a single side, however, where more than one (1) sign is provided the maximum surface area permitted for each sign is 30 square feet.~~

~~A B. **Maximum Surface Area.** The maximum surface area includes all signage, letters, logos, emblems, and graphics, but does not include signage in windows.~~

~~C. **Signage above Roof.** Where a cupola, parapet or vertical structured wall surface is constructed on or above the roof as part of the architectural design of a building and an attached sign is proposed on such wall surface area of the cupola, parapet or structured wall surface, the 15 % of allowable signage is determined by the height and length of the cupola, parapet or structured wall surface.~~

**No text amendments are proposed for (1), or (3)-(6) of this section; hence, they are omitted from this document.*

b. **Awning or Canopy Signs**

An awning or canopy shall be attached to a frame that extends from the exterior façade wall of a building, without ground mounted support, using a fire-retardant material such as fabric or vinyl and may contain signage in accordance with the ~~follows~~ following:

(1) **Location of Sign on Awning or Canopy.** When a sign is located on an awning or canopy, it shall be located on the front face only. When the front angled section of an awning or canopy surface is 60 degrees or more from the horizontal plane, it shall be considered part of the face of the awning and shall be suitable for signage.

~~(1) (2) **Sign Surface Area.** The maximum area of an awning or canopy sign shall not exceed 12% on the front and 10% per each side. It is not permitted to combine the percentages into one sign.~~ façade of the building and 25% of the awning or canopy face onto which the sign is located.

~~(2) (3) **Illumination.** Awning or canopy signs may be illuminated only with direct surface lighting and not from any form of backlighting.~~

~~(3) (4) **Signs above Awning or Canopy.** No signs shall be attached on or extend above the top of the awning or canopy, and all signs shall be mounted flat against the awning or canopy~~ front face or side area.

c. **Band Sign**

~~A band sign shall be attached and mounted flat on a building wall, must be located above the entrance to the principal use and shall meet the following standards:~~

- (1) **~~Sign Surface Area.~~** The permitted band sign square footage is calculated using 3 square feet of sign surface area per one (1) linear foot of the building wall on which the sign is to be located.
- (2) **~~Maximum Height.~~** The maximum vertical height of a band sign shall not exceed three (3) feet.
- (3) **~~Sign Width.~~** The width of the band sign shall not exceed 90% of the building wall on which the sign is located.
- (4) **~~Sign Projection.~~** The depth or projection of a band sign shall not exceed seven (7) inches.
- (5) **~~Clearance.~~** The minimum clearance between the bottom of the band sign and the surface of the sidewalk is seven (7) feet.
- (6) **~~Maximum Quantity.~~** One band sign is permitted on the front building façade. Where a building has public entrances on more than one (1) street, a band sign may be provided on each wall containing an entrance, in compliance with these standards.



Figure – Band Sign

e. Building Name or Marker

A building name or marker sign shall be permitted in nonresidential zoning districts in compliance with the following standards:

- (1) **~~Aggregate Signage Computation.~~** The total square footage provided in a building name or marker shall count toward the allowable aggregate signage computation provided by this Article.

f d. Heritage Sign

- (6) **~~Approval Process.~~** All evidence and required submittal materials shall be submitted to the ~~Planning Director~~ Town Manager or his/her designee. ~~After review and recommendation by the Planning Director, the request will be submitted to the Town Board of Commissioners for review and designation as a heritage sign.~~

i.g. Window Sign

- (1) **Sign Surface Area.** Window signs placed either on the interior or exterior of a window or glass door, whether permanent or temporary, shall not exceed 25 percent (25%) of the total area of any single window bank of windows or doors.

**No text amendments are proposed for (2) or (3) of this section; hence, they are omitted from this document.*

**No text amendments are proposed for d., g., or h. of this section; hence, they are omitted from this document.*

§9-1555 ZONING DISTRICT SIGN REGULATIONS

a. DC-1 & DC-2 Zoning District Sign

(2) Permanent Freestanding Sign Standards

C. Ground Monument Signs

- i. **Maximum Height.** A ground monument sign shall have a maximum height of 42 inches.
- ii. **Sign Surface Area.** The maximum surface area of a ground monument sign is 24 square feet per side.
- iii. **Support Base.** Such sign shall have a continuous support base between 12 and 24 inches in height, width and depth. The support base shall be constructed using all or some of the same material as the principal building façade on the same property.

**No text amendments are proposed for A., B., or D. of this section; hence, they are omitted from this document.*

(3) Permanent Attached Sign Standards

- C. **Illumination.** ~~Backlighting for attached signs is prohibited.~~ Up and down lighting onto an attached sign is permitted, provided that the lighting shall be directed at the sign and shall be shielded in a manner to only illuminate the face of the sign. Backlighting, internal illumination or other lighting methods for attached signs shall be prohibited.

~~E. **Awning or Canopy Signs.** Where an awning or canopy sign is provided in addition to other permitted attached signage, the total aggregate signage for the awning or canopy signage and other permitted attached signage shall not exceed 15 percent (15%) of the total surface of the building wall. Where there are multiple tenants on a single property, one (1) awning or canopy may be located over the entrance to each tenant space, provided that the awning or canopy sign area does not exceed 10 percent (10%) of the front of the canopy area. In such cases, the total aggregate signage for the awning or canopy signs and other permitted attached signage shall not exceed 20 percent (20%) of the total surface of the building wall.~~

~~E.F. **Digital Signage Prohibited.** The use of digital signage is prohibited.~~

**No text amendments are proposed for A., B., or D. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for (1) of this section; hence, it is omitted from this document.*

b. Nonresidential Use Sign in Residential Zoning Districts

- (1) ***Illumination.*** ~~Backlighting for attached signs is prohibited.~~ Up and down lighting onto a sign is permitted, provided that the lighting shall be directed at the sign and shall be shielded in a manner to only illuminate the face of the sign. Backlighting, internal illumination or other lighting methods for attached signs shall be prohibited.
- (3) ***Permanent Freestanding Sign Standards.***
 - D. *Home Occupation Signage.* In the Town's extraterritorial jurisdiction (ETJ), one (1) ground monument sign advertising a home occupation is permitted in accordance with the following standards.

**No text amendments are proposed for A.-C. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for (2) or (4) of this section; hence, they are omitted from this document.*

§9-1556 TEMPORARY SIGN STANDARDS

a. General Standards

(2) *Maximum Duration.*

A. *On-Site Real Estate Signs.* On-site real estate signs shall be removed within 30 days of the sale, rental or expiration/revocation of the contract for the property being advertised or represented.

(4) *In conjunction with a signed Private Property Temporary Sign Enforcement Agreement, Code Compliance is authorized to enter upon private property to remove unauthorized off-site temporary signage.*

**No text amendments are proposed for (1) or (3) of this section; hence, they are omitted from this document.*

b. Banner Sign

(1) ***Material.*** Banners shall be made of canvas, nylon, or flexible plastic material.

**No text amendments are proposed for (2)-(6) of this section; hence, they are omitted from this document.*

c. Construction Sign

(5) ***Setback.*** A construction sign shall be placed no closer than 10 feet from the back of curb or edge of pavement.

**No text amendments are proposed for (1)-(4) of this section; hence, they are omitted from this document.*

d. ~~Off-Premises~~ Site Sign

An off-~~premises~~ site sign, provided to direct vehicular or pedestrian traffic to a location other than the property on which the sign is located, shall be permitted in accordance with the following standards:

(1) ***Sign Surface Area.*** An off-~~premises~~ site sign shall not exceed six (6) square feet.

- (2) **Setback.** ~~In compliance with this Article, no signs shall be located in a public right-of-way in a manner as to not create a view obstruction or interfere with vehicular or pedestrian traffic. Further, off-premises signs shall be located a minimum of five (5) feet from the back of a sidewalk, or within 10 feet from the edge of pavement or back of curb where no sidewalk exists. In compliance with this Article, signs shall be located in a public right-of-way in a manner as to not create a view obstruction or interfere with vehicular or pedestrian traffic. Where sidewalk exists, the signs shall be placed between the curb and sidewalk. Where no sidewalk exists, the signs shall be placed within 10' from the back of pavement.~~
- (3) **Maximum Height.** The maximum height of an off-~~premises~~ site sign shall be 42 inches.
- (4) **Duration of Display.** Off-~~premises~~ site signs shall be permitted from 5 PM on Friday through 9 AM on the following Monday.
- (5) **Anchoring.** An off-~~premises~~ site sign shall be temporarily secured to prevent such sign from creating a hazard due to high winds or storms. It is the responsibility of the sign owner to secure such sign.
- (6) **Maximum Quantity.** No more than eight (8) off-~~premises~~ site signs shall be permitted at any time.
- (7) **Prohibited Use.** Use of appurtenances with temporary off-~~premises~~ site signssureti is prohibited.

**No text amendments are proposed for e.-i. of this section; hence, they are omitted from this document.*

Section 5. Article M THOROUGHFARES, DRAINAGE & UTILITY STANDARDS is amended as follows:

§9-1610 PRIVATE STREETS & UTILITIES

a. **Private Streets**

(1) **Types of Development**

- F. ~~Expanded Minor~~ Exempt Major Subdivisions.

**No text amendments are proposed for A.-E. of this section; hence, they are omitted from this document.*

(2) **Approval of Private Streets**

- B. ~~Expanded Minor~~ Exempt Major Subdivisions. The following standards shall apply only to ~~expanded minor exempt major~~ subdivisions as described in ~~Article J Subdivision Regulations, §9-1458 Subdivision Lots, a. Lot Configuration, (2) Lot Frontage on Public Right-of-Way, A. Exception to Residential Lot Frontage Requirements, iv. Minor Subdivision Classification~~ and as defined in ~~Article S Interpretations & Definitions~~. An ~~expanded minor exempt major~~ must meet all other requirements in order to be considered for approval of the following private street standards:

ii. *Designation.*

1. *Existing Private Streets.*

- IV. Where a permanent means of ingress and egress was created as part of the ~~expanded minor exempt major~~ development, it must be upgraded to comply

with the private street standards of this Article from the portion of the permanent means of ingress and egress that serves as frontage for lots in the subdivision to the nearest improved public or private street.

**No text amendments are proposed for 1.-III. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for 2.-4. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for i. of this section; hence, it is omitted from this document.*

**No text amendments are proposed for A. of this section; hence, it is omitted from this document.*

**No text amendments are proposed for (1) of this section; hence, it is omitted from this document.*

Section 6. Article N PARKING, LOADING & LIGHTING DESIGN STANDARDS is amended as follows:

§9-1652 GENERAL STANDARDS

e. Construction Alternatives

Off-street parking, loading and unloading, and service areas subject to vehicle traffic may use an alternative surface ~~including, but not limited to, grass pavement devices, pervious asphalt, permeable paver systems, and gravel under certain conditions~~ as outlined in the following standards:

- (1) **Residential Use Parking.** Parking, loading and service areas for single-family detached, duplexes and triplexes may use ~~asphalt or concrete as a surface for parking materials as provided in Article N Parking, Loading & Lighting Standards, §9-1653 Off-Street Parking Standards, e. Residential Use of Off-Street Parking.~~

**No text amendments are proposed for (2)-(4) of this section; hence, they are omitted from this document.*

**No text amendments are proposed for a.-d. or f. of this section; hence, they are omitted from this document.*

§9-1653 OFF-STREET PARKING STANDARDS

a. Parking Location

Off-street parking shall be located in the side yard or rear yard of the principal building, except that parking may be permitted in the front yard area of the principal building which shall not exceed ~~an area greater than a width of~~ 65 feet ~~in depth between the edge of the required street landscaping along the front property line and walkway in front of the principal building.~~ Proposed off-street parking with a total of 50 parking bays or less shall be exempt from this standard.

e. Residential Use of Off-Street Parking

The Town of Fuquay-Varina requires off-street parking for residential uses ~~(for detached single-family homes, duplexes, and triplexes)~~, except as otherwise may be provided in the Land Development Ordinance, to minimize the amount of on-street parking and maintain safe travel lanes for the general public. However, it is also the purpose of the Town to provide parking for each individual residential lot that provides convenient parking, but also maintains the appearance and character of each individual lot. For these reasons the Town requires that individual lots follow specific standards for parking.

f. Off-Street Parking & Storage of Vehicles, ~~& Trailers, or Manufactured Homes~~

Off-street parking or storage of delivery ~~vehicles, or~~ service vehicles, ~~recreational vehicles, or~~ trailers, ~~or~~ ~~manufactured homes~~ shall be prohibited within the front ~~or side~~ setback of ~~a the~~ principal building/use, ~~or a~~ ~~minimum of 50 feet from a public right of way, whichever is greater, adjacent to a public thoroughfare, except~~ ~~as otherwise permitted in the Land Development Ordinance.~~ Parking and storage of vehicles and trailers shall be on a paved or concrete surface.

**No text amendments are proposed for b.-d. or g. of this section; hence, they are omitted from this document.*

Section 7. Article O LANDSCAPING & TREE PROTECTION STANDARDS is amended as follows:

§9-1709 FOUNDATION LANDSCAPING REQUIREMENTS

a. **General Standards**

- (1) **Foundation Landscape Location.** ~~Landscaping around the foundation of a building for all new buildings and additions shall be required in all nonresidential districts, and multi family developments in accordance with the following standards:~~

- A. *Multi-Family, Single Use Site or Out-Parcel for Nonresidential.* Required foundation landscaping shall be located along the front, sides and rear of the building. This requirement is not applicable to townhouse developments.

**No text amendments are proposed for B. of this section; hence, it is omitted from this document.*

**No text amendments are proposed for (2)-(6) of this section; hence, they are omitted from this document.*

§9-1711 PARKING LOT LANDSCAPING & SCREENING

b. **Vehicle Parking Lot Screening & Landscaping**

- (2) **Landscape Islands & Median Breaks.**

- B. *25 – 150 Parking Bays*

- iii. *Minimum Island Size.* Each individual landscape island shall measure a minimum of 10 feet in width and a minimum of 18 feet in length (to outside of curb). ~~any dimension and contain a minimum of 180 square feet. Landscape islands are typically 10 feet width by 18 feet in length but may be irregular due to site conditions and approval by the Town.~~ Approval may be given by the Planning Director or their designee for irregularly shaped landscape islands due to site conditions.

**No text amendments are proposed for i., ii., iv., or v. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for A. or C. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for (1) of this section; hence, it is omitted from this document.*

**No text amendments are proposed for a., c., or d. of this section; hence, they are omitted from this document.*

Section 8. Article Q PROCEDURES & ADMINISTRATION is amended as follows:

§9-1808 COMMON APPLICATION PROCEDURES

c. **Annexation**

(2) **Application Review.**

D. *Maps*

- iii. *Mylar Copies.* The Town will require a minimum of two (2) mylars at least one (1) mylar to be submitted with the annexation petition. Should the petitioner require a physical copy for their own records, additional mylars should be submitted. The Town of Fuquay-Varina shall take responsibility for recording the annexation plats and shall keep a physical copy. One (1) of the mylars will remain at the Wake County Register of Deeds; the second mylar shall remain with the Town of Fuquay-Varina. If the surveyor needs a recorded mylar, then three (3) mylars shall be submitted with the annexation petition.

**No text amendments are proposed for i., ii., or iv. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for A.-C., or E. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for (1) or (3) of this section; hence, they are omitted from this document.*

S. **Landscaping, Delay of Installation**

- (3) **Town Board Action Approval.** ~~Once the Town staff has reviewed and approved the estimate, the cost estimate and a recommendation by the Town Staff shall be submitted to the Town Board of Commissioners for review and approval.~~ The Planning Director or their designee shall review the cost estimate and determine if it is justified. If it is found to be justifiable, the Town Manager or their designee shall provide written approval with or without conditions, or if the estimate is denied, shall respond in writing as to why it was denied.

**No text amendments are proposed for (1), (2), (4), or (5) of this section; hence, they are omitted from this document.*

Z. **Site Plan**

(10) **Proportionality.**

- A. *Construction Exemption.* Where a project submitted for site plan review is subject to Comprehensive Transportation Plan required street improvements in which the total cost of the street improvements will exceed 35% of the site work costs and the proposed use or expansion does not trigger a Traffic Impact Analysis, the Town Board of Commissioners may consider not requiring exempting the property owner/developer from constructing the Comprehensive Transportation Plan required street improvements. Instead, cost estimates shall be provided by the property owner/developer, adhering to Section 109 of the latest revision of NCDOT's Specifications, but instead require cost estimates for both the required street improvements and proposed site work costs. Cost estimates are required to be submitted and approved by to the Engineering Director who will approve or deny the values presented to justify the exemption justifying the exemption. Right-of-way dedication and improvements outlined in section 060.05.01 Access Management of the Town's Standard Specifications are construction of life safety improvement is still required, if applicable.

**No text amendments are proposed for (1)-(9) of this section; hence, they are omitted from this document.*

**No text amendments are proposed for a., b., d.-r., t.-y., or aa.-mm. of this section; hence, they are omitted from this document.*

Section 9. Article S INTERPRETATIONS & DEFINITIONS is amended as follows:

§9-1901 GENERAL DEFINITIONS

ACCESSORY UNIT. The term defining an accessory unit is a device or system located outside of the principal structure, is related to the function of a primary use and its day to-day operations, and shall include dumpsters, roll-out containers, mechanical units, trash compactors, HVAC units (ground or roof mounted), mechanical equipment, utility equipment, and similar features. For purposes of the Land Development Ordinance, an accessory unit shall be classified as an accessory use unless specific provisions are provided otherwise.

PARSONAGE. The term defining an accessory residential structure associated with a place of worship, typically used as a residence for the leader of the place of worship.

SIGN, ATTACHED. The term defining a sign mounted against a building wall for the purposes of giving the name, logo, trademark, or other identifying symbol; addresses; or any combination of the name, symbol, building, business, service, facility, development or establishment. This definition includes all sign types regulated under “permanent ~~and temporary~~ attached signs” in Article L Signs.

SIGN, ~~BAND~~ WALL. The term defining a sign mounted flat against a building façade ~~above the main entrance~~ of a business or service and identifying such business or service to the general public with limitations on the length and height of the sign area.

SIGN, ~~GROUND COLUMN.~~ The term defining a sign ~~suspended or~~ supported by one (1) or more uprights ~~or braces~~ anchored in the ground ~~with a structural base under the sign~~, the length and width of such sign and the ~~ground~~ column sign structure height shall be in accordance with Article L Signs. ~~On a slope the ground sign measurement is from the front of the sign closest to the front property line or right-of-way.~~

SIGN, ~~MONOLITHIC.~~ ~~The term defining a freestanding sign that is constructed and installed without a base but sits on a footing below grade and projects above grade up to the maximum size and height permitted in Article L Signs upon which a copy or message is placed.~~

SIGN, ~~OFF-PREMISES SITE.~~ The term defining a temporary sign located off the property for which the sign is advertising containing information about an establishment, business, commodity, activity, or service not conducted, sold, or offered on the premises property where such off-~~premises site~~ sign is located, and placed by the owner of the business being advertised.

SIGN, ~~PERMANENT & TEMPORARY.~~ ~~The term defining the use of a sign as a principal (permanent) or temporary sign within the planning jurisdiction of the Town for advertising residential and nonresidential uses in accordance with Article L Signs of this Ordinance.~~

SIGN, ~~PERMANENT~~ FREESTANDING. The term defining the primary freestanding sign giving the nature, logo, trademark, or other identifying symbol or copy; addresses; or any combination of the name, symbol, copy, building, business, service, facility, development or establishment. This definition includes all sign types regulated under “permanent freestanding signs” in Article L Signs.

SIGN, ~~PROJECTING.~~ ~~The term defining any sign affixed to any building or wall whose leading edge extends more than 12 inches beyond such building or wall, regardless if the sign can be read from one or both sides.~~

SUBDIVISION, MAJOR

- A. **EXEMPT MAJOR SUBDIVISION.** A major subdivision of up to eight (8) lots that are exempt from certain standards of a traditional major subdivision.

SUBDIVISION, MINOR

- ~~A. **MINOR, EXPANDED.** A subdivision of up to eight (8) lots on an existing private drive or permanent access-easement.~~

Section 10. APPENDIX A DC-1 & DC-2 FORM-BASED DISTRICTS is amended as follows:

§9-2002 DOWNTOWN BUILDING REQUIREMENTS

g. **Block Standards**

- (1) Block ~~face~~ length may be adjusted by up to 10% by administrative adjustment to accommodate specific site conditions. The applicant must provide a written request, including reasoning for each of the findings provided below, in addition to the findings required for administrative adjustment approval elsewhere in the Land Development Ordinance. The Town Manager or designee must find the applicant has demonstrated need based on the findings submitted.
- (2) Blocks adjacent to environmentally sensitive or historic land or preexisting incomplete blocks may be exempt from block ~~face~~ length and block perimeter requirements by administrative adjustment, as per the requirements of Article Q Procedures & Administration.

**No text amendments are proposed for a.-f. or h.-bb. of this section; hence, they are omitted from this document.*

Section 11. Appendix B RMU, CMU & EMU FORM-BASED DISTRICTS is amended as follows:

§9-3011 STREET & BLOCK STANDARDS

- d. Block ~~face~~ length may be adjusted by up to 10% by administrative adjustment to accommodate specific site conditions. The applicant must provide written request, including reasoning for each of the findings provided below, in addition to the findings required for administrative adjustment approval elsewhere in the Land Development Ordinance. The Town Manager or designee must find the applicant has demonstrated need based on the findings submitted.
- e. Blocks adjacent environmentally sensitive or historic land or preexisting incomplete blocks may be exempt from block ~~face~~ length and block perimeter requirements by administrative adjustment, as per the requirements provided elsewhere in the Land Development Ordinance.

**No text amendments are proposed for a.-c. of this section; hence, they are omitted from this document.*

§9-3022 ARCHITECTURAL STANDARDS

- b. **Flat Roof Requirement.** Commercial and apartment-style multi-family buildings, including vertical mixed-use buildings, shall have flat roofs.

**No text amendments are proposed for a. of this section; hence, it is omitted from this document.*

§9-3024 STREET STANDARDS

C.

(5) **Public Frontage.**

E. *Lighting & Planting Standards.*

- i. Streetlighting must be located within the planting strip/amenity zone and consistent with ~~Table – Private Frontages and~~ the lighting standards of Article N Parking, Loading & Lighting Design Standards and of the Town’s Standard Specifications & Construction Details, as amended.

**No text amendments are proposed for ii.-v. of this section; hence, they are omitted from this document.*

**No text amendments are proposed for (1)-(4) or (6) of this section; hence, they are omitted from this document.*

**No text amendments are proposed for a. or b. of this section; hence, they are omitted from this document.*

§9-3025 EMERGENCY SERVICE ACCESS

- b. Block lengths on streets that are not fire access streets are limited to block ~~face~~ lengths of 300 feet to accommodate hose runs, unless structures on the block are also within 300 feet of a fire access street.

**No text amendments are proposed for a., c., or d. of this section; hence, they are omitted from this document.*

Section 12. Appendix C TOWN CENTER RESIDENTIAL DISTRICT is amended as follows:

§9-4003 GENERAL STANDARDS

- a. Interpretation of the Table – TCR Zoning District Dimension & Standards

See Attachment B – CTA-2025-01 – Table – TCR Zoning District Residential District

Section 13. Appendix D PLANNED UNIT DEVELOPMENT DISTRICT is amended as follows:

§9-5003 MINIMUM STANDARDS

- d. Dimensions & Standards

See Attachment C – CTA-2025-01 – Table – PUD Zoning District Dimensions & Standards

Section 14. Appendix E CERTIFICATIONS is amended as follows:

§9-6002 EXEMPT PLAT CERTIFICATION

Acceptance of Dedication (as applicable):

The Town of Fuquay-Varina hereby approves this plat and accepts dedication of public rights-of-way, public easements and public parks and/or greenways shown on this plat but assumes no responsibility to open or maintain the same until, in the opinion of the Town Board of Commissioners of the Town of Fuquay-Varina, it is in the public interest to do so.

_____, 20

Town Manager or Assistant Town Manager, Town of
Fuquay-Varina

Town Clerk, Town of Fuquay-Varina

§9-6004 MINOR SUBDIVISION PLAT CERTIFICATION

Acceptance of Dedication (as applicable):

The Town of Fuquay-Varina hereby approves this plat and accepts dedication of public rights-of-way, public easements and public parks and/or greenways shown on this plat but assumes no responsibility to open or maintain the same until, in the opinion of the Town Board of Commissioners of the Town of Fuquay-Varina, it is in the public interest to do so.

_____, 20

Town Manager or Assistant Town Manager, Town of
Fuquay-Varina

Town Clerk, Town of Fuquay-Varina

This Ordinance of the Town of Fuquay-Varina Board of Commissioners is hereby adopted this 7th day of April in the year 2025 in Fuquay-Varina, North Carolina.

FUQUAY-VARINA, NORTH CAROLINA

J. Blake Massengill, Mayor

ATTEST

(TOWN SEAL)



Teresa Wilder, Town Clerk

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the Town of Fuquay-Varina does hereby certify: That the above/attached ordinance is a true and correct copy of the ordinance authorizing an amendment to Part 9: Land Development Ordinance of the Town Code, as regularly adopted at a legally convened meeting of the Town Board of Commissioners duly held on the 7th day of April, 2025; and, further, that such ordinance has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of April 2025.

(Signature of Recording Officer)

(Title of Recording Officer)