Ordinance: 432 ZC 623
Effective: July 15, 2008

1. **Z-22-08 Conditional Use – Thornton Road** located on the north side of Thornton Road, east of its intersection with Thornton Commons, being Wake County PIN 1738-43-9369. Approximately 64.88 acres rezoned to Residential - 6 Conditional Use District & Conservative Management.

Conditions: 07/08/08

As used herein the "Property" means and refers to all of those certain tracts or parcels of land containing an aggregate of approximately 64.63 acres, located along Thornton Road in the City of Raleigh, NC, and having Wake County PIN: 1738-43-9369.

a. **Uses**. The following uses shall be prohibited on the Property:
- church, synagogue, or religious education building
- civic club
- library, art gallery, or museum – governmental

b. **Residential Density**. -No more than one hundred eighty (180) dwelling units shall be constructed upon the Property.

c. **Stormwater Retention**. Stormwater controlled devices shall be constructed to provide retention of stormwater to maintain existing (pre-development) peak discharge rates for the two (2) year, ten (10) year and fifteen (15) year storms.

d. **Types of Residences Permitted**. Only single family detached dwelling units, together with their accessory uses (as set forth in Section 10-2071 ("The Schedule of Permitted Land Uses in Zoning Districts"), shall be permitted on the Property.

e. **Clean-Up.** Prior to issuance of a building permit, the property owner shall remove all material discarded upon the subject property as dump material, including but not limited to automobile parts, appliances, scrap metal, and related debris, that is currently located on the subject Property.

f. **Buffer.** In the event the owner of the adjacent parcel, an approximately 9.85 acre parcel more specifically referenced in a deed recorded at Book 12555 Page 2556 in Wake County Register of Deeds, does not provide a Type A transitional protective yard on its property, the owner of the subject property, prior to the issuance of a certificate of occupancy, shall provide a Type A transitional

protective yard located between any residential lot located on the subject property that is adjacent to that approximately 9.85 acre parcel more specifically referenced in a deed recorded at Book 12555 Page 2556 in Wake County Register of Deeds.

g. **Berm.** The Type A transitional protective yard required in Condition (f) shall include a berm of at least five (5) feet in height.

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extend of such conflict.

Section 3. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to that end the provisions of this ordinance are declared to be severable.

Section 4. That this ordinance shall become effective upon the date of adoption.

Adopted: July 15, 2008 **Effective: July 15, 2008**

Distribution: Planning Department (3)
City Attorney
Inspections Department (5)
Jackie Taylor