

LAND DEVELOPMENT ORDINANCE INDEX

Section

A

ACCESSORY USE PERMITS

Applicability.	3.5.2
Procedures.	3.5.3
Purpose.	3.5.1

ACCESSORY USES AND STRUCTURES

Accessory uses and structures allowed.	5.3.4
Accessory dwelling units.	5.3.4(A)
Animal husbandry.	5.3.4(J)
Beekeeping, domestic.	5.3.4(O)
Caretaker's residence.	5.3.4(N)
Cluster box unit - mailbox.	5.3.4(Q)
Day care homes	
Large.	5.3.4(L)
Small.	5.3.4(M)
Electronic gaming machines.	5.3.4(R)
Food trucks.	5.3.4(P)
Home occupations.	5.3.4(C)
Outdoor display and sales.	5.3.4(D)
Outdoor storage as an accessory use.	5.3.4(E)
Recycling drop-off stations.	5.3.4(H)
Satellite dish antenna.	5.3.4(F)
Swimming pools, hot tubs and spas.	5.3.4(I)
Utility dwelling units.	5.3.4(B)
Vehicle gate.	5.3.4(G)
Yard parking on single-family and duplex residential lots.	5.3.4(K)
Accessory uses prohibited.	5.3.3
Prohibited in all zoning districts.	5.3.3(A)
Prohibited in residential zoning districts.	5.3.3(B)
General standards and limitations.	5.3.2
Accessory use permit.	5.3.2(C)
Approval of accessory uses and structures.	5.3.2(B)
Compliance with ordinance requirements.	5.3.2(A)
Location of accessory buildings, structures, or vehicles.	5.3.2(D)
Signs.	5.3.2(F)
Size of residential accessory buildings and structures.	5.3.2(E)
Temporary accessory uses and structures.	5.3.2(G)
Purpose.	5.3.1

ADULT BUSINESS

Use-specific standards	
Commercial uses.	5.2.3(M)

AFFORDABLE HOUSING. See: HOUSING

AGREEMENTS. See: CONTRACTS AND AGREEMENTS

	Section
AMENDMENTS	
Comprehensive plan, amendments to	
Cosmetic amendments to the comprehensive plan.....	3.2.1
Initiation by decision-making or review body.	3.2.1(B)
Initiation by Director of Town Department.	3.2.1(A)
Initiation of Comprehensive Plan Amendment by Town Council.	3.2.3
Regular review of the comprehensive plan.	3.2.2
Substantive amendments to the comprehensive plan.	3.2.4
Procedure.	3.2.4(A)
Standards of review.	3.2.4(B)
Text of the land development ordinance, amendment to the	
Approval criteria.	3.3.3
Effect of decision on successive applications.	3.3.4
Effect of approval.	3.3.4(B)
Effect of denial.	3.3.4(A)
Procedure.	3.3.2
Initiation of amendments and filing of applications.	3.3.2(A)
Planning director review, report, and recommendation.	3.3.2(C)
Public hearing; public notice.	3.3.2(B)
Review by Planning and Zoning Board.	3.3.2(D)
Town Council action.	3.3.2(E)
Purpose and scope.	3.3.1
APPEALS	
Administrative decisions, appeals of.	3.21
Action by the Zoning Board of Adjustment.	3.21.4
Appeal from Zoning Board of Adjustment.	3.21.6
Decisions that may be appealed.	3.21.2
Effect of reversal or modification.	3.21.5
Filing of appeal; effect of filing.	3.21.3
Purpose and scope.	3.21.1
ATHLETIC FIELD, PRIVATE	
Use-specific standards	
Commercial uses.	5.2.3(A)
ATHLETIC FIELD, PUBLIC	
Use-specific standards	
Public/institutional uses.	5.2.2(A)
B	
BED AND BREAKFAST	
Use-specific standards	
Residential uses.	5.2.1(B)
BIKEWAYS AND BICYCLE FACILITIES	
Connectivity.	7.10.5

LAND DEVELOPMENT ORDINANCE INDEX

	Section
BLOCKS	
Subdivision improvements.	8.2.6(B)
BOARDING HOUSE	
Use-specific standards	
Residential uses.	5.2.1(A)
BOARDS, COMMITTEES AND COMMISSIONS	
Parks, recreation, and cultural resources advisory board.	2.6
Planning and zoning board.	2.3
Public art advisory board.	2.7
Development review committee.	2.8.2
Town council.	2.2
Zoning board of adjustment.	2.4
BONA FIDE FARMS	
Use-specific standards	
Commercial uses.	5.2.3(C)
BOUNDARIES	
Zoning map.	1.5
BREWERY	
Use-specific standards	
Industrial uses.	5.2.4(I)
BUFFERING	
Development and design standards.	7.2
BUILDINGS AND BUILDING REGULATIONS	
Building design standards.	7.7
Building permits	
Application requirements.	3.14.2
Approval procedure; duration of approval.	3.14.3
Building permit required.	3.14.1
Changes to approved permits.	3.14.5
Notification and approval before construction begins.	3.14.4
Revocation of building permit.	3.14.6
Certificates of occupancy.	3.15

C

CANOPIES	
Exterior lighting standards.	7.9.3(E)
CERTIFICATES	
Certificates of occupancy	
Approval procedure.	3.15.2
Certificate of occupancy required.	3.15.1
Roads ordinance requirements, appeal from adequate public facilities planning and development for	3.23

CARY LAND DEVELOPMENT ORDINANCE

	Section
CERTIFICATES (Cont'd.)	
Vested rights certificate	
Effect of changes to approved plan.	3.17.6
Changes requiring a variance.	3.17.6(C)
Changes requiring approval of the Town Council.	3.17.6(B)
Special uses of a temporary nature.	3.17.6(A)
Establishment and effect of vested right.	3.17.2
Exceptions.	3.17.5
Owner-initiated annexation.	3.17.8
Procedure.	3.17.4
Applicability.	3.17.4(A)
Effect of denial or withdrawal of application.	3.17.4(C)
Notice and conduct of public hearings.	3.17.4(B)
Provisions to which vesting does not apply.	3.17.7
Purpose.	3.17.1
Vested rights period.	3.17.3
CLUSTER RESIDENTIAL SUBDIVISIONS	
Alternative development option.	8.4
COLLEGE	
Use-specific standards	
Public/institutional uses.	5.2.2(F)
COMMERCIAL INDOOR RECREATIONAL FACILITY	
Use-specific standards	
Commercial uses.	5.2.3(F)
COMMON REVIEW AND APPROVAL PROCEDURES	
Application completeness.	3.1.4
Authority to file applications.	3.1.1
Owner-initiated annexation petitions.	3.1.10
Conditions of approval.	3.1.8
Form of application.	3.1.2
Hearing procedures.	3.1.7
Inaction by review and decision making bodies.	3.1.12
Lapse of approval.	3.1.13
Notice requirements.	3.1.6
Certification of notice by non-owner applicant.	3.1.6(G)
Constructive notice.	3.1.6(E)
Content of notices.	3.1.6(A)
Expanded published notice authorized.	3.1.6(H)
Posted notice.	3.1.6(D)
Published notice.	3.1.6(B)
Type of notice.	3.1.6(F)
Written (mailed) notice	3.1.6(C)
Pre-application conferences.	3.1.5
Applicability.	3.1.5(A)
Initiation of pre-application conference.	3.1.5(B)
Pre-application conference content.	3.1.5(C)

LAND DEVELOPMENT ORDINANCE INDEX

	Section
COMMON REVIEW AND APPROVAL PROCEDURES (Cont'd.)	
Processing cycles.	3.1.11
Processing fees.	3.1.3
Simultaneous processing of development applications.	3.1.9
COMPREHENSIVE PLAN AND OTHER PLANS AND MANUALS	
Components of the comprehensive plan.	1.4.3
Appendices of the Cary Community Plan.	1.4.3(B)
Cary Community Plan.	1.4.3(A)
Legal effect.	1.4.2
Other plans, ordinances and manuals.	1.4.4
Purpose and role.	1.4.1
CONDITIONAL USE DISTRICTS	
Allowable uses.	4.3.4
Applicable regulations.	4.3.5
Conditional zoning districts.	4.3.6
Designation of conditional use districts.	4.3.3
Districts established.	4.3.2
Non-residential districts.	4.3.2(B)
Residential districts.	4.3.2(A)
Town Center Subdistricts.	4.3.2(C)
Walnut Street Corridor Subdistricts.	4.3.2(D)
Purpose and intent.	4.3.1
Rezoning to.	3.4.2
CONFLICTS	
Conflicting provisions	
Conflict with other public laws, ordinances, regulations, or permits.	1.8.1
Conflict with private agreements.	1.8.2
CONTRACTS AND AGREEMENTS	
Conflict with private agreements.	1.8.2
CURBS	
Subdivision improvements.	8.1.4(B)
D	
DAY CARE CENTERS	
Use-specific standards	
Public/institutional uses	5.2.2(B)
DEDICATION AND ROADWAY IMPROVEMENTS	
Minor alterations	
Off-site roadway improvements and dedication.	3.10.4
Re-use/redevelopment plans	3.11.5

DEPARTMENTS AND OTHER AGENCIES. See: BOARDS, COMMITTEES AND COMMISSIONS

DETACHED MULTI-FAMILY DWELLINGS

Use-specific standards	
Residential uses.....	5.2.1(P)

DEVELOPMENT AND DESIGN STANDARDS

Building design standards	7.7
Amendment process.	7.7.7
Applicability.	7.7.2
Criteria for review of SAC.....	7.7.5
Accent colors.	7.7.5(B)
Architectural features.	7.7.5(D)
Building height.	7.7.5(G)
Exterior materials.	7.7.5(C)
Landscaping.	7.7.5(E)
Lighting.	7.7.5(H)
Primary color(s).	7.7.5(A)
Setbacks and building placement.	7.7.5(F)
General requirements.....	7.7.3
Building placement.....	7.7.3(C)
Development outside of non-residential centers.	7.7.3(B)
Development within non-residential centers.....	7.7.3(A)
Review considerations.	7.7.3(D)
Purpose and intent.....	7.7.1
Recording requirements.....	7.7.6
Statement of architectural compatibility (SAC).....	7.7.4
Connectivity.....	7.10
Consistency with other documents.	7.10.2
Purpose and scope.	7.10.1
Standards for	
Bicycle facilities.	7.10.5
Pedestrian facilities.....	7.10.4
Community gathering spaces and plazas.	7.10.4(D)
Greenways.....	7.10.4(B)
Sidewalks.....	7.10.4(A)
Street-side trails.	7.10.4(C)
Public transit access and amenities.	7.10.6
Amenities and location.	7.10.6(B)
Costs of associated signage.....	7.10.6(C)
Maintenance responsibility.	7.10.6(C)
Purpose.....	7.10.6(A)
Time of installation.	7.10.6(D)
Streets/on-site vehicular circulation.	7.10.3
Cross access.....	7.10.3(C)
Exceptions.	7.10.3(D)
Street arrangement.....	7.10.3(B)
Street connectivity.	7.10.3(A)
Exterior lighting.	7.9
General requirement.	7.9.1
Lighting plan required.....	7.9.2
Standards.	7.9.3
Floodlights and spotlights.	7.9.3(F)
Illumination of outdoor sports fields and performance areas.	7.9.3(H)

LAND DEVELOPMENT ORDINANCE INDEX

	Section
DEVELOPMENT AND DESIGN STANDARDS (Cont'd.)	
Lighting for canopies.	7.9.3(E)
Lights in landscaping and around open sales area.	7.9.3(J)
Location and separation requirements.	7.9.3(D)
Maximum light levels at the property line.	7.9.3(B)
Maximum lighting height.	7.9.3(A)
Parking lot lighting standards.	7.9.3(C)
Sign lighting	7.9.3(I)
Wall pack lights.	7.9.3(G)
Flood damage prevention	
Applicability.	7.5.2
Exemptions.	7.5.2(B)
Purpose.	7.5.2(A)
Cross drainage area standards and restrictions.	7.5.6
Development restrictions and related standards in and near special flood hazard areas and future conditions flood hazard areas.	7.5.3
Accessory structures.	7.5.3(H)
Additional development standards and restrictions for areas with established base flood elevation data.	7.5.3(D)
Additions/improvements.	7.5.3(F)
Additions/improvements to existing structures.	7.5.3(G)
Application requirements.	7.5.3(E)
Development restrictions.	7.5.3(B)
Development standards.	7.5.3(C)
Floodplain development permit, establishment of.	7.5.3(A)
Limitations on encroachments in floodways and non-encroachment areas.	7.5.4
Purpose; enforcement.	7.5.1
Special requirements for manufactured homes.	7.5.7
Special requirements for development proposals requiring site and/or subdivision plan approval.	7.5.8
Standards for streams without established base flood elevations.	7.5.5
General provisions	
Applicability.	7.1.2
Community appearance, site design standards, and other documents.	7.1.4
Limitations on site disturbance.	7.1.5
Limited disturbance or construction outside limits of disturbance.	7.1.5(B)
Limits of disturbance.	7.1.5(A)
Purposes.	7.1.1
Landscaping, buffering, screening, and tree protection	
Allowable modifications and reductions.	7.2.10
Fences and walls.	7.2.7
Exposed framing toward interior yard.	7.2.7(E)
Fence and wall height outside of required setbacks.	7.2.7(A)
Fence and wall height within required setbacks.	7.2.7(B)
Fences and walls within buffers or streetscapes.	7.2.7(F)
Fences prohibited.	7.2.7(H)
Landscaping and screening of fences and walls.	7.2.7(C)
Maintenance.	7.2.7(D)
Rails required for retaining walls and steep grade changes.	7.2.7(J)
Setback requirement.	7.2.7(G)
Sight distance.	7.2.7(I)
General provisions.	7.2.2
Landscaping plans.	7.2.2(A)
Violations.	7.2.2(B)

CARY LAND DEVELOPMENT ORDINANCE

	Section
DEVELOPMENT AND DESIGN STANDARDS (Cont'd.)	
Highway corridor buffer.	7.2.15
Actions of government or public utilities.	7.2.15(E)
Applicability.	7.2.15(B)
Buffer requirements.	7.2.15(C)
Purpose and intent.	7.2.15(A)
Variances.	7.2.15(D)
Implementation of landscape plan; inspections.	7.2.12
Inspections after first year.	7.2.12(B)
Inspections prior to certificate of occupancy.	7.2.12(A)
Maintenance responsibility, replacement of damaged vegetation, and associated fines.	7.2.13
Fines.	7.2.13(D)
General maintenance responsibility.	7.2.13(A)
Removal, damage and pruning of vegetation.	7.2.13(B)
Replacement of disturbed and damaged vegetation.	7.2.13(C)
Miscellaneous landscaping requirements.	7.2.9
Additional requirements for clear-cut sites or sites with removed vegetation in required vegetation protection area.	7.2.9(H)
Design standards for berms.	7.2.9(E)
Designated utility corridors.	7.2.9(G)
Easements.	7.2.9(F)
Irrigation.	7.2.9(D)
Reforestation of cut and fill slopes.	7.2.9(L)
Required foundation plantings for non-residential buildings.	7.2.9(B)
Required landscaping on single-family lots.	7.2.9(A)
Separation from utility appurtenances.	7.2.9(M)
Soil amendments required.	7.2.9(K)
Standards for new planting.	7.2.9(C)
Variety of plant species required.	7.2.9(J)
Parking lot landscaping.	7.2.6
Design standards.	7.2.6(C)
Exceptions for underground parking and above ground parking structures.	7.2.6(E)
Existing vegetation.	7.2.6(B)
Landscaping requirements in parking areas and vehicular use areas.	7.2.6(A)
Screening vehicular use areas.	7.2.6(D)
Purpose.	7.2.1
Requirements for perimeter buffers and landscape areas.	7.2.3
Applicability.	7.2.3(A)
Determination of buffer width and responsibility for installation.	7.2.3(E)
Development within required buffers.	7.2.3(H)
Distance of buildings and structures from required buffers.	7.2.3(L)
Existing vegetation, fences, walls, and berms.	7.2.3(G)
Land use classes.	7.2.3(C)
Location of buffers.	7.2.3(F)
Ownership of buffers.	7.2.3(J)
Type and width of required buffer.	7.2.3(B)
Types of buffers and landscaped areas.	7.2.3(D)
Use of off-site landscape easements.	7.2.3(K)
Zoning change.	7.2.3(I)
Riparian buffer	
Exclusion of from lots.	7.2.14(G)
Screening.	7.2.8
Mechanical and utility equipment.	7.2.8(B)

LAND DEVELOPMENT ORDINANCE INDEX

	Section
DEVELOPMENT AND DESIGN STANDARDS (Cont'd.)	
Stormwater devices.	7.2.8(A)
Trash containment areas.	7.2.8(C)
Streetscape landscaping.	7.2.4
Installation of planted vegetation along roadways.	7.2.4(B)
Ownership of streetscapes.	7.2.4(I)
Pervious area for new trees.	7.2.4(F)
Planting criteria for steep slopes adjacent to rights-of-way.	7.2.4(H)
Plantings in streetscape.	7.2.4(D)
Preservation of existing vegetation along roadways.	7.2.4(A)
Required width of streetscapes for all types of development.	7.2.4(C)
Stabilizing steep slopes.	7.2.4(G)
Tree placement.	7.2.4(E)
Time for installation of required landscaping.	7.2.11
Extensions and exceptions.	7.2.11(B)
Time limit.	7.2.11(A)
Tree protection, tree surveys, and replacement trees.	7.2.5
Administrative approval of removal of champion trees.	7.2.5(D)
Clear cutting of trees and other vegetation.	7.2.5(I)
Preservation and removal of trees on Town property.	7.2.5(F)
Protection of champion trees.	7.2.5(C)
Removal of unsafe, injurious, or infected trees on private property.	7.2.5(G)
Replacement of champion trees.	7.2.5(E)
Tree protection and tree surveys.	7.2.5(A)
Tree protection during construction.	7.2.5(B)
Waivers in emergencies.	7.2.5(H)
Urban transition buffer regulations.	7.2.14
Activities prohibited and permitted.	7.2.14(E)
Definitions.	7.2.14(P)
Delegation of authority.	7.2.14(O)
Description of buffers on site and/or subdivision plans.	7.2.14(F)
Determinations of no practical alternatives/request for authorization certificate.	7.2.14(I)
Exclusion of from lots.	7.2.14(G)
Exemption when existing uses are present and ongoing.	7.2.14(H)
General, establishing.	7.2.14(B)
Mitigation.	7.2.14(L)
Modification of as part of approving development plans.	7.2.14(J)
Overlap of conflict between established by town and state.	7.2.14(D)
Purpose and intent of.	7.2.14(A)
Site inspections.	7.2.14(M)
Specialized, establishing.	7.2.14(C)
Variances.	7.2.14(K)
Violations; fines; enforcement.	7.2.14(N)
Nuisance and hazard control standards.	7.6
Determination of violation of performance standards.	7.6.5
Effects of concurrent operations on different properties.	7.6.4
General standards and measures for compliance.	7.6.2
Performance standards.	7.6.3
Dust and other particulate matter.	7.6.3(F)
Electrical radiation.	7.6.3(J)
Fire and explosion hazards.	7.6.3(H)
Gases.	7.6.3(G)
Glare.	7.6.3(D)

CARY LAND DEVELOPMENT ORDINANCE

	Section
DEVELOPMENT AND DESIGN STANDARDS (Cont'd.)	
Landscaping..	7.6.3(A)
Noise.	7.6.3(B)
Odors..	7.6.3(C)
Smoke.	7.6.3(E)
Radiation and radioactivity.	7.6.3(I)
Underground and above-ground storage tanks.	7.6.3(L)
Wastewater and industrial wastes..	7.6.3(K)
Purpose and applicability.	7.6.1
Off-street parking and loading.	7.8
Dimensional requirements for parking spaces and aisles.	7.8.4
Loading space requirements.	7.8.6
Location and screening of loading areas.	7.8.6(D)
Minimum dimensions.	7.8.6(B)
Number of required off-street loading berths.	7.8.6(A)
Waiver or modification of requirements.	7.8.6(C)
Off-street parking space requirements.	7.8.2
Applicability.	7.8.2(A)
Computation of off-street parking requirements.	7.8.2(C)
Design and location of parking areas/stacking spaces.	7.8.2(G)
Effect on new and existing uses.	7.8.2(B)
Handicapped parking requirements.	7.8.2(F)
Reduction in number of required off-street parking spaces.	7.8.2(H)
Required off-street parking spaces.	7.8.2(D)
Stacking spaces for drive-through uses.	7.8.2(E)
Violation resolution.	7.8.2(I)
Parking alternatives.	7.8.3
Off-site parking.	7.8.3(B)
Other eligible alternatives.	7.8.3(E)
Parking structures.	7.8.3(C)
Shared parking.	7.8.3(A)
Valet and tandem parking.	7.8.3(D)
Purpose.	7.8.1
Use and identification of parking areas.	7.8.5
Soil erosion and sedimentation control	
Access and haul roads.	7.4.6
Basic control objectives for erosion control plans.	7.4.4
Control sedimentation.	7.4.4(E)
Control surface water.	7.4.4(D)
Identify especially vulnerable areas.	7.4.4(A)
Limit exposed area.	7.4.4(C)
Limit time of exposure.	7.4.4(B)
Manage stormwater runoff.	7.4.4(F)
Borrow and waste areas.	7.4.5
General erosion and sedimentation control standards.	7.4.3
Activity near watercourse.	7.4.3(E)
Compliance with Town manual.	7.4.3(J)
Conveyance channels.	7.4.3(A)
Design requirements.	7.4.3(C)
Installation of required landscape after grading.	7.4.3(I)
Limit on grading area for medium density residential developments.	7.4.3(H)
Limits on single-family lot grading.	7.4.3(G)
Protection during construction.	7.4.3(F)

LAND DEVELOPMENT ORDINANCE INDEX

	Section
DEVELOPMENT AND DESIGN STANDARDS (Cont'd.)	
Protective cover required.....	7.4.3(D)
Slopes left exposed.....	7.4.3(B)
Operations in lakes or natural watercourses.....	7.4.7
Permit and approval requirements	7.4.2
Purposes.....	7.4.1
Stormwater management	
Allowable best management practices	7.3.4
Illegal discharges to the storm sewer system	7.3.6
Appeal of notice of violation.....	7.3.6(N)
Applicability.....	7.3.6(B)
Compatibility with other regulations.....	7.3.6(D)
Compliance monitoring.....	7.3.6(J)
Cost of abatement of the violation.....	7.3.6(P)
Discharge prohibitions.....	7.3.6(G)
Enforcement measures after appeal.....	7.3.6(O)
Industrial or construction activity discharges.....	7.3.6(I)
Notification of spills.....	7.3.6(L)
Purpose	7.3.6(A)
Remedies not exclusive.....	7.3.6(R)
Requirement to prevent, control, and reduce stormwater pollutants by the use of Best Management Practices.....	7.3.6(K)
Responsibility for administration.....	7.3.6(C)
Severability.....	7.3.6(E)
Ultimate responsibility.....	7.3.6(F)
Violations deemed a public nuisance.....	7.3.6(Q)
Violations, enforcement, and penalties.....	7.3.6(M)
Watercourse protection.....	7.3.6(H)
Maintenance of best management practices	7.3.5
NPDES Phase II Post Construction Runoff Controls.....	7.3.7
Nutrient reduction requirements	7.3.2
Calculation of nitrogen and phosphorus export	7.3.2(C)
Exemptions	7.3.2(B)
Nitrogen and phosphorus control plan required	7.3.2(A)
Nitrogen and phosphorus export standards	7.3.2(D)
Peak runoff control	7.3.3
Calculation of peak flow	7.3.3(A)
Downstream impact analysis.....	7.3.3(C)
Exceptions to peak flow control	7.3.3(B)
Purpose and definitions.....	7.3.1
Variance.....	7.3.8
Transportation development fees	7.11
Applicability	7.11.4
Authority	7.11.2
Condition of approval.....	7.11.5
Fee as supplemental regulation	7.11.18
Fees	7.11.7
Findings	7.11.3
Fund accounting	7.11.10
Hearings	7.11.21
Individual assessments	7.11.8
Offsets; TDF Agreements.....	7.11.14
Other financing methods	7.11.17

	Section
DEVELOPMENT AND DESIGN STANDARDS (Cont'd.)	
Purpose	7.11.1
Refunds	7.11.12
Relief procedures.	7.11.20
Transportation zones	7.11.6
Updates and revisions	7.11.13
Use of funds	7.11.11
Use of offset	7.11.15
 DIMENSIONAL STANDARDS AND MEASUREMENTS	
Bulk measurement and requirements.	6.5
Measurements.	6.5.1
Building footprint.	6.5.1(D)
Density, gross.	6.5.1(A)
Density, net.	6.5.1(B)
Floor area.	6.5.1(C)
Height measurement and requirements.	6.4
Definition/measurement.	6.4.1
Building height.	6.4.1(A)
Exceptions.	6.4.1(B)
General height regulations.	6.4.2
General increases to maximum height requirement.	6.4.2(A)
Telecommunications facilities.	6.4.2(B)
Lot measurement and requirements	
Definitions/measurements.	6.2.1
Lot area.	6.2.1(A)
Lot depth.	6.2.1(C)
Lot width.	6.2.1(B)
General lot requirements.	6.2.2
Distance from existing telecommunications facilities towers.	6.2.2(C)
Minimum lot dimensions.	6.2.2(A)
Number of principal buildings or uses per lot.	6.2.2(B)
Setback measurement and requirements	
Clear sight triangles.	6.3.3
Definition/measurement.	6.3.1
General guidelines for determining residential setbacks.	6.3.1(G)
Guidelines for determining residential setbacks within planned developments.	6.3.1(H)
Setback, front.	6.3.1(E)
Setback line.	6.3.1(A)
Setback measurement, cul-de-sac.	6.3.1(F)
Setback, rear.	6.3.1(C)
Setback, roadway.	6.3.1(B)
Setback, side.	6.3.1(D)
Exemptions.	6.3.4
Setback requirements.	6.3.2
Features allowed within required setbacks or yards.	6.3.2(D)
General requirements.	6.3.2(A)
Setbacks from required buffers and streetscapes.	6.3.2(C)
Tables of density and dimensional standards	
Corridor Transition District.	6.1.4
Non-Residential Districts (not including TC District and CT District).	6.1.2

LAND DEVELOPMENT ORDINANCE INDEX

	Section
DIMENSIONAL STANDARDS AND MEASUREMENTS (Cont'd.)	
Residential Districts (not including TC District)	6.1.1
Additional regulations.	6.1.1(B)
Table of density and dimensional standards.	6.1.1(A)
Town Center District	6.1.3
Additional Regulations.	6.1.3(B)
Table of Density and Dimensional Standards.	6.1.3(A)
DISTILLERY	
Use-specific standards	
Industrial uses.	5.2.4(I)
DORMITORY	
Use-specific standards	
Residential uses	5.2.1(C)
DUST AND OTHER PARTICULATE MATTER	
Nuisance and hazard control standards	
Performance standards	7.6.3(F)
E	
EASEMENTS	
Subdivision improvements.	8.1.4(H)
ELECTRICAL RADIATION	
Nuisance and hazard control standards	
Performance standards.	7.6.3(J)
ELECTRONIC GAMING OPERATION	
Use-specific standards	
Commercial uses.	5.2.3(D)
ENFORCEMENT	
Enforcement of sign regulations.	11.7
Formal enforcement and remedies.	11.7.2
Informal remedial procedures.	11.7.1
For other signs.	11.7.1(B)
For signs on sites with continuing construction.	11.7.1(C)
For signs on sites with recent violations.	11.7.1(D)
For temporary signs.	11.7.1(A)
Enforcement procedures.	11.6
Citation procedure.	11.6.2
Action for recovery of penalty.	11.6.2(D)
Citation for violation.	11.6.2(A)
Content of citation.	11.6.2(B)
Corrective action required.	11.6.2(C)
Injunctive relief and other remedies.	11.6.4
Notice of violation procedure.	11.6.1
Content of written notice.	11.6.1(D)
Corrective action taken.	11.6.1(F)
Extension of time to cure.	11.6.1(E)
Notice of violation and opportunity to cure.	11.6.1(B)

CARY LAND DEVELOPMENT ORDINANCE

	Section
ENFORCEMENT (Cont'd.)	
Notice required before penalty.	11.6.1(A)
Written notice.	11.6.1(C)
Private civil relief for violation of sedimentation and erosion control standards.	11.6.5
Summary removal of dangerous signs or structures.	11.6.3
General provisions.	11.1
Compliance required.	11.1.2
Each day a separate violation.	11.1.4
Liability for violations.	11.1.3
Purpose.	11.1.1
Remedies and penalties applicable to other sections of the LDO.	11.5
Additional remedies and penalties for certain violations.	11.5.2
Clear cutting of trees.	11.5.2(A)
Removal or disturbance of or damage to existing vegetation	11.5.2(B)
Severe pruning.	11.5.2(C)
Violation of Historic Preservation Ordinance.	11.5.2(D)
General remedies and penalties.	11.5.1
Assess Civil Penalties	11.5.1(C)
Deny or Withhold Permits.	11.5.1(A)
Issue Stop Work Orders	11.5.1(D)
Revoke Permits.	11.5.1(B)
Remedies and penalties for erosion and sedimentation control violations pursuant to Section 7.4.	11.4
Assess criminal penalties.	11.4.5
Deny or withhold permits.	11.4.1
Issue stop work order.	11.4.3
Notice of violation civil penalties.	11.4.4
Amount.	11.4.4(B)
Process.	11.4.4(A)
Private civil relief.	11.4.7
Require restoration of disturbed areas.	11.4.6
Revoke permits.	11.4.2
Responsibility for enforcement and appeals.	11.2
Appeals.	11.2.2
Appeal of notice of violation civil penalties and fines (except pursuant to Section 7.4)	11.2.2(D)
Appeal of stop work orders	11.2.2(C)
Appeals of building permit issues.	11.2.2(A)
Appeals of soil erosion and sedimentation control decisions pursuant to Section 7.4.	11.2.2(B)
Inspections	11.2.3
Primary responsibility.	11.2.1
Specific violations.	11.3
Activities inconsistent with conditions of plan approval or permit.	11.3.5
Failure to remove signs.	11.3.6
Increasing intensity or density of use.	11.3.3
Land disturbing activities inconsistent with ordinance.	11.3.1
Making lots, setbacks, buffers, or open space nonconforming.	11.3.4
Nonconformities inconsistent with ordinance.	11.3.2
Removal of, damage to, disturbance of and pruning of vegetation inconsistent with ordinance.	11.3.7

	Section
EROSION AND EROSION CONTROL	
Grading permits	
Changes to approved erosion control plans.	3.13.7
Effect to approval; certificate of erosion control compliance.	3.13.5
Responsibility for maintenance and additional erosion control measures.	3.13.6
Soil erosion and sedimentation control	
Development and design standards.	7.4
F	
FAMILY CARE HOME	
Use-specific standards	
Residential uses.	5.2.1(D)
FENCES AND WALLS	
Development and design standards.	7.2.7
FIRE AND EXPLOSION HAZARDS	
Nuisance and hazard control standards	
Performance standards.	7.6.3(H)
FLEXIBLE USE DISTRICTS	
Flexible Use Districts generally.	4.5.1
Conditions.	4.5.1(C)
Process required.	4.5.1(B)
Purpose of Flexible Use Districts.	4.5.1(A)
MXD: Mixed Use District.	4.5.2
Approval criteria for Mixed Use District rezonings.	4.5.2(E)
Approval procedure.	4.5.2(B)
General use and development standards	4.5.2(D)
Geographic coverage.	4.5.2(C)
Intent.	4.5.2(A)
FLOODLIGHTS AND SPOTLIGHTS	
Exterior lighting standards.	7.9.3(F)
FLOODS AND FLOODING	
Development in flood hazard area.	3.12
Appeals.	3.12.4
Approval procedure.	3.12.3
Permit and approval requirements.	3.12.2
Additional requirement for non residential structures located within the flood hazard area.	3.12.2(D)
Compliance required.	3.12.2(A)
Development requiring on other forms of Town approval; floodplain development permit required.	3.12.2(C)
Development requiring other forms of Town approval.	3.12.2(B)
Stormwater engineering manager.	3.12.1

	Section
FLOODS AND FLOODING (Cont'd.)	
Flood damage prevention	
Development and design standards.	7.5

G

GASES	
Nuisance and hazard control standards	
Performance standards.	7.6.3(G)

GLARE	
Nuisance and hazard control standards	
Performance standards.	7.6.3(D)

GOVERNMENTAL OFFICES	
Use-specific standards	
Public/institutional uses.	5.2.2(H)

GRADES AND GRADING	
Grading permits.	3.13
Application requirements.	3.13.2
Approval criteria.	3.13.4
Changes to approved erosion control plans.	3.13.7
Changes initiated by applicant.	3.13.7(B)
Changes initiated by department.	3.13.7(A)
Effect of approval; certificate of erosion control compliance.	3.13.5
Purpose and scope.	3.13.1
Applicability.	3.13.1(A)
Exemptions from all grading standards and permit requirements.	3.13.11(B)
Exemptions from grading permit requirements.	3.13.1(C)
Responsibility for maintenance and additional erosion control measures.	3.13.6
Review and approval.	3.13.3

GREENWAYS	
Subdivision improvements	
Greenways, street-side trails and private trail connectors.	8.1.4(I)

GROUP HOME	
Use-specific standards	
Residential uses.	5.2.1(D)

GUTTERS	
Subdivision improvements.	8.1.4(B)

LAND DEVELOPMENT ORDINANCE INDEX

Section

H

HANDICAPPED PARKING

Off-street parking space requirements. 7.8.2(F)

HAZARDS AND HAZARDOUS MATERIALS

Nuisance and hazard control standards
Development and design standards. 7.6

HISTORIC PRESERVATION

Certificates of Appropriateness. 3.27.2
Demolition of landmarks or of buildings within historic districts. 3.27.2(D)
Major works (Major COA). 3.27.2(C)
Minor works (Minor COA). 3.27.2(B)
Required. 3.27.2(A)
Designation of historic districts/historic landmarks 3.27.1
Historic district designation. 3.27.1(A)
Historic landmark designation. 3.27.1(B)

HISTORIC PRESERVATION COMMISSION

Other powers and duties. 2.5.2
Review and decision-making responsibilities. 2.5.1

K

KENNEL

Use-specific standards
Commercial uses. 5.2.3(E)

L

LAND DEVELOPMENT ORDINANCE

Authority. 1.2
Comprehensive plan and other plans and manuals. 1.4
Components of the comprehensive plan. 1.4.3
Appendices of the Cary Community Plan. 1.4.3(B)
Cary Community Plan. 1.4.3(A)
Legal effect. 1.4.2
Other plans, ordinances, and manuals. 1.4.4
Purpose and role. 1.4.1

LAND DEVELOPMENT ORDINANCE (Cont'd.)

Conflicting provisions.	1.8
Conflict with other public laws, ordinances, regulations, or permits.	1.8.1
Conflict with private agreements.	1.8.2
General purposes.	1.3
Jurisdiction and applicability.	1.6
Applicability to bona fide farms.	1.6.5
Applicability to county and federal property.	1.6.2
Applicability to public utilities.	1.6.4
Applicability to state property.	1.6.3
General.	1.6.1
LDO compliance required.	1.7
Severability.	1.9
Title; effective date.	1.1
Transitional rules.	1.10
Approved projects.	1.10.2
Nonconformities under prior ordinance.	1.10.4
Pending applications.	1.10.3
Uses and structures rendered nonconforming.	1.10.5
Violations continue.	1.10.1
Zoning map.	1.5
Incorporation into this ordinance.	1.5.1
Interpretation of district boundaries.	1.5.2
Transition to conditional zoning.	1.5.4
Transition to new zoning districts.	1.5.3

LANDSCAPING

Building design standards	
Criteria for review of SAC.	7.7.5(E)
Development and design standards.	7.2
Nuisance and hazard control standards	
Performance standards.	7.6.3(A)

LICENSES AND PERMITS

Accessory use permits.	3.5
Building permits.	3.14
Development in flood hazard area	
Permit and approval requirements.	3.12.2
Grading permits.	3.13
Sign permits.	3.16, 9.1.6
Temporary structure permit required.	3.7.6
Temporary use permit required.	3.7.1

LIFE CARE COMMUNITY

Use-specific standards	
Residential uses.	5.2.1(E)

LAND DEVELOPMENT ORDINANCE INDEX

	Section
LIGHT INDUSTRIAL	
Use-specific standards	
Industrial uses.	5.2.4(G)
LIGHTS AND LIGHTING	
Building design standards	
Criteria for review of SAC.	7.7.5(H)
Exterior lighting	
Development and design standards.	7.9
Signs.	9.2.4
Street lights	
Subdivision improvements.	8.1.4(G), 8.1.7(D)
LOTS	
Subdivision improvements.	8.2.6(C)
M	
MANUFACTURED HOME	
Use-specific standards	
Residential uses.	5.2.1(K)
MANUFACTURED HOME PARKS	
Use-specific standards	
Residential uses.	5.2.1(O)
MAPS. See: SURVEYS, MAPS AND PLATS	
MINOR ALTERATIONS	
Eligibility requirements.	3.10.2
Off-site roadway improvements and dedication.	3.10.4
Procedure.	3.10.3
Purpose and applicability.	3.10.1
MODIFICATIONS	
Minor modifications to	
Approved plans, plats, and planned development master plans.	3.19.2
Applicability.	3.19.2(A)
Approval criteria.	3.19.2(D)
Exceptions.	3.19.2(b)
Procedure.	3.19.2(C)
Building encroachments into required setbacks.	3.19.3
Development and zoning district standards.	3.19.1
Applicability.	3.19.1(A)
Exceptions to authority to grant minor modifications.	3.19.1(B)
Procedure.	3.19.1(C)
MONUMENTS AND MARKERS	
Subdivision improvements.	8.2.6(A)

	Section
MOTOR VEHICLE SALES/RENTAL	
Use-specific standards	
Commercial uses.....	5.2.3(Q)
MULTI-FAMILY DWELLING, AND MULTI FAMILY DWELLING, MID-RISE	
Use-specific standards	
Residential uses.....	5.2.1(F)
N	
NEIGHBORHOOD RECREATION CENTER, PUBLIC	
Use-specific standards	
Public/institutional uses.....	5.2.2(D)
NEW BUSINESS SIGN	
Permitted signs: location, size, number	
Conditions.....	9B.2(J)
NIGHTCLUB/BAR	
Use-specific standards	
Commercial uses.....	5.2.3(G)
NOISE	
Nuisance and hazard control standards	
Performance standards.....	7.6.3(B)
NONCONFORMING USES AND STRUCTURES	
Transitional rules.....	1.10.5
NONCONFORMITIES	
General provisions.....	10.1
Change of ownership or tenancy.....	10.1.4
Continuation, maintenance, and minor repair.....	10.1.7
Damage or destruction.....	10.1.6
Exception for setbacks for detached dwellings.....	10.1.6(A)
Determination of nonconformity status.....	10.1.3
Enforcement of requirements.....	10.1.9
Enlargement, expansion, alteration, or major repair.....	10.1.8
Applicability.....	10.1.8(A)
Conditions.....	10.1.8(E)
Exception for setbacks for detached dwellings.....	10.1.8(H)
Findings.....	10.1.8(C)
Limits on expansion.....	10.1.8(F)
Limits on requirements.....	10.1.8(G)
Nonconforming buffers or streetscapes.....	10.1.8(I)
Other considerations.....	10.1.8(D)
Site and/or subdivision plans.....	10.1.8(B)
Exception due to variance or modification.....	10.1.5
General policy.....	10.1.2
Purpose.....	10.1.1

LAND DEVELOPMENT ORDINANCE INDEX

	Section
NONCONFORMITIES (Cont'd.)	
Nonconforming lots of record.	10.4
Adjacent lots in single ownership.	10.4.3
Exception for single-family dwelling.	10.4.2
Nonconformity related to lots of record.	10.4.1
Nonconforming signs.	10.5
Limitations on nonconforming signs.	10.5.3
Abandonment.	10.5.1(A)
Change of copy.	10.5.1(C)
Other sign permits on premises.	10.5.1(D)
Required removal.	10.5.1(E)
Routine repairs and maintenance.	10.5.1(B)
Nonconforming pole signs.	10.5.2
Nonconforming signs protected.	10.5.1
Nonconforming structures and/or sites.	10.2
Re-use or redevelopment of existing nonconforming structures and/or sites.	10.2.1
Nonconforming uses.	10.3
Abandonment or cessation of use.	10.3.1
Abandonment or cessation of use; Town Center (TC) District.	10.3.2
Change of use.	10.3.4
Manufactured homes on individual lots.	10.3.3
Nonconforming adult businesses.	10.3.6
Signs for nonconforming uses.	10.3.5
 NUISANCES	
Nuisance and hazard control standards	
Development and design standards.	7.6
 NURSING HOME	
Use-specific standards	
Residential uses.	5.2.1(G)
 O	
 ODORS	
Nuisance and hazard control standards	
Performance standards.	7.6.3(C)
 OFFICERS AND EMPLOYEES	
Stormwater engineering manager.	3.12.1
 OFF-STREET PARKING AND LOADING	
Development and design standards.	7.8
 OUTDOOR STORAGE AS A PRINCIPAL USE	
Use-specific standards	
Industrial uses.	5.2.4(A)

	Section
OVERLAY ZONING DISTRICTS	
Airport overlay.	4.4.5
Location and applicability; compliance required.	4.4.5(B)
Location of buildings and parking areas.	4.4.5(F)
Nonconforming uses and structures.	4.4.5(E)
Process for reviewing developments; approval by the Raleigh-Durham Airport Authority.	4.4.5(C)
Prohibited uses and structures.	4.4.5(D)
Purpose and intent.	4.4.5(A)
Conservation residential overlay district.	4.4.3
Additional design requirements.	4.4.3(H)
Bonus open space requirements.	4.4.3(G)
Calculating the base number of lots.	4.4.3(E)
Eligibility and process to obtain density bonus.	4.4.3(D)
Increases to base density; residential use type allowed; and minimum dimensional standards.	4.4.3(F)
Location of district and applicability.	4.4.3(B)
Purpose and intent.	4.4.3(A)
Subdistricts created and defined.	4.4.3(C)
General purpose; relationship to general use zoning districts.	4.4.1
Historic preservation overlay.	4.4.7
Location of districts and applicability.	4.4.7(B)
Purpose and intent.	4.4.7(A)
Mixed Use Overlay.	4.4.2
Applicability.	4.4.2(B)
Authority under overlay district.	4.4.2(E)
Changes to the Preliminary Development Plan Component of an approved MXD District (including Activity Center Concept Plans and Mixed Use Sketch Plans).	4.4.2(H)
Development standards.	4.4.2(F)
Dimensional requirements.	4.4.2(G)
Purpose and intent.	4.4.2(A)
Uses allowed.	4.4.2(D)
Watershed protection overlay.	4.4.6
Applicability.	4.4.6(B)
Clustered development option.	4.4.6(H)
Engineered stormwater control structures.	4.4.6(G)
Limitations on impervious surface area and density.	4.4.6(F)
Modifications and variances.	4.4.6(I)
Overview of high density and low density development options.	4.4.6(D)
Procedures for development approval.	4.4.6(C)
Purpose and intent.	4.4.6(A)
Restrictions on allowed uses.	4.4.6(E)
Violations; enforcement.	4.4.6(J)

P

PARKING LOT AS A PRINCIPAL USE

Use-specific standards	
Commercial uses.	5.2.3(J)

LAND DEVELOPMENT ORDINANCE INDEX

	Section
PARKING LOTS	
Exterior lighting standards.	7.9.3(C)
Off-street parking space requirements.	7.8.2
Parking alternatives.	7.8.3
PARKS, RECREATION, AND CULTURAL RESOURCES ADVISORY BOARD	
Other powers and duties.	2.6.2
Review and decision-making responsibilities.. . . .	2.6.1
PATIO DWELLING	
Use-specific standards	
Residential uses.. . . .	5.2.1(H)
PEDESTRIAN FACILITIES	
Connectivity.. . . .	7.10.4
PENALTIES. See: ENFORCEMENTS	
PERMITTED USES	
Generally.	3.6
Tables of permitted uses	
CT District, Walnut Street Corridor.	5.1.4
Explanation of table abbreviations.. . . .	5.1.1
Accessory uses.	5.1.1(C)
Additional regulations.	5.1.1(F)
Permitted uses.. . . .	5.1.1(A)
Prohibited uses.	5.1.1(D)
Special uses.. . . .	5.1.1(B)
Use class.	5.1.1(E)
General use districts (Except TC & CT).	5.1.2
TC District.	5.1.3
PLANNED DEVELOPMENT DISTRICTS	
Rezoning to.	3.4.3
PLANNING AND ZONING BOARD	
Other powers and duties.	2.3.2
Review responsibilities.	2.3.1
PLANS AND PLANNING	
Appendices of the Cary Community Plan.	1.4.3(B)
Cary Community Plan.	1.4.3(A)
Planning and zoning board.. . . .	2.3

PLATS. See: SURVEYS, MAPS AND PLATS

POSTAL CENTER, PRIVATE

Use-specific standards
Commercial uses..... 5.2.3(I)

PRIVATE TRANSPORTATION SERVICE

Use-specific standards
Commercial uses..... 5.2.3(P)

PROPERTY

Jurisdiction and applicability
Bona fide farms, applicability to..... 1.6.5
County and federal property, applicability to. 1.6.2
General. 1.6.1
Public utilities, applicability to 1.6.4
State property, applicability to. 1.6.3

PUBLIC ART ADVISORY BOARD

Other powers and duties. 2.7.2
Review and decision-making responsibilities..... 2.7.1

R

RADIATION

Nuisance and hazard control standards
Performance standards. 7.6.3(I)

RADIO OR TV BROADCASTING STUDIO

Use-specific standards
Commercial uses..... 5.2.3(L)

REASONABLE ACCOMMODATION

Action by the Zoning Board of Adjustment. 3.25.3
Appeal. 3.25.7
Application requirements; determination of completeness..... 3.25.2
Application filing. 3.25.2(C)
Persons authorized to file applications. 3.25.2(A)
Pre-application conference. 3.25.2(B)

LAND DEVELOPMENT ORDINANCE INDEX

	Section
REASONABLE ACCOMMODATION (Cont'd.)	
Approval criteria.	3.25.4
"Necessary"	3.25.4(B)
"Reasonable"	3.25.4(A)
Authority and purpose.	3.25.1
Effect of approval or denial.	3.25.5
Lapse.	3.25.6
RECYCLING AND SALVAGE OPERATION	
Use-specific standards	
Industrial uses.	5.2.4(B)
REIMBURSEMENT AGREEMENTS	
Authority.	3.24.1
Intersection and Roadway Improvement Agreements	3.24.4
Municipal Infrastructure Reimbursement Agreements.	3.24.2
Public Enterprise Reimbursement Agreements.	3.24.3
RELIGIOUS AND OTHER ASSEMBLY USES	
Use-specific standards	
Public/institutional uses.	5.2.2(E)
REMEDIES. See: ENFORCEMENT	
RESEARCH LABORATORY	
Use-specific standards	
Industrial uses.	5.2.4(E)
RESIDENTIAL USE IN MIXED-USE BUILDING	
Use-specific standards	
Residential uses.	5.2.1(J)
RESIDENTIAL USE IN NON-RESIDENTIAL BUILDING	
Use-specific standards	
Residential uses.	5.2.1(I)
RESOURCE EXTRACTION	
Use-specific standards	
Industrial uses.	5.2.4(C)
RESTAURANT	
Use-specific standards	
Commercial uses.	5.2.3(K)
RETAIL STORE	
Use-specific standards	
Commercial uses.	5.2.3(K)

	Section
RE-USE/REDEVELOPMENT PLANS	
Dedication and roadway improvements.	3.11.5
Eligibility requirements.	3.11.3
Exceptions for required improvements.	3.11.7
Intent.	3.11.1
Limitations.	3.11.4
Minor alterations allowed.	3.11.2
Required improvements and plan submittal requirements.	3.11.6
REVIEW AND DECISION-MAKING BODIES	
Parks, recreation, and cultural resources advisory board.	2.6
Other powers and duties.	2.6.2
Review responsibilities.	2.6.1
Planning and zoning board.	2.3
Other powers and duties.	2.3.2
Review responsibilities.	2.3.1
Public art advisory board.	2.7
Other powers and duties.	2.7.2
Review responsibilities.	2.7.1
Staff departments	
Development review committee.	2.8.2
Review and decision-making responsibilities.	2.8.1
Summary of ordinance administration and review roles.	2.1
Membership and procedures.	2.1.4
Ordinance administration and review bodies.	2.1.1
Review by others.	2.1.3
Summary table of administration and review roles.	2.1.2
Town council.	2.2
Review and decision making responsibilities.	2.2.1
Zoning board of adjustment.	2.4
Other powers and duties.	2.4.2
Review responsibilities.	2.4.1
ROADS	
Roads ordinance requirements, appeal from adequate public facilities planning and development for	3.23
RULES OF CONSTRUCTION, USE CLASSIFICATIONS AND DEFINITIONS	
Other key terms defined.	12.4
Rules of construction and interpretation.	12.2
Computation of density.	12.2.5
Computation of time.	12.2.4
Conjunctions.	12.2.11
Delegation of authority.	12.2.7
Headings, illustrations, and text.	12.2.2
Lists and examples.	12.2.3
Mandatory and discretionary terms.	12.2.10
Meanings and intent.	12.2.1
Public officials and agencies.	12.2.9
References to other regulations/publications.	12.2.6
Technical and non-technical terms.	12.2.8

LAND DEVELOPMENT ORDINANCE INDEX

	Section
RULES OF CONSTRUCTION, USE CLASSIFICATIONS AND DEFINITIONS (Cont'd.)	
Tenses, plurals, and gender.	12.2.12
Use classifications.	12.3
Commercial uses.	12.3.4
Agricultural uses.	12.3.4(A)
Animal service.	12.3.4(B)
Assembly.	12.3.4(C)
Electronic gaming operation.	12.3.4(N)
Financial institution.	12.3.4(D)
Food and beverage service.	12.3.4(F)
Office.	12.3.4(G)
Parking.	12.3.4(H)
Public accommodation.	12.3.4(I)
Recreation/entertainment, indoor.	12.3.4(J)
Recreation/entertainment, outdoor.	12.3.4(K)
Retail sales and service.	12.3.4(L)
Vehicles and equipment.	12.3.4(M)
General.	12.3.1
Purpose.	12.3.1(A)
Structure of this section.	12.3.1(B)
Unlisted uses.	12.3.1(C)
Industrial uses.	12.3.5
Industrial service.	12.3.5(A)
Manufacturing and production.	12.3.5(B)
Telecommunications facilities.	12.3.5(C)
Warehouse and freight movement.	12.3.5(D)
Waste-related uses.	12.3.5(E)
Public/institutional uses.	12.3.3
Aviation.	12.3.3(A)
Cemetery.	12.3.3(B)
Cultural facilities.	12.3.3(C)
Day care.	12.3.3(D)
Educational use.	12.3.3(I)
Government services.	12.3.3(E)
Hospital.	12.3.3(F)
Non-governmental utility.	12.3.3(J)
Park and open space.	12.3.3(G)
Religious assembly.	12.3.3(H)
Residential uses.	12.3.2
Group living.	12.3.2(A)
Household living.	12.3.2(B)

S

SCHOOLS

Adequate public school facilities (Repealed).	3.18
Use-specific standards	
Public/institutional uses.	5.2.2(C)

SCREENING

Development and design standards.	7.2
---	-----

CARY LAND DEVELOPMENT ORDINANCE

	Section
SIGNS	
General provisions	
Applicability.	9.1.4
General.	9.1.4(A)
Prohibited signs.	9.1.4(C)
Signs exempt from regulations.	9.1.4(B)
Transitional provisions.	9.1.4(D)
Calculations and measurement.	9.1.5
Building frontage.	9.1.5(C)
Roofing elements.	9.1.5(D)
Sign area calculations.	9.1.5(A)
Sign height computation.	9.1.5(B)
Consent of legal owner of property.	9.1.7
Definitions.	9.1.3
Plans and permits required.	9.1.6
Building permits.	9.1.6(B)
Electrical permits.	9.1.6(C)
Sign permits.	9.1.6(A)
Purposes and effects.	9.1.1
Effect.	9.1.1(C)
Purpose, intent and scope.	9.1.1(A)
Relationship to Comprehensive Plan.	9.1.1(B)
Rules of interpretation.	9.1.2
Meanings of words and phrases.	9.1.2(A)
Relationship to Land Development Ordinance and Town Code.	9.1.2(B)
Severability.	9.1.12
Generally.	9.1.12(A)
Severability of prohibition on billboards.	9.1.12(D)
Severability of provisions pertaining to prohibited signs.	9.1.12(C)
Severability where less speech results.	9.1.12(B)
Sign maintenance.	9.1.8
Substitution of messages.	9.1.11
Viewpoint neutrality.	9.1.10
Violations; enforcement; removal of certain signs.	9.1.9
General.	9.1.9(A)
Removal of discontinued signs.	9.1.9(D)
Removal of signs creating traffic hazard.	9.1.9(B)
Removal of unauthorized signs in public right-of-way.	9.1.9(C)
Removal of unsafe signs.	9.1.9(E)
Permanent signs	
Applicability.	9.2.1
Illumination.	9.2.4
External illumination.	9.2.4(B)
Internally-illuminated cabinet signs.	9.2.4(C)
Uniformity.	9.2.4(A)
Master sign plans.	9.2.8
Allocation of sign area in multi-tenant developments.	9.2.8(D)
Amendment procedures.	9.2.8(E)
Effect.	9.2.8(F)
Elements.	9.2.8(C)
Relation to other sections of this ordinance.	9.2.8(B)
Required.	9.2.8(A)

LAND DEVELOPMENT ORDINANCE INDEX

	Section
SIGNS (Cont'd.)	
Non-conformities.	9.2.9
Non-conforming signs.	9.2.9(A)
Signs for non-conforming uses.	9.2.9(B)
Permanent sign types and applicable standards allowed only in Town Center and mixed use overlay districts, on property not containing a single-family residence or duplex	9.2.6
Neon sign.	9.2.6(B)
Wall sign at entrance to restaurant or café.	9.2.6(A)
Permanent sign types and applicable standards on property containing a single-family residence or duplex	9.2.7
Incidental signs.	9.2.7(C)
Permanent flagpoles with flags.	9.2.7(A)
Wall signs.	9.2.7(B)
Window signs.	9.2.7(D)
Permanent sign types and applicable standards on property not containing a single-family residence or duplex.	9.2.5
Awning sign.	9.2.5(A)
Directional sign.	9.2.5(B)
Drive-through lane sign.	9.2.5(E)
Entry monument alternative to principal ground sign.	9.2.5(G)
Façade renovation alternative to permanent wall sign.	9.2.5(M)
Incidental sign.	9.2.5(D)
Mailbox sign.	9.2.5(P)
New business alternative to permanent wall sign.	9.2.5(N)
New construction alternative to principal ground sign.	9.2.5(H)
Permanent flagpoles with flags.	9.2.5(C)
Principal ground sign.	9.2.5(F)
Projecting sign.	9.2.5(I)
Suspended sign.	9.2.5(J)
Verandah sign.	9.2.5(K)
Wall sign.	9.2.5(L)
Window sign.	9.2.5(O)
Sign color.	9.2.3
Color options.	9.2.3(B)
Number of colors.	9.2.3(A)
Prohibited colors.	9.2.3(C)
Sign materials.	9.2.2
Sign permits	
Application requirements.	3.16.3
Approval procedure.	3.16.4
Lapse of sign permit.	3.16.5
Permits required for sign.	3.16.1
Permits to be consistent with this chapter.	3.16.2
Removal of signs upon discontinuation of use.	3.16.7
Street signs	
Subdivision improvements.	8.1.4(F), 8.3.1
Temporary signs	
Applicability.	9.3.1
General design requirements.	9.3.2
Permitted temporary signs.	9.3.3
A-Frame signs.	9.3.3(A)
Other temporary signs.	9.3.3(B)

	Section
SMOKE	
Nuisance and hazard control standards	
Performance standards.	7.6.3(E)
SOIL EROSION AND SEDIMENTATION CONTROL	
Development and design standards.	7.4
SPECIAL USES	
Appeal.	3.8.6
Approval criteria.	3.8.3
Changes to terms and conditions of approval.	3.8.5
Effect of approval or denial.	3.8.4
Conditions.	3.8.4(A)
Recording of approved special uses.	3.8.4(E)
Resubmission of denied applications.	3.8.4(D)
Subsequent permits and approvals.	3.8.4(B)
Transferability of approval.	3.8.4(C)
General provisions.	3.8.1
Purpose and applicability.	3.8.1(A)
Relationship to site plan requirements.	3.8.1(B)
Special uses in nonconforming structures or lots.	3.8.1(C)
Procedures.	3.8.2
Filing of application and content requirements.	3.8.2(B)
Notice and conduct of public hearings.	3.8.2(C)
Planning Director review and report.	3.8.2(D)
Pre-application conference.	3.8.2(A)
Review and decision.	3.8.2(E)
STORAGE TANKS	
Underground and above ground storage tanks	
Nuisance and hazard control standards	
Performance standards.	7.6.3(L)
STORM DRAINAGE	
Subdivision improvements.	8.1.4(C)
STORMWATER	
Stormwater management	
Development and design standards.	7.3
Stormwater Engineering Manager.	3.12.1
STREETS, SIDEWALKS AND OTHER PUBLIC WAYS	
Connectivity.	7.10
Streets/on-site vehicular circulation, standards for.	7.10.3
Roads. See Roads	
Subdivision improvements.	8.1.4
SUBDIVISIONS AND SITE PLANS	
Common procedures for review and approval of development plans	3.9.2
Application materials.	3.9.2(B)
Approval authority.	3.9.2(F)
Approval criteria.	3.9.2(I)

LAND DEVELOPMENT ORDINANCE INDEX

	Section
SUBDIVISIONS AND SITE PLANS (Cont'd.)	
Changes to approved plans.	3.9.2(M)
Coordination of site plan review with special use and/or subdivision plan review.	3.9.2(D)
Effect and duration of the plan approval.	3.9.2(K)
Effect of decision on successive applications.	3.9.2(L)
Owner-initiated annexation petition required.	3.9.2(C)
Plans in nonconforming structures or lots.	3.9.2(E)
Pre-application conference required.	3.9.2(A)
Recording of instrument for required dedications.	3.9.2(J)
Site/subdivision plans approved by Planning Director.	3.9.2(G)
Town Council and Zoning Board of Adjustment review and approval process.	3.9.2(H)
Purpose and structure of this section.	3.9.1
Site plans	3.9.4
Applicability.	3.9.4(B)
Purpose.	3.9.4(A)
Standards for subdivisions and use requiring site plans	
Cluster residential subdivisions, alternative development option	
Allowable density, lot size and open space requirements.	8.4.4
Applicability.	8.4.2
Approval of cluster site and/or subdivision plans.	8.4.3
Basic requirements for cluster development.	8.4.7
Calculating base number of lots.	8.4.5
Maximum density, minimum lot size and open space requirements.	8.4.6
Provision and maintenance of open space and facilities.	8.4.8
Purpose.	8.4.1
Subdivision and site plan general provisions.	8.1
Final acceptance of improvements for Town maintenance.	8.1.8
General design standards.	8.1.1
Improvements.	8.1.4
Curbs and gutters.	8.1.4(B)
Easements.	8.1.4(H)
Greenways, street-side trails and private trail connectors.	8.1.4(I)
Sidewalks.	8.1.4(D)
Storm drainage.	8.1.4(C)
Street lights.	8.1.4(G)
Street signs.	8.1.4(F)
Streets.	8.1.4(A)
Utilities.	8.1.4(E)
Payment of fees in lieu of required improvements.	8.1.5
Phasing plan requirements.	8.1.2
Required improvements.	8.1.3
Exceptions to general requirements.	8.1.3(B)
General requirements.	8.1.3(A)
Restrictions on Certificate of Occupancy.	8.1.6
Timing and inspection of improvements.	8.1.7
Completion of improvements.	8.1.7(F)
Connection of new streets to streets within existing developments	8.1.7(D)
Construction traffic; use of alternative routes.	8.1.7(E)
Fire protection.	8.1.7(A)
Level required for Certificates of Occupancy.	8.1.7(C)
Level required for final plat approval.	8.1.7(B)

	Section
SUBDIVISIONS AND SITE PLANS (Cont'd.)	
Subdivisions.....	8.2
Applicability.....	8.2.2
Overview of requirements.....	8.2.2(A)
Dedication land for parks and greenways.....	8.2.3
Amount of park land to be dedicated.....	8.2.3(B)
Dedication of greenway land.....	8.2.3(D)
General provisions.....	8.2.3(A)
Nature of park land to be dedicated.....	8.2.3(C)
Procedure for dedication of park land and greenway land.....	8.2.3(E)
Submission of deed and survey.....	8.2.3(F)
General design standards.....	8.2.1
Improvements.....	8.2.6
Blocks.....	8.2.6(B)
Lots.....	8.2.6(C)
Monuments and markers.....	8.2.6(A)
Payments of funds, or funds in lieu of land dedication, for acquisition or development of recreation, park or open space sites.....	8.2.4
Funds for dwelling units requiring subdivision plan approval.....	8.2.4(a)
Funds for multi-family dwelling units not requiring subdivision plan approval.....	8.2.4(B)
Private open space.....	8.2.5
Traditional neighborhood development, alternative development option.....	8.5
Applicability.....	8.5.2
Approval process.....	8.5.6
Design standards.....	8.5.5
Development standards.....	8.5.4
Additional standards.....	8.5.4(E)
Dimensional standards.....	8.5.4(D)
Minimum development size.....	8.5.4(A)
Permitted densities.....	8.5.4(C)
Permitted types and mix of land uses.....	8.5.4(B)
General principles.....	8.5.3
Civic buildings and uses.....	8.5.3(E)
Interconnected street pattern.....	8.5.3(B)
Location of buildings and relationship between buildings.....	8.5.3(G)
Mix of land uses and diversity of housing types.....	8.5.3(C)
Mixed use center.....	8.5.3(D)
Neighborhood size.....	8.5.3(A)
Public spaces.....	8.5.3(F)
Relationship between building types.....	8.5.3(H)
Purpose.....	8.5.1
Uses requiring site plans.....	8.3
General design standards.....	8.3.1
Private open space.....	8.3.2
Subdivisions of land.....	3.9.3
Actions by Wake County register of deeds.....	3.9.3(F)
Applicability.....	3.9.3(B)
Purpose.....	3.9.3(A)
Restriction on sale or transfer of subdivided land without approved plat.....	3.9.3(G)
Review and approval of final plats.....	3.9.3(E)
Subdivision approval is prerequisite to other approvals.....	3.9.3(C)
Types of approval authority for subdivisions.....	3.9.3(D)

	Section
SURVEYS, MAPS AND PLATS	
Zoning map	
Incorporation into this Ordinance.	1.5.1
Interpretation of district boundaries.	1.5.2
Transition to conditional zoning.	1.5.4
Transition to new zoning districts.	1.5.3

T

TELECOMMUNICATIONS FACILITIES	
Use-specific standards	
Industrial uses.	5.2.4(D)

TEMPORARY USES	
Approval criteria.	3.7.4
Duration of permit.	3.7.5
Filing and contents of application.	3.7.2
Filing deadline.	3.7.3
Temporary structure permit required.	3.7.6
Temporary use permit required.	3.7.1

TEMPORARY USES AND STRUCTURES	
Events.	5.4.7
Additional planning requirements.	5.4.7(F)
No permit required.	5.4.7(D)
Permit required.	5.4.7(C)
Purpose and intent.	5.4.7(A)
Submittal requirements.	5.4.7(G)
Term of approval/permit.	5.4.7(E)
Types of events.	5.4.7(B)
General requirements for all temporary uses and structures.	5.4.5
Purpose.	5.4.1
Specific regulations for certain temporary uses and structures.	5.4.6
Expansion or replacement of existing facilities.	5.4.6(A)
Real estate sales office and model sales home.	5.4.6(B)
Sale of agricultural products grown off-site.	5.4.6(D)
Sale of fireworks.	5.4.6(E)
Sale/display of goods other than agricultural products.	5.4.6(C)
Temporary structures in or near the flood hazard area.	5.4.6(F)
Table of allowed temporary uses and structures.	5.4.2
Temporary use permits.	5.4.4

TOWN CENTER (TC) DISTRICT AND WALNUT STREET CORRIDOR TRANSITION (CT) DISTRICT	
Rezoning in.	3.4.4

TOWN COUNCIL	
Review and decision making responsibilities.	2.2.1

	Section
TOWN OWNED AND/OR OPERATED FACILITIES AND SERVICES	
Use-specific standards	
Public/institutional uses.	5.2.2(G)
TOWNHOUSE	
Use-specific standards	
Residential uses.	5.2.1(L)
TRADE SCHOOL	
Use-specific standards	
Commercial uses.	5.2.3(S)
TRADITIONAL NEIGHBORHOOD DEVELOPMENT	
Alternative development option.	8.5
TRANSITIONAL RULES	
Approved projects.	1.10.2
Nonconformities under prior ordinance.	1.10.4
Pending applications.	1.10.3
Uses and structures rendered nonconforming.	1.10.5
Violations continue.	1.10.1
TRANSPORTATION	
Public transit access and amenities	
Connectivity standards.	7.10.6
Transportation development fees.	7.11
TREES AND VEGETATION	
Tree clearing certificate.	3.22
Applicability.	3.22.2
Application requirements.	3.22.5
Exemptions.	3.22.3
Non-compliance.	3.22.7
Procedure.	3.22.6
Purpose.	3.22.1
Required buffers and vegetation protection areas.	3.22.4
Tree protection	
Development and design standards.	7.2
U	
USE REGULATIONS	
Accessory uses and structures.	5.3
Accessory uses and structures allowed.	5.3.4
Accessory uses prohibited.	5.3.3
General standards and limitations.	5.3.2
Purpose.	5.3.1
Tables of permitted uses.	5.1

LAND DEVELOPMENT ORDINANCE INDEX

	Section
USE REGULATIONS (Cont'd.)	
Temporary uses and structures.	5.4
Events.	5.4.7
General requirements for all temporary uses and structures.	5.4.5
Purpose.	5.4.1
Specific regulations for certain temporary uses and structures.	5.4.6
Table of allowed temporary uses and structures.	5.4.2
Temporary use permits.	5.4.4
Use-specific standards.	5.2
Commercial uses.	5.2.3
Industrial uses.	5.2.4
Public/institutional uses.	5.2.2
Residential uses.	5.2.1
 UTILITIES	
Subdivision improvements.	8.1.4(E)

V

VARIANCES	
Action by the Zoning Board of Adjustment.	3.20.4
Appeal.	3.20.8
Application requirements; determination of completeness.	3.20.3
Application filing.	3.20.3(C)
Person authorized to file applications.	3.20.3(A)
Pre-application conference.	3.20.3(B)
Approval criteria.	3.20.5
Effect of approval or denial.	3.20.6
Lapse.	3.20.7
Provisions from which variances are allowed.	3.20.2
Purpose and scope.	3.20.1

VEGETATION. See: TREES AND VEGETATION

VEHICLE FILLING STATION, VEHICLE REPAIR, VEHICLE SERVICE, CAR WASHES, AND TOWING AND VEHICLE STORAGE

Use-specific standards	
Commercial uses.	5.2.3(N)

VETERINARY HOSPITAL/OFFICE

Use-specific standards	
Commercial uses.	5.2.3(O)

VIOLATIONS. See: ENFORCEMENT

W

WAREHOUSING AND DISTRIBUTION ESTABLISHMENT AND WHOLESALE ESTABLISHMENT

Use-specific standards	
Industrial uses.	5.2.4(G)

CARY LAND DEVELOPMENT ORDINANCE

	Section
WASTEWATER AND INDUSTRIAL WASTES	
Nuisance and hazard control standards	
Performance standards.	7.6.3(K)
WELLNESS CENTER	
Use-specific standards	
Commercial uses.	5.2.3(R)
WINERY	
Use-specific standards	
Industrial uses.	5.2.4(I)
WIRELESS FACILITIES, SMALL	
Use-specific standards	
Industrial uses.	5.2.4(H)

Z

ZONING	
Planning and zoning board.	2.3
Rezoning	
Conditional use districts.	3.4.2
Changes to conditions of approved conditional use district.	3.4.2(D)
Conditions.	3.4.2(C)
Process required.	3.4.2(B)
Purpose of conditional use districts.	3.4.2(A)
Generally.	3.4.1
Approval criteria for rezonings.	3.4.1(E)
Conditional use and flexible use district rezonings distinguished.	3.4.1(B)
Procedure.	3.4.1(D)
Purpose and scope.	3.4.1(A)
Repair of zoning map errors.	3.4.1(I)
Substantive comprehensive plan amendments.	3.4.1(C)
Town-initiated comprehensive rezonings.	3.4.1(H)
Waiting period for subsequent applications.	3.4.1(G)
Mixed use district	
Applicability.	3.4.5(A)
Application.	3.4.5(B)
Changes to approved MXD districts.	3.4.5(E)
Effect of approval.	3.4.5(D)
Repair of zoning map errors.	3.4.5(G)
Review and approval process.	3.4.5(C)
Waiting period for subsequent applications.	3.4.5(F)
Planned development districts.	3.4.3
Applicability and scope.	3.4.3(A)
Approval criteria.	3.4.3(E)
Coordination with review of subdivision plans and site plans.	3.4.3(C)
Effect of approval.	3.4.3(F)
Procedure.	3.4.3(D)
Rezoning procedures apply.	3.4.3(B)
Submission of conditions.	3.4.3(G)
The Town center (TC) district and Walnut Street Corridor Transition (CT) District.	3.4.4

LAND DEVELOPMENT ORDINANCE INDEX

	Section
ZONING (Cont'd.)	
Zoning board of adjustment.	2.4
Zoning map.	1.5
ZONING BOARD OF ADJUSTMENT	
Other powers and duties.	2.4.2
Review and decision-making responsibilities.	2.4.1
ZONING COMPLIANCE PERMIT	
Additional provisions applicable to specific uses.	3.26.3
Group homes and family care home.	3.26.3(A)
Applicability.	3.26.1
Approval procedures.	3.26.2
Actions subsequent to decision.	3.26.2(C)
Planning Director decision.	3.26.2(B)
Submittal	3.26.2(A)
ZONING DISTRICTS	
General provisions	
Annexed lands and lands added to the Town's extraterritorial jurisdiction.	4.1.3
Effect of zoning designation on nonconforming lot status.	4.1.3(B)
Zoning designation.	4.1.3(A)
General use districts established.	4.1.1
Establishment.	4.1.1(A)
Hierarchy of general use districts.	4.1.1(B)
Relationship to conditional use districts and overlay districts	4.1.2
General use districts	
General purposes.	4.2.1
PDD: Planned development districts.	4.2.3
Designation procedure.	4.2.3(C)
General intent/purposes of the PDD districts.	4.2.3(A)
General use and development standards for all PDD districts.	4.2.3(D)
Types of PDD districts.	4.2.3(B)
Residential and non-residential zoning districts.	4.2.2
CT: Walnut Street Corridor transitional district.	4.2.2(K)
I: Industrial district.	4.2.2(J)
OI: Office/research and development district.	4.2.2(I)
R-8: Residential district.	4.2.2(E)
R-12: Residential district.	4.2.2(D)
R-20: Residential district.	4.2.2(C)
R-40: Residential district.	4.2.2(B)
R-80: Residential district.	4.2.2(A)
RMF: Residential multi-family district.	4.2.2(G)
RR: Resource/recreation district.	4.2.2(H)
TC: Town center district.	4.2.2(N)
TR: Transitional residential district.	4.2.2(F)

CARY LAND DEVELOPMENT ORDINANCE
