

ORDINANCE NO. (2026) 832 TC 495

**TC-1-25
2023 2024 Omnibus Readoption**

**AN ORDINANCE TO AMEND THE
RALEIGH UNIFIED DEVELOPMENT ORDINANCE TO**

WHEREAS, the Unified Development Ordinance is a regulatory document and in order to properly regulate development, the document should be clear and understandable; and

WHEREAS, errors and inconsistencies in the document can undermine the consistency and application of the regulations; and

WHEREAS, after application of certain standards, staff has identified areas for improvement; and

WHEREAS, staff has identified a need to enhance or clarify certain processes contained within the document; and

WHEREAS, it is in the public interest to make minor modifications to improve the usability the code and accomplish stated policy objectives.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH THAT:

FROM TC-2-24 ↓

Section 1. Section 1.5.4.F. of the Part 10 Raleigh Unified Development Ordinance, Building Setbacks, is hereby amended by adding the language shown in underline:

F. Legacy Cluster Subdivisions

Legacy cluster subdivisions shall adhere to the setbacks set forth in Article 2.4 Conservation Development Option for the relevant building type.

Section 2. Section 2.2.7.E. of the Part 10 Raleigh Unified Development Ordinance, Side Wall Length, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

E. Side Wall Length

~~Articulation is required for s~~Side walls on additions or new construction that meet all criteria 1. through 3. below are required to include a projection or recession of at least 4 feet in depth and 10 feet in length:

1. More than 25 feet in height; and
2. More than 50 feet in length; and
3. Located within 15 feet of a side lot line.

~~are 22 feet or taller and located within 15 feet of the side lot line. No wall may extend for more than 50 feet without a projection or recession of at least 4 feet in depth and 10 feet in length.~~

Section 3. Section 2.6.3.D.7. of the Part 10 Raleigh Unified Development Ordinance, Accessory Dwelling Unit Regulations, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

7. Unless horizontally or vertically integrated into another building, ~~attached thereto by a common wall~~ an ADU must be separated by at least 6' from any other building on the lot.

Section 4. Footnote 1 in Section 2.6.3. of the Part 10 Raleigh Unified Development Ordinance, Accessory Dwelling, is hereby amended by adding the language shown in underline:

1. Gross floor area shall include all conditioned space. Attached unconditioned space shall be included in the calculation of accessory structure floor area. If two ADUs are located on one lot, each ADU shall be permitted a maximum gross floor area as described in Section 2.6.3.G.

Section 5. Section 3.2.5 of the Part 10 Raleigh Unified Development Ordinance, General Building, is hereby amended by adding the language shown in underline:

E1 Ground story height, floor to floor (min) ¹ | 11' | 13' | 11'

...

¹The minimum ground story height only applies to properties zoned for 7 stories or greater and with an urban frontage.

Section 6. Section 3.2.6 of the Part 10 Raleigh Unified Development Ordinance, Mixed Use Building, is hereby amended by adding the language shown in underline:

E1 Ground story height, floor to floor (min) ¹ | 13' | 15'

...

¹The minimum floor-to-floor ground story height only applies to properties zoned for 7 stories or greater and with an urban frontage.

Section 8. Section 3.4.6.C. of the Part 10 Raleigh Unified Development Ordinance, Green – Build-to, is hereby amended by adding the language shown in underline:

C. Build-to

C1 Primary street build-to (min/max) 20'/50'

C2 Building width in primary build-to (min) 50%

- C3 Side street build-to (min/max) 20'/50'
- C4 Building width in side build-to (min) 35%
- C5 These build-to requirements do not apply to Open lots. However, parking and other principal uses not located within a building, excluding Parks, Open Space, and Greenways, shall not be located within these build-to ranges.

Section 8. Section 3.4.7.C. of the Part 10 Raleigh Unified Development Ordinance, Urban Limited – Build-to, is hereby amended by adding the language shown in underline:

- C. Build-to
 - C1 Primary street build-to (min/max) 0'/20'
 - C2 Building width in primary build-to (min) 50%
 - C3 Side street build-to (min/max) 0'/20'
 - C4 Building width in side build-to (min) 25%
 - C5 These build-to requirements do not apply to Open lots. However, parking and other principal uses not located within a building, excluding Parks, Open Space, and Greenways, shall not be located within these build-to ranges.

Section 9. Section 3.4.8.C. of the Part 10 Raleigh Unified Development Ordinance, Urban General – Build-to, is hereby amended by adding the language shown in underline:

- C. Build-to
 - C1 Primary street build-to (min/max) 0'/20'
 - C2 Building width in primary build-to (min) 70%
 - C3 Side street build-to (min/max) 0'/20'
 - C4 Building width in side build-to (min) 35%
 - C5 These build-to requirements do not apply to Open lots. However, parking and other principal uses not located within a building, excluding Parks, Open Space, and Greenways, shall not be located within these build-to ranges.

Section 10. Section 3.4.9.C. of the Part 10 Raleigh Unified Development Ordinance, Shopfront – Build-to, is hereby amended by adding the language shown in underline:

- C. Build-to
 - C1 Primary street build-to (min/max) 0'/15'
 - C2 Building width in primary build-to (min) 80%
 - C3 Side street build-to (min/max) 0'/15'
 - C4 Building width in side build-to (min) 40%
 - C5 These build-to requirements do not apply to Open lots. However, parking and other principal uses not located within a building, excluding Parks, Open Space, and Greenways, shall not be located within these build-to ranges.

Section 11. Section 3.4.9 of the Part 10 Raleigh Unified Development Ordinance, Shopfront, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

...

F. Streetscape Requirement

Main Street see Sec. 8.5.9.~~BA~~.

Section 12. Section 3.4.10.C. of the Part 10 Raleigh Unified Development Ordinance, Green Plus – Build-to, is hereby amended by adding the language shown in underline:

C. Build-to

C1 Primary street build-to (min/max) 30'/50'

C2 Building width in primary build-to (min 50%

C3 Side street build-to (min/max) 20'/50'

C4 Building width in side build-to (min) 35%

C5 These build-to requirements do not apply to Open lots. However, parking and other principal uses not located within a building, excluding Parks, Open Space, and Greenways, shall not be located within these build-to ranges.

Section 13. Section 3.4.10.B. of the Part 10 Raleigh Unified Development Ordinance, Green Plus (-GP) - Building Types Allowed, is hereby amended by adding the language shown in underline:

Detached House (see Sec. 3.2.1.)

Attached House (see Sec.3.2.2.)

Tiny House (3.2.9.)

Section 14. Section 3.6.2.D.1.b. the Part 10 Raleigh Unified Development Ordinance, Accessory Dwelling Unit Regulations, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

b. Shall be affixed to or constructed on a permanent foundation and not be a manufactured home or moveable structure except as specified in Sec. ~~3.2.6.D.6~~3.6.2.D.6 below;

Section 15. Section 3.6.2.D.7. of the Part 10 Raleigh Unified Development Ordinance, Accessory Dwelling Unit Regulations, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

7. Unless horizontally or vertically integrated into another building, ~~attached thereto by a common wall~~ an ADU must be separated by at least 6' from any other building on the lot.

Section 16. Section 3.6.2.E. the Part 10 Raleigh Unified Development Ordinance, ADU Description, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

E. An Accessory Dwelling Unit (ADU) is a self-contained dwelling unit that is located on the same lot as a principal building that meets the regulations identified in Section ~~3.3.23.6.2.~~ An ADU may be located above a garage. ADUs may be detached, attached, or internal to the principal building. Only residential uses are permitted in ADUs.

Section 17. Footnote 1 in Section 3.6.2. of the Part 10 Raleigh Unified Development Ordinance, Accessory Dwelling, is hereby amended by adding the language shown in underline:

1. Gross floor area shall include all conditioned space. Attached unconditioned space shall be included in the calculation of accessory structure floor area. If two ADUs are located on one lot, each ADU shall be permitted a maximum gross floor area as described in Section 3.6.2.G.

Section 18. Section 3.7.1.F. the Part 10 Raleigh Unified Development Ordinance, Additional Requirements, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

FH. Additional Requirements	
FH1 ADU Regulations	There shall be no more than one ADU on the same lot as a principal building unless it is located in a Frequent Transit Area as shown on the City’s Comprehensive Plan which would then allow for up to two ADUs on the same lot as a principal dwelling, including attached or internal ADUs. However in a Frequent Transit Area, only one ADU can be attached to the principal building. In the case of a townhome development only one ADU is permitted per principal dwelling.
FH2	This development option cannot be used in concert with Compact or Conservation Development option
FH3	Lots utilizing this option shall have at least a portion of each lot within the mapped Frequent Transit Area in

Section 19. Section 4.6.1.A. of the Part 10 Raleigh Unified Development Ordinance, Campus Areas – Single Entity, is hereby amended by removing the language shown in strikethrough:

1. Each CMP District must be under the control of a single entity, including a property owner association and have a significant governmental interest or be a hospital, college or university.
2. Each CMP District must either have a minimum site area of 5 acres or one or more contiguous city blocks.

3. ~~In the event that a portion of the property zoned CMP is sold fee simple absolute to a third-party who is not governmental or a hospital, college or university (therefore becoming non-compliant with this Article), the non-compliant property must be rezoned. The third party property owner shall submit a petition to rezone the property not owned by a governmental interest or a hospital, college or university within 6 months of the sale of the property.~~

Section 20. Section 5.2.2.G.3.d. of the Part 10 Raleigh Unified Development Ordinance, Existing Structures, Uses and Impervious Surfaces, is hereby amended by removing the language shown in strikethrough and adding the language shown in underline:

d. Except where pre-existing structures, septic systems, wells, stormwater facilities, and vehicular surface drives and vehicular spaces that do not exceed the maximum allowed in table 7.1.2.C prevent the planting of trees, tree conservation areas are established in accordance with Sections ~~5.2.2.C.1.a. and 5.2.2.C.2.~~ 5.2.2.D.1.a. and 5.2.2.D.2.

Section 21. Section 6.1.2.B. of the Part 10 Raleigh Unified Development Ordinance, Uses Not Specifically Listed, is hereby amended by deleting the section entirely and re-lettering the subsequent section:

~~B. Uses Not Specifically Listed~~

~~A use not specifically listed is prohibited unless the Zoning Administrator determines the use to be part of a use category as described in Sec. 6.1.1.A.~~

Section 22. Section 6.1.5. of the Part 10 Raleigh Unified Development Ordinance, Prohibited Uses, is hereby amended by deleting the section in its entirety:

~~**Sec. 6.1.5. Prohibited Uses**~~

~~Except for improvements made pursuant to Chapter 8. Subdivision & Site Plan Standards or use determinations made pursuant to Sec. 6.1.2., any use not explicitly allowed as a permitted use by right, a limited use or a special use in the zoning district by the Allowed Principal Uses Table, Sec. 6.1.4., is prohibited. The enumerations of prohibited uses below are expressly prohibited, but such enumeration shall not be deemed exclusive or all-inclusive. Prohibited uses include:~~

- ~~A. Any use of prima fascia business, commercial, or industrial character not otherwise specifically allowed in an R-1, R-2, R-4, R-6, R-10, RX, OP or OX district;~~
- ~~B. Any use prohibited by an applicable conditional zoning district;~~
- ~~C. Any use prohibited by an applicable overlay zoning district;~~
- ~~D. Manufactured home or travel trailer except in a MH district, where allowed in a PD district, or where constructed as a Tiny House or Accessory Dwelling Unit meeting all other requirements of this UDO;~~
- ~~E. Open dump;~~
- ~~F. School administrative personnel offices located outside a school in a Residential District;~~

~~G. A sign not explicitly allowed in the zoning district by the table of Signs Allowed by Districts, Sec. 7.3.2. or signs erected in violation of Article 7.3. Signs; and
H. Storage of 2 or more unlicensed, uninspected, wrecked, crushed, dismantled, or partially dismantled automotive vehicles except as temporarily allowed in towing yards for vehicle~~

Section 23. Section 6.4.2.B.2.c. of the Part 10 Raleigh Unified Development Ordinance, Indoor Recreation – Adult Establishment, is hereby amended by removing the language shown in strikethrough and adding the language shown in underline:

- c. An adult establishment cannot be located within 2,000 feet of a preexisting place of worship, public or private school, day-care facility, or any R-, RX-, OP, OX-, NX-, MHR-~~MP~~, or CMP district (determined by a straight line from property line to property line or district boundary line). Adult establishments, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when they are located near a Residential District or certain other districts which permit residential uses. Special regulation of these establishments is necessary to ensure that these adverse effects will not contribute to a downgrading or blighting of surrounding Residential Districts or certain other districts which permit residential uses, unless otherwise, determined by Sec. 6.4.2.B.2.d. below.

Section 24. Section 6.4.9.E of the Part 10 Raleigh Unified Development Ordinance, Copy Center, is hereby amended by adding the language shown in underline:

...

2. Use Standards

A copy center in an RX- District is subject to the following:

- a. Must be located on the first floor of a corner unit in an apartment building type located at the intersection of 2 public streets;
- b. The copy center use cannot exceed 4,000 square feet in gross floor area individually or cumulatively in combination with any other allowed Limited Commercial use per lot; and
- c. Hours of operation can begin no earlier than 6 AM and end no later than 11 PM, including all deliveries.
- d. A copy center in an -TOD overlay is not subject to parts a or b of this section; however, such a use must be within or attached to a multi tenant building. The Copy Center use cannot exceed 10,000 square feet in gross floor area individually or cumulatively in combination with any other allowed Limited Commercial use per lot.

...

Section 25. Section 6.8.2. the Part 10 Raleigh Unified Development Ordinance, Temporary Uses, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

E. Residential Development Sales Office or Model Home

1. The use of the office shall be for the initial sale or lease of properties or buildings within the residential development.
2. There shall be no signage for a residential development sales office or model home on the premises in a Residential District except for 1 unlit ground announcement sign not to exceed 6 square feet in area, and 3½ feet in height that is located on the sales office or model home lot.
3. For a developing residential subdivision, any phase containing a residential development sales office or model home shall ~~contain a minimum of 5 acres and~~ be intended for a minimum of 10 ~~residential properties~~ dwelling units.
4. In no event will the sales office or model home be continued when all of the properties of the development phase or building are sold or leased, excluding the sales office lot or model home lot within a subdivision.
5. No sales office or model home shall be used for any other retail purpose.
6. For a developing residential subdivision, the building must be located on an approved lot intended to be occupied by a dwelling unit, except for facilities located in recreational buildings. For all residential developments, the building must be located to comply with applicable district dimensional standards.
7. The building used for the sales office is either constructed and intended for ultimate residential use as part of the residential development or a temporary modular office unit. If a temporary modular office unit is constructed, the following additional conditions shall be met:
 - a. The modular office unit must be placed on a proper foundation, as recommended by the manufacturer.
 - b. Skirting and natural planting shrubs shall be installed around all sides of the modular office unit in accordance with the following:
 - i. Skirting shall consist of any weatherproof material providing a visual barrier between the underside of the modular office unit and the stand; and
 - ii. All natural shrubs shall be evergreen, a minimum of 36 inches tall, and planted 5 foot on center, but no one side shall have less than 2 plants.
 - c. At the end of the maximum time period allowed for this use, the property owner shall remove the temporary modular office unit, the foundation and all other physical structures such that natural plant materials shall solely occupy the lot until such time that a permanent use allowed within the district is established.
 - d. Temporary on-site parking may be provided in conjunction with the sales office or model home subject to the following provisions:
 - i. Parking shall not be held to the requirements of Article 7.1 except for Sections 7.1.6. and 7.1.9.
 - ii. Parking shall be removed upon expiration of the Temporary Use Permit.

F. Construction Trailer

1. The use of the trailer shall be for the management of construction activity on the site.
2. A construction trailer shall only be permitted on a site with an active building and/or site permit. The trailer shall be removed within 30 days following the issuance of a final Certificate of Occupancy.
3. Temporary on-site parking may be provided in conjunction with the construction trailer subject to the following provisions:
 - a. Parking shall not be held to the requirements of Article 7.1.
 - b. Parking shall be removed within 30 days following the issuance of a final Certificate of Occupancy.
4. The unit must be placed on a proper foundation, as recommended by the manufacturer. Skirting shall be installed around all sides of the unit. Skirting shall consist of any weatherproof material providing a visual barrier between the underside of the modular office unit and the stand.
5. At the end of the maximum time period allowed for this use, the property owner shall remove the unit, the foundation and all other physical structures such that natural plant materials shall solely occupy the lot until such time that a permanent use allowed within the district is established.

Section 26. Section 7.2.4.D. of the Part 10 Raleigh Unified Development Ordinance, Encroachments, is hereby amended by adding the language shown in underline:

6. Transit Infrastructure

Transit infrastructure provided pursuant to UDO Article 8.11 shall be allowed to encroach within a protective yard.

Section 27. Section 7.2.7.C.1 of the Part 10 Raleigh Unified Development Ordinance, Plant Material - General Provisions, is hereby amended by adding the language shown in underline:

...

- e. No North Carolina invasive species as identified by the North Carolina State University Extension Plant Toolbox database or any successor database or list shall be planted to satisfy any landscaping or screening requirement, nor shall any existing invasive species be used to satisfy any such requirement.

Section 28. Section 7.2.8.C.1. of the Part 10 Raleigh Unified Development Ordinance, Fences and Walls Adjacent to Thoroughfares, is hereby amended by adding the language shown in underline:

C. Fences and Walls Adjacent to Thoroughfares

1. A fence or wall located within 20 feet of a Thoroughfare right-of-way shall either be:
 - a. less than 42 inches in height: or
 - b. situated at least 15 feet from the edge of the right-of-way and be screened with evergreen planting materials, so that no more than one-fourth of the fence or wall surface area will be visible from the Thoroughfare within 3 years of erection of the fence or wall.

Section 29. Section 7.3.2. of the Part 10 Raleigh Unified Development Ordinance, Signs Allowed by District, is hereby amended deleting the column titled “R-MP” and all of its contents.

Section 30. Section 7.3.2. of the Part 10 Raleigh Unified Development Ordinance, Signs Allowed by District, is hereby amended by adding a column for Green Plus (-GP) within the Frontage category that replicates the same permitted sign types that are allowed in the Green (-GR) frontage as shown in the chart below:

Sec. 7.3.2. Signs Allowed by District

Signs are allowed by district as set forth in the table below.

	RESIDENTIAL					MIXED USE (NO FRONTAGE)							SPECIAL					FRONTAGE						Definition/ Standards				
	R-1	R-2	R-4	R-6	R-10	RX-	OP-	OX-	NX-	CX-	DX-	IX-	CM	AP	IH	R-MP	CMP	MH	-PW	-DE	-PL	-GR	-UL		-UG	-SH		
BUILDING SIGNS																												
Wall Sign	--	--	--	--	--	P	P	P	P	P	P	P	--	--	P	--	P	--	P	P	P	P	P	P	P	P	P	Sec. 7.3.4.
Projecting Sign	--	--	--	--	--	P	P	P	P	P	P	P	--	--	--	--	P	--	P	P	P	P	P	P	P	P	P	Sec. 7.3.5.
Awning, Gallery, Marquee Sign	--	--	--	--	--	P	P	P	P	P	P	P	--	--	--	--	P	--	P	P	P	P	P	P	P	P	P	Sec. 7.3.6.
Window Sign	--	--	--	--	--	P	P	P	P	P	P	P	--	--	P	--	P	--	P	P	P	P	P	P	P	P	P	Sec. 7.3.7.
GROUND SIGNS																												
Low Profile	--	--	--	--	--	--	P	P	P	P	--	P	--	--	P	--	P	--	P	P	P	P	--	--	--	--	--	Sec. 7.3.8.
Medium Profile	--	--	--	--	--	--	--	--	P	P	--	P	--	--	P	--	P	--	P	--	--	--	--	--	--	--	--	Sec. 7.3.9.
High Profile	--	--	--	--	--	--	--	--	P	P	--	P	--	--	P	--	P	--	P	--	--	--	--	--	--	--	--	Sec. 7.3.10.
Tract Identification Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	P	--	--	--	--	--	Sec. 7.3.11.
A-Frame Sign	--	--	--	--	--	P	P	P	P	P	P	P	--	--	--	--	P	--	--	P	P	P	P	P	P	P	P	Sec. 7.3.12.
ADVERTISING SIGNS																												
Off-Premise Sign	--	--	--	--	--	--	--	--	--	--	--	P	--	--	P	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 7.3.14.
Vehicular Sign	--	--	--	--	--	--	P	P	P	P	P	P	P	--	P	--	--	--	--	--	--	--	--	--	--	--	--	

Key: P = Sign Permitted -- = Sign Not Permitted

Section 31. Section 7.3.13. of the Part 10 Raleigh Unified Development Ordinance, Special Sign Types, is hereby amended by adding the language shown in underline:

Q. Parking Structure Signs

A changeable copy sign intended to display information regarding the parking structure which may include space availability and pricing information management.

1. Either one wall sign or one projecting sign is permitted for each face of the parking structure:
 - a. Wall signs shall follow the regulations set forth in Sec. 7.3.4., however in no instance shall a wall sign exceed 40 square feet in area.
 - b. Projecting signs shall follow the regulations set forth in Sec. 7.3.5., however in no instance shall a projecting sign exceed 40 square feet in area.
2. One ground sign is also permitted for each face of the parking structure and shall follow the regulations set forth in Sec. 7.3.8 (A., B. & D.) or 7.3.9. (A., B. & D.).
3. The chosen sign type must otherwise be permitted in the applicable base zoning district and frontage (if applicable).
4. Parking structure signs are not subject to Sec.7.3.13.C.

5. For anyone parking structure, the combined sign area for all parking structure signs shall be limited to 200 square feet.

R.Signs Required by the Code of Ordinances of the City of Raleigh

Any sign required by the Code of Ordinances of the City of Raleigh shall be permitted in accordance with the regulations therein.

Section 32. Section 7.3.16.B. of the Part10 Raleigh Unified Development Ordinance, Maximum Signage, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

4.The maximum allowable signage limitation does not apply to parking information signs, Landmark signs, product and information signs, unit numbering identificationsignsunder10 inches, temporary signs, and window signs permitted pursuant to Sec. 7.3.7., and any sign required by the Code of Ordinances of the City of Raleigh.

Section 33. Section 8.1.3.D. of the Part 10 Raleigh Unified Development Ordinance, Construction Surety, is hereby amended by removing the language shown in strikethrough:

- D. Where the Development Services Director determines that landscaping in the public right-of-way cannot be installed due to inclement weather conditions, a surety in the amount of 125% of the value of the landscaping shall be provided to the City,~~in accordance with Sec.8.5.1.B.~~ The landscaping improvementsshallbeinstalledwithin30 days of the start of the next October 1 to April 30 planting period.

Section 34. Section 8.3.2.B.3 of the Part 10 Raleigh Unified Development Ordinance, Block Measurement, is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

...

3. The maximum block perimeter shall be permitted to extend by 50% where the block includes a pedestrian passage (see ~~Sec.8.4.88.5.8.~~) or an alley (~~Sec.8.4.78.5.7.~~) that connects the two streets on opposing block faces including pedestrian passages and alleys that connect dead-end streets.
4. A block shall be permitted to be broken by a civic building or open lot, provided the lot is at least 50 feet wide and deep and provides a pedestrian passage meeting the requirements of ~~Sec.8.4.88.5.8.~~ that directly connects the two streets on each block face.

Section 35. Section 8.4.1.D.2. of the Part 10 Raleigh Unified Development Ordinance, Streetscape Tree Planting, is hereby amended by adding the language shown in underline:

2. Where overhead electric utilities exist, one understory tree shall be planted every 20 feet on center, on average. Required understory trees may be installed within GSI practices. Up to 20% of required understory trees may be offset by installing vegetated GSI practices, such as stormwater planter boxes. A maintenance plan must be approved for the GSI practice according to Sec. 9.2.2.D.

Section 36. Section 9.5.1.B.5 of the Part 10 Raleigh Unified Development Ordinance, Impervious Surface Coverage, is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

...

5. Redevelopment is permitted when the activity does not result in a net increase of impervious surface and provides equal or greater stormwater control than the previous development and substitutions of impervious surfaces is done in accordance with Sec. 10.3.5.A.4.E.

Section 37. Section 9.5.2.B.5 of the Part 10 Raleigh Unified Development Ordinance, Impervious Surface Coverage, is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

...

5. Substitutions of impervious surfaces done in accordance with Sec. 10.3.5.A.4.E.

Section 38. Section 9.5.2.D.1.a.ii of the Part 10 Raleigh Unified Development Ordinance, Applicability, is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

...

- ii. Substitutions of impervious surface done in accordance with Sec. 10.3.5.A.4.E. are allowed provided there is no net increase in impervious surface and equal or greater stormwater control is provided.

Section 39. Section 9.5.3.B.5 of the Part 10 Raleigh Unified Development Ordinance, Impervious Surface Coverage, is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

...

5. Substitutions of impervious surfaces done in accordance with Sec. 10.3.5.A.4.E. are allowed.

Section 40. Section 9.5.3.D.1.a.ii of the Part 10 Raleigh Unified Development Ordinance, Applicability, is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

...

- ii. Substitutions of impervious surface done in accordance with Sec. 10.3.5.A.4.E. are allowed provided there is no net increase in impervious surface and equal or greater stormwater control is provided.

Section 41. Section 10.1.3.A.2. of the Part 10 Raleigh Unified Development Ordinance, Composition, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

- a. The Board of Adjustment shall consist of 5 regular members and 3 alternate members. Four of the regular members and 2 of the alternate members shall reside within the corporate limits of the City. They shall be appointed by the City Council for terms of 23 years.
- b. One of the regular members and one of the alternate members shall reside outside the corporate limits of the City but within the limits of the extraterritorial jurisdiction of the City. They shall be appointed by the Chairman and Board of Commissioners of Wake County. If there is an insufficient number of qualified residents of the extraterritorial area to meet membership requirements, the Chairman and Board of Commissioners of Wake County may appoint as many other residents of the county as necessary to make up the requisite number.

Section 42. Section 10.2.8.B.2.a.i of the Part 10 Raleigh Unified Development Ordinance, Tier Two Site Plans, is hereby amended by adding the language shown in underline:

...

- i. The construction, reconstruction, addition, repair, alteration, demolition, or replacement of any building (excluding any structure exclusively used for one or two-unit living), structure, or parking facility where the increase in square footage is more than 4,000 square feet but less than 10,000 square feet or more than 10%, but less than 25% of the existing square footage, whichever is greater.

Section 43. Section 10.2.9.H. of the Part 10 Raleigh Unified Development Ordinance, Special Use Permit - Expiration, is hereby amended by adding the language shown in underline, deleting the language shown in strikethrough:

H. Expiration

- 1. A special use permit shall expire after ~~1-year~~ 24 months from the date of approval of the written decision by the Board of Adjustment unless work authorized by the special use permit has substantially commenced ~~a completed building permit application is submitted or a zoning permit is submitted when no building permit is required, including payment of all fees has been filed by the applicant and accepted by the City.~~

2. ~~Any appeal of the issuance of the special use permit to Superior Court shall freeze the running of this 1 year period from commencement of the legal challenge until the end of all appeals. Once the use is constructed, the special use permit runs with the land and does not expire except:
 - a. ~~When the Board of Adjustment conditioned the special use permit to a limited defined time period;~~
 - b. ~~When the special use permit is revoked in accordance with Sec. 10.2.1.D.1.; or~~
 - c. ~~When the special use is changed to another use for more than 30 days, other than that for which the special use permit was issued or the special use is discontinued or ceased for a continuous period of 365 days or more without the re-approval of the Board of Adjustment. Without the re-approval of the Board of Adjustment, the special use permit is null and void and continuation of the special use is a violation of this UDO~~~~

Section 44. Section 10.2.10.F. of the Part 10 Raleigh Unified Development Ordinance, Expiration of Variance, is hereby amended by adding the language shown in underline, deleting the language shown in strikethrough:

F. Expiration of Variance

A variance shall expire after ~~12~~24 months from the date of approval of the written decision by the Board of Adjustment unless: (i) work authorized by the variance has substantially commenced a completed building permit application, including payment of all fees has been filed by the applicant and accepted by the City; or (ii) the use and/or structure to which the variance applies were previously in existence prior to the requested variance. For uncompleted projects which were timely commenced pursuant to this Section, a variance expires if the development work is thereafter intentionally and voluntarily discontinued for a period of not less than 24 consecutive months. This 24-month discontinuance period may be automatically tolled in the event of litigation, in accordance with 160D-108(d). ~~Any appeal of the issuance of the variance to Superior Court shall freeze the running of this 12-month period from commencement of the legal challenge until the end of all appeals. Once the use is constructed or established, the variance runs with the land and does not expire except:~~

- ~~1. When the Board of Adjustment conditioned the variance to a limited defined time period; or~~
- ~~2. When the variance is revoked in accordance with Sec. 10.2.1.D.1.~~

Section 45. Section 10.2.17.D.3. of the Part 10 Raleigh Unified Development Ordinance, Design Alternate - Approval Process, is hereby amended by adding a new subsection “a.” as shown in underline below and re-lettering the list accordingly:

a. Sec. 1.5.3.E. (Amenity Area)

Section 46. Section 10.4.2.E.3. of the Part 10 Raleigh Unified Development Ordinance, Civil Penalties for Continuing Violations, is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

3. Written notices shall be delivered ~~may be served~~ by personal delivery, service or by registered or certified mail ~~electronic delivery, or first-class mail.~~ Written notices may also be posted on the property. ~~return receipt requested. When service is made by registered or certified mail, a copy of the notice may also be sent by first class mail. Service by first class mail shall be deemed sufficient if:~~
 - a. ~~The registered or certified mail is unclaimed or refused, but the first class mail is not returned by the post office within 10 days after the mailing; and~~
 - b. ~~The City has reasonable grounds to believe that the address used for the first class mailing is an address that will actually reach the person to be served.~~

...

Section 47. Section 10.4.3.A. the Part 10 Raleigh Unified Development Ordinance, Administrative Fee, is hereby amended by removing the language shown in strikethrough:

~~A. Showings for Granting Special Use Permit for Nonconformities~~

- ~~1. Before a request for the special use permit is granted, the Board of Adjustment must show that all of the following are met:
 - a. ~~The applicable standards of this section have been met;~~
 - b. ~~All of the showings of Sec. 10.2.9.E. have been met; and~~
 - c. ~~The requested repair, reconstruction, expansion, change of use to a different nonconforming use or relocation will not be injurious to property or improvements in the affected area.~~~~
- ~~2. In acting upon a petition for a special use permit, the Board cannot order the discontinuance or termination of the nonconformity.~~
- ~~3. If a special use petition is denied, the continuation of the nonconformity and the activities allowed in Sec. 10.3.2. and Sec. 10.3.3. without a special use permit is still allowed unless otherwise prohibited by law. This policy is adopted to encourage the owners of nonconformities to apply for special use permits to improve and bring into conformance to the extent possible their property.~~

Section 48. Article 12.2. of the Part 10 Raleigh Unified Development Ordinance, Defined Terms, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough and reordering the definitions in “M” so that they fall in alphabetical order:

...

Maintained Footcandles

Illuminance of lighting fixtures adjusted for a maintenance factor accounting for dirt build-up and lamp output depreciation. The maintenance factor used in the design process to account for this depreciation cannot be lower than 0.72 for high-pressure sodium and 0.64 for metal halide and mercury vapor.

Major Access Corridor

A street or highway designed to move large volumes of through traffic from one area to another and usually built and maintained with Federal assistance. These corridors usually have separated grades and minimal traffic signals. The following are major access corridors: I-40, I-440, U.S. 264/I-87, U.S. 1, U.S. 70, U.S. 64 and U.S. 401, Wade Avenue between I-440 and I-40 and I-540.

Manufactured Home

A structure, as defined in N.C. Gen. Stat. § 143-145(7), transportable in one or more sections that is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation.

Manufactured Home Park

A lot which contains or is intended to contain manufactured home spaces for lease or unit ownership (condominium) pursuant to N.C. Gen. Stat. Chapter 47C.

Manufactured Home Space

A plot of land within a manufactured home park designed for the accommodation of a single manufactured home.

Manufactured Home Stands or Pads

That portion of the manufactured home space designed for occupancy by a manufactured home.

~~**Major Access Corridor**~~

~~A street or highway designed to move large volumes of through traffic from 1 area to another and usually built and maintained with Federal assistance. These corridors usually have separated grades and a minimum of traffic signals. The following are major access corridors: I 40, I 440, 64 By-pass, U.S. 1, U.S. 70, U.S. 64 and U.S. 401, Wade Avenue between I 440 and I 40 and Northern Wake Expressway.~~

~~**Maintained Footcandles**~~

~~Illuminance of lighting fixtures adjusted for a maintenance factor accounting for dirt build-up and lamp output depreciation. The maintenance factor used in the design process to account for this depreciation cannot be lower than 0.72 for high pressure sodium and 0.64 for metal halide and mercury vapor.~~

...

Special District

The following general use and conditional zoning districts: Conservation Management (CM), Agricultural Productive (AP), Heavy Industrial (IH), Manufactured Housing (MH), Planned Development (PD), ~~Home Park (R-MP)~~ and Campus (CMP).

Thoroughfare

~~A street delineated as a major thoroughfare or a minor thoroughfare on the Comprehensive Plan or a major access corridor. Major thoroughfares include: (1) principal arterials, which are either gateways, freeways or expressways; (2) secondary arterials; (3) other major thoroughfares; or (4) any Major Street identified in Article 8.4.~~

A street identified on the Street Plan in the City's Comprehensive Plan as either a Major Street or Limited Access Highway.

FROM TC-5-23 ↓

Section 1. Section 1.5.2.E.1. of the Part 10 Raleigh Unified Development Ordinance, Lot Width and Depth for Cul-de-Sac Lots, is hereby amended by removing the language shown in strikethrough:

1. The minimum lot frontage on a street shall be 20 feet ~~(this dimension may be reduced upon approval of the Development Services Director if a common driveway or other form of shared access is provided); and~~

Section 2. Section 1.5.3.B. of the Part 10 Raleigh Unified Development Ordinance, Outdoor Amenity Area – General Requirements, is hereby amended by adding the language shown in underline:

...

11. Outdoor amenity area shall be calculated as a percentage of the net site area.

Section 4. Section 1.5.6.C.3.b. of the Part 10 Raleigh Unified Development Ordinance, Build-to – General Requirements, is hereby amended by removing the language shown in strike-through and adding the language shown in underline:

...

- ~~b. Floodways~~Special Flood Hazard Areas

Section 5. Section 1.5.7.A.5 of the Part 10 Raleigh Unified Development Ordinance, Height-Building Height, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

...

5. For a detached or attached building type only, an unfinished spaced that qualifies as an attic does not count as a story where 50% or more of the attic floor area has a clear height of less than 7.5 feet; measured from the ~~finished~~ floor to the ~~finished~~ ceiling. ~~To be classified as an attic, the space must also meet the specifications as provided in the defined term in Article 12.2, Defined Terms.~~

A half-story shall be considered a habitable space between a roof and the ceiling of a room or rooms below where 50% or more of the floor area has a clear height of less than 7.5 feet; measured from the finished floor to the finished ceiling.

Section 6. Section 1.5.7.A.6. of the Part 10 Raleigh Unified Development Ordinance, Building Height, is hereby amended by adding the language shown the underline and removing the language shown in strikethrough:

...

~~6. When 50% or more of the perimeter wall area of a detached or attached building is located below grade, the building contains a basement. The floor of this level must be located entirely below finished grade. This provision can be utilized in other building types; however, the entirety of the floor area may only be used for storage, mechanical equipment, parking, laundry or waste collection. Basements shall be regulated as follows:~~

- a. A detached, attached, two-unit townhouse, or tiny house contains a basement if:
 - i. 50% or more of the perimeter wall area of the basement level is located below grade; and
 - ii. the floor of the basement level is located entirely below grade.
- b. All other building types may contain a basement if:
 - i. 50% or more of the perimeter wall area of the basement level is located below grade;
 - ii. the floor of the basement level is located entirely below grade; and
 - iii. the entirety of the basement floor area may only be used for storage, mechanical equipment, parking, laundry, or waste collection.
- c. For all building types, level(s) that qualify as a basement are not considered a story for purposes of measuring building height in number of stories. A building may contain more than one basement level provided each basement level qualifies as a basement independently. Average grade shall not be used for purposes of determining if a level qualifies as a basement.

Section 7. Section 1.5.7.C.4. of the Part 10 Raleigh Unified Development Ordinance, Story Height, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

...

4. As a primary or accessory use, levels of a parking structure ~~with both a ceiling and a floor~~ shall be included when calculating the maximum number of stories; if meeting both of the following criteria:
 - a. The level has both a ceiling and a floor; and
 - b. The level is not considered a basement

Section 8. Section 1.5.7.D. of the Part 10 Raleigh Unified Development Ordinance, Height Encroachments, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

...

D. Height Encroachments

Any height encroachment not specifically listed is expressly prohibited except where the Planning Director determines that the encroachment is similar to a permitted encroachment listed below.

1. The maximum height limits of the district do not apply to spires, belfries, cupolas, domes, bell towers, monuments, water tanks/towers or other similar structures not intended for human occupancy which, by design or function, must exceed the established height limits.
2. For properties with a maximum building height in feet, ~~the~~ following accessory structures may exceed the established height limits, except when located within an -AOD, provided they do not exceed the maximum building height by more than 12 feet:
 - a. Chimney, flue or vent stack;
 - b. Unenclosed deck, patio or shade structure;
 - c. Rooftop garden, landscaping;
 - d. Flagpole;
 - e. Parapet wall;
 - f. Rainwater collection or harvesting system, and
 - g. Solar panels, wind turbines.

3. For properties with a maximum building height in feet, the following accessory elements structures may exceed the established height limits maximum building height in feet, except when located within an -AOD, provided they do not exceed the maximum building height by more than 12 feet, do not occupy more than 25% of the roof area and are set back at least 10 feet from the edge of the roof:
 - a. Amateur communications tower (~~see excluding those regulated by Sec. 6.7.3~~);
 - b. Cooling tower;
 - c. Elevator penthouse or bulkhead;
 - d. Greenhouse;
 - e. Mechanical equipment;
 - f. Skylights;
 - g. Elevator or stairway access to roof; and
 - h. Tank designed to hold liquids, except as otherwise permitted.

4. An accessory structure located on the roof must not be used for any purpose other than a use incidental to the principal use of the building except for telecommunication facilities.

Section 9. Section 1.5.9.B. of the Part 10 Raleigh Unified Development Ordinance, Transparency – General Requirements, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

B. General Requirements

1. The minimum percentage of ~~windows and doors~~transparency that must cover a ground story facade is measured between 0 and 12 feet above the surface of the finished ground floor for all above-grade portions of the facade. A minimum of 50% of the required transparency must be located between 3 and 8 feet from the surface of the finished ground floor.
2. The minimum percentage of ~~windows and doors~~transparency that must cover an upper story facade is measured from top of the finished floor to the top of the finished floor above. When there is no floor above, upper story transparency is measured from the top of the finished floor to the top of the wall plate.
3. In a mixed use building, or general building where an Urban Frontage is applied, a minimum of 60% of the street-facing, street-level window pane surface area must allow views into the ground story use for a depth of at least 8 feet. Windows shall not be made opaque by non-operable window treatments (except curtains, blinds or shades within the conditioned space).
4. Glass shall be considered transparent where it has a transparency higher than 80% and external reflectance of less than 15%. Glass on upper stories may have any level of transparency and external reflectance.
5. Vehicular doors integrated into a police, fire, or EMS station shall count towards the

structure's transparency requirement.

Section 10. Section 2.2.7.C. of the Part 10 Raleigh Unified Development Ordinance, Street Setback (Minimum and Maximum), is hereby amended by adding the language shown in underline:

...

5. For Through Lots, infill primary street setbacks only apply along the street to which the structure is or will be oriented towards.

Section 11. Section 2.2.7.E. of the Part 10 Raleigh Unified Development Ordinance, Sidewall Length, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough and amending the accompanying graphic label accordingly changing it from 22' to >25':

...

E. Side Wall Length

Articulation is required for side walls on additions or new construction that are taller than 22 25 feet ~~or taller~~ and located within 15 feet of the side lot line. No wall may extend for more than 50 feet without a projection or recession of at least 4 feet in depth and 10 feet in length.

Section 12. Section 2.5.4.G. of the Part 10 Raleigh Unified Development Ordinance, Allowed Uses of Open Space, is hereby amended by removing the language shown in strikethrough and adding the language shown in underline:

...

G. Water bodies, such as lakes and ponds and ~~floodways~~ special flood hazard areas provided the total surface area does not exceed 50% of the required open space;

Section 13. Section 2.6.1.J. of the Part 10 Raleigh Unified Development Ordinance, Additional Requirements for Manufactured Homes to Qualify as Tiny Houses, is hereby amended by adding the language shown in underline:

...

6. The Manufactured Home is no greater than 600 square feet in gross floor area.

Section 14. Section 2.6.3.H.2 of the Part 10 Raleigh Unified Development Ordinance, Accessory Dwelling, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

H2 From side street (min) 2015' 2015'

Section 15. Section 3.3.3.E. of the Part 10 Raleigh Unified Development Ordinance, Building Massing Standards, is hereby amending the column label “21 to 40 Stories” to “31 to 40 Stories”.

Section 16. Section 3.4.2.C.4. of the Part 10 Raleigh Unified Development Ordinance, Preexisting Conditions, is hereby amended by removing the section below shown in strikethrough entirely and renumbering the subsequent sections:

...

4. ~~The Planning Director may, in accordance with Sec. 10.2.17., reduce the build-to requirement, subject to the findings set forth in Sec. 1.5.6.D.~~

Section 18. Section 3.5.3.D.2. of the Part 10 Raleigh Unified Development Ordinance, Zone A Protective Yard – Design and Installation, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

...

2. Required landscaping in a protective yard must meet the design and installation requirements of Sec. 7.2.4.7.

Section 19. Section 5.6.1.B. of the Part 10 Raleigh Unified Development Ordinance, Special Residential Parking Overlay - Parking Surfaces, is hereby amended by removing the language shown in strikethrough and adding the language shown in underline:

B. Parking Surfaces

1. Vehicular surface areas located within the front yard area of a build used for single or two-unit living ~~in a detached house or tiny house~~ constructed after July 19, 2012 shall be constructed of permanent, nonerodable surface treatment, which may include porous and semi-porous monolithic or paver materials, masonry or concrete pavers, poured concrete and asphalt, or constructed with a minimum depth of 4 inches of crushed stone or crush and run.
2. The borders of any vehicular surface area constructed of crushed stone or crush and run shall be delineated with anchored man-made or natural landscape edging materials such that the vehicular surface area is clearly defined and helps to contain the crushed stone or crush and run.
3. Except for circular and semi-circular drives, vehicular surface areas located within the front yard area of a building used for single or two-unit living ~~in a detached house or tiny house~~ shall not be located in front of the dwelling’s primary entrance.

Section 20. Section 5.6.1.C. of the Part 10 Raleigh Unified Development Ordinance, Arrangement Size and Orientation of Parking Areas, is hereby amended by removing the language shown in strikethrough and adding the language shown in underline:

C. Arrangement, Size and Orientation of Parking Areas

Vehicular surface areas located within the front yard area of a building used for single or two-unit living in a ~~detached house or tiny house~~ shall comply with one of the following.

...

Section 21. Section 5.6.1.C.4.b., of the Part 10 Raleigh Unified Development Ordinance, Arrangement Size and Orientation of Parking Areas, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough:

...

- b. Parking shall be limited to single-file, perpendicular to the street right-of way in front of the existing curb-cut. ~~The Development Services Director is authorized to permit in writing~~ However, angled parking for 1 vehicle or side by side parking for 2 vehicles may be permitted when all of the following conditions are present:
 - i. Existing man-made structures on the lot prevent the establishing of a parking area of at least 44 feet in length measured from the property side of an existing sidewalk, or in the absence of a sidewalk to the face of the curb or edge of street pavement.
 - ii. The vehicular surface areas do not exceed the limits of this subsection.
 - iii. Cars are angled with headlights toward the building on the lot and do not extend 10 feet beyond the face of the adjoining car, which is parked perpendicular to the street.

Section 22. Section 5.6.1.D. of the Part 10 Raleigh Unified Development Ordinance, Landscaping Requirements, is hereby amended by removing the language shown in strikethrough and adding the language shown in underline:

D. Landscaping Requirements

- 1. When vehicular surface areas are constructed in the front yard area of a building used for single or two-unit living in a ~~detached house or tiny house~~ and a parking space is designed to be within 45 degrees or less of the public street, a continuous berm or row of evergreen shrubs shall be provided within 5 feet of the edge of the parking space on the side nearest the public street in order to screen the broad side of the parked vehicle from view of the public street.

Section 23. Section 5.6.1.E. of the Part 10 Raleigh Unified Development Ordinance, Temporary Parking, is hereby amended by removing the language shown in strikethrough and adding the language shown in underline:

...

E. Temporary Parking

The property owner may apply for a zoning permit to allow temporary parking in the front yard area on grass or surfaces other than the grass or other erodible minimum surfacing requirements. This permit shall be issued to the property owner once in any 3-year period per premise basis, shall not exceed an initial period of 90 days ~~and may be extended by the Development Services Director for additional periods of 30 days.~~

Section 24. Section 6.1.4. of the Part 10 Raleigh Unified Development Ordinance, Allowed Principal Use Table, is hereby amending the cross-reference in the Definition/Use Standards column for the Frequent Transit Development Option by changing it from “6.1.2.K.” to “6.2.1.K.”

Section 25. Section 6.7.2.D. of the Part 10 Raleigh Unified Development Ordinance, Accessory Structures, is hereby amended by adding the language shown in the underline and removing the language shown in strikethrough:

- D. In Residential Districts, accessory structures associated with Detached, Tiny, or Attached Houses shall conform to the standards shown in tables ~~1 and 2~~ E, F and G below. Breezeway connections permitted under Sec. 6.7.2.B. shall not count towards the floor area or footprint calculations of this section.

Section 26. Section 6.7.3.D.6. of the Part 10 Raleigh Unified Development Ordinance, Home Occupation, is hereby amended by removing the language shown in strikethrough:

...

6. Home-Occupation uses must comply with all applicable City ordinances and regulations regarding the emission of noise. ~~A home occupation permit shall be revoked if a violation of a City noise ordinance is issued in association with the Home Occupation use. If revoked, a new home occupation permit cannot be issued for the premise for a period of 365 days.~~

Section 27. Section 6.7.3.I. of the Part 10 Raleigh Unified Development Ordinance, Additional Standards for Specific Accessory Uses - Residential Accessory Service, is hereby amended by removing the language shown in strikethrough and renumbering the section accordingly:

...

2. ~~The gross floor area of all accessory uses can be no more than 25% of the dwelling unit.~~

Section 28. Section 6.7.3.G.3. of the Part 10 Raleigh Unified Development Ordinance, Recreational Use Related to a Residential Development, is hereby amended by removing the language shown in strikethrough and adding the language shown in underline:

...

3. ~~Nonresident memberships or fees paid by the general public shall not be permitted. This prohibition shall not be construed to disallow membership fees for residents of the development and their guests made on an installment basis of not less than monthly, rather than on any pay for use, hourly, daily or weekly basis. Membership fees are allowed for any recreational use related if it also complies with all regulations of a recreational use restricted to membership, either commercial or not for profit~~ At least 50% of the members must be residents of the development.

Section 29. Section 6.7.3 of the Part 10 Raleigh Unified Development Ordinance, Additional Standards for Specific Accessory Uses, is hereby amended by adding the language shown in underline:

...

L. Solar Energy System

Solar Energy Systems are permitted in all zoning districts as an accessory use to a permitted principal use.

Section 30. Section 6.8.2.E.4. of the Part 10 Raleigh Unified Development Ordinance, Residential Development Sales Office or Model Home, is hereby amended by removing the language shown in strikethrough:

...

4. ~~The building may be used for sales purposes for a period of 3 years, but the period can be extended by the Development Services Director on a semi-annual basis, provided the owner can show reasonable cause for such extensions and the unit remains occupied and used. In no event will the sales office or model home be continued when all of the properties of the development phase or building are sold or leased, excluding the sales office lot or model home lot within a subdivision.~~

Section 31. Section 7.1.2.C. of the Part 10 Raleigh Unified Development Ordinance, Parking Requirements by Use, is hereby amended by deleting the extraneous rows between: “Indoor Recreation, Except As Listed Below” and “Convention Center, arena”; “Utilities, Minor and Major” and “Commercial”

Section 32. Section 7.1.2.C. of the Part 10 Raleigh Unified Development Ordinance, Parking Requirements by Use - Retail Sales, is hereby amended by removing the language shown in strikethrough:

...

1 space per 200 SF of gross floor area plus 1.5 spaces for every 600 square feet of outdoor display area ~~for every 600 square feet of outdoor display area feet of outdoor display area~~

Section 33. Section 7.1.6.B.2. of the Part 10 Raleigh Unified Development Ordinance, Vehicle Parking Location and Layout - Layout, is hereby amended by removing the language shown in strikethrough:

...

2. ~~Within a structured parking facility, up to 30% of the total parking spaces provided may be compact spaces. No more than 2 compact parking spaces may abut each other.~~ Compact spaces can be reduced to 7.5 feet in width and 15 feet in length. All compact parking spaces must be clearly and visibly striped and labeled for compact car use only. Other than the stall width and length reduction, compact parking spaces must comply with all other parking layout standards.

Section 34. Section 7.4.1.C.3. of the Part 10 Raleigh Unified Development Ordinance, Site Lighting Applicability - Permit Required, is hereby amended by removing the language shown in strikethrough:

...

3. ~~The Development Services Director may waive any or all of the above permit requirements, provided the applicant can otherwise demonstrate compliance with this UDO.~~

Section 35. Section 7.4.5.F. of the Part 10 Raleigh Unified Development Ordinance, Parking and Pedestrian Areas, is hereby amended by removing the language shown in strikethrough:

...

- F. ~~To the extent possible, as determined by the Development Services Director, internal light sources within structured parking shall not be visible from the adjacent public right of way. Rooftop lighting for parking structures shall be mounted a minimum of 15 feet in from the edge of the structure.~~

Section 36. Section 9.1.10.E.6. of the Part 10 Raleigh Unified Development Ordinance, Lots Without Recorded Tree Conservation Areas - Violations, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

...

6. The replanting areas shall be designated as tree conservation areas on plats with delineated metes and bounds descriptions recorded with the local County Register of Deeds, however, the replacement planting areas shall not count toward the tree conservation percentage requirements of Sec. 9.1.3. Following the recording of this plat, no tree disturbing activity shall take place within the designated tree conservation areas.

Section 37. Section 10.1.8. of the Part 10 Raleigh Unified Development Ordinance, Summary of Review Authority, is hereby amended by:

In the row titled “Site Plan Review”, in the column titled “X-ref”, deleting “10.2.8.C.1.d.” and replacing it with “10.2.8.D.1.d.”; in the row titled “Miscellaneous Zoning Permits”, in the column titled “X-ref”, insert “10.2.7.”; in the row titled “Major Modification Development Plans approved using previously applicable quasi-judicial subjective standards, or by some other procedure with standards no longer available in this UDO” in the row titled “X-ref”, insert “10.1.8.E.2.”.

Section 38. Section 10.2.1.B.1. of the Part 10 Raleigh Unified Development Ordinance, Application Requirements – Initial Application Submittal, is hereby amended by adding the language shown in underline:

1. Initial Application Submittal

All applications for development approval shall be submitted in accordance with the requirements of this UDO and shall be filed with the City:

- a. Applications for administrative development approvals may be made by the property owner, a lessee or person holding an option or contract to purchase or lease land, or an authorized agent of the property owner. An easement holder may also apply for an administrative development approval for such development as is authorized by the easement.
- b. Applications for quasi-judicial approvals may be submitted by either the property owner (the holder of the title in fee simple) or one of the following individuals, if authorized by the property owner to make the application: a person holding a valid option to purchase the property; a person holding a valid lease for the property; or a person holding a valid contract to purchase the property.
- c. Absent evidence to the contrary, the City may rely on the county tax records to determine who is a property owner.

Section 39. Section 10.2.1.C.1.a. of the Part 10 Raleigh Unified Development Ordinance, Public Notice Requirements – Mailed Notice, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

- a. Whenever mailed notice is required by Sec. 10.1.8. or elsewhere in this UDO, at the time of submission of the application, the applicant shall deliver to the City first class stamped envelopes addressed to the property owners of the property included in the proposed application and the owners of all property within 100 feet on all sides of the subject property at the time of submittal. If a portion of a property is requested for rezoning, the notification radius shall be calculated from the property lines, and not the requested zoning boundary. For zoning map amendments, the mailing radius shall be increased to 500 feet. The mailing radius for neighborhood meetings is that set forth in Section 10.2.4.~~DC~~. For zoning map amendments that directly affect more than 50 properties owned by a total of at least 50 different property owners, the applicant may elect to provide mailed notice of the Planning Commission public meeting by postcard instead of first class mail. Envelopes shall be provided, and notice given to non-owner tenants in accordance with subsection b.

Section 40. Section 10.2.1.C.1.i of the Part 10 Raleigh Unified Development Ordinance, Review Procedures – Public Notice Requirements – Mailed Notice, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

...

- i. For quasi-judicial hearings, mailed notice shall be provided to ~~all other persons with an ownership interest in the subject property as set forth in all applicable State and local laws~~ the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by the local development regulation. See N.C.G.S. 160D-406(b).

Section 41. Section 10.2.1.C.6.c. of the Part 10 Raleigh Unified Development Ordinance, Notice of Decision, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough:

- c. In the case of a quasi-judicial decision, notice of the decision shall be delivered by personal delivery, electronic mail, or first-class mail to the applicant, property owner, and any person who has submitted a written request for a copy prior to the date the decision becomes effective. ~~also be given to the applicant, the property owner (if the property owner is not the applicant) and each person who has filed a written request for notice with the presiding officer or secretary of the reviewing body (if any) at the time of the hearing of the case, with such notice to be delivered to the requesting party by either personal service or by registered mail or certified mail, return receipt requested.~~

Section 42. Section 10.2.2.D.3.a. of the Part 10 Raleigh Unified Development Ordinance, Comprehensive Plan Amendment – Public Hearing by City Council, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

- a. Following the recommendation of the Planning Commission or expiration of the applicable Planning Commission review period without a recommendation, the City Council shall conduct a public hearing. ~~Notice of the public hearing shall occur within 60 days of receiving the request from the Planning Commission.~~ City Council shall act to schedule the hearing within 60 days of receiving the request from the Planning Commission, and notice shall be given in accordance with Sec. 10.1.8.

Section 43. Section 10.2.3.D.3.b. of the Part 10 Raleigh Unified Development Ordinance, UDO Text Changes - City Council Legislative Hearing and Action, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

...

- b. ~~Notice of the public hearing shall occur within 60 days of receiving the Planning Commission's written report.~~ City Council shall act to schedule the hearing within 60

days of receiving the request from the Planning Commission, and notice shall be given in accordance with Sec. 10.1.8.

Section 44. Section 10.2.7.A.3.c. of the Part 10 Raleigh Unified Development Ordinance, Miscellaneous Zoning Permits – Permit Exceptions - Signs, is hereby amended by adding the language shown in strikethrough:

...

ii. Miscellaneous (Omnibus) Signs

Section 45. Section 10.2.8.B.1.a.vii. of the Part 10 Raleigh Unified Development Ordinance, Site Plan Tier Categories – Tier One Site Plans, is hereby amended by removing the language shown in strikethrough:

...

- vii. An addition of up to 25 parking spaces or a 25% expansion whichever is greater, to an existing parking surface or parking facility that is ~~not required parking as determined in Article 7.1 or is~~ unrelated to an improvement described in subsection B.1.a.i. above.

Section 46. Section 10.2.8.B.2.a.iii of the Part 10 Raleigh Unified Development Ordinance, Site plan Review- Site Plan Tier Categories- Tier Two Site Plans, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

...

- iii. The construction, reconstruction, addition, repair, alteration, demolition, and or replacement of a building having a cumulative gross floor area of ~~10,000 square feet or less~~ greater than 10,000 square feet but less than 25,000 square feet, with civic use as its principal use, except for schools and places of worship.

Section 47. Section 10.2.8.A.4., of the Part 10 Raleigh Unified Development Ordinance, Site Plan Review - Applicability, is hereby amended by adding the following language shown in underline:

...

4. Establishment of a new use on a vacant property is a Tier Three Site Plan except for 10.2.8.B.1.a.iv, v, vi, viii, xi, xiii, and xv, and 10.2.8.B.2.a.iii and v.

Section 48. Section 10.2.8.B.1.a.xiii., of the Part 10 Raleigh Unified Development Ordinance, Site Plan Tier Categories – Tier One Site Plans, is hereby amended by adding the following language shown in underline:

- xiii. The construction of a detached, tiny house, two-unit townhouse, or attached building type used for one or two unit living as defined in Section 6.2.1. including additions, reconstruction, addition or renovation for a live-work use, or an accessory structure located on any vacant lot that was lawfully established.

Section 49. Section 10.2.8.B.2.a.iv. of the Part 10 Raleigh Unified Development Ordinance, Site Plan Tier Categories – Tier Two Site Plans, is hereby amended by removing the language shown in strike-through:

...

- iv. An addition of more than 25 parking spaces or 25%, whichever is greater, and up to 50 parking spaces or a 50% expansion whichever is greater, to an existing parking surface or parking facility that is ~~not required parking as determined in Article 7.1 or is unrelated to an improvement described in subsection B.2.a.i. above.~~

Section 50. Section 10.2.8.B.3.C., of the Part 10 Raleigh Unified Development Ordinance, Site Plan Tier Categories - Tier Three Site Plan, is hereby amended by adding the language shown in underline:

...

- c. Establishment of a new use on a vacant property is a Tier Three Site Plan except for 10.2.8.B.1.a.iv, v, vi, viii, xi, xiii, and xv, and 10.2.8.B.2.a.iii and v.

Section 51. Section 10.2.10.D.3., of the Part 10 Raleigh Unified Development Ordinance, Variance – Approval Process - Showings, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

...

- a. Unnecessary hardship would result from the strict application of the ordinance. It ~~shall~~ is not ~~be~~ necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- b. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.
- c. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance ~~shall~~ is not ~~be regarded as~~ a self-created hardship.
- d. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Section 52. Article 11.3 of the Part 10 Raleigh Unified Development Ordinance, Examining Boards & Licensing, is hereby amended by removing the language shown in strikethrough and inserting the language shown in underline:

[Reserved for future codification]

Sec. 11.3.1. Registration of Contractors

The registration of contractors shall conform to the provisions of the North Carolina Administration and Enforcement Requirement Code, North Carolina General Statutes, and City privilege license regulations.

Sec. 11.3.2. Electrical

A. Board Established; Personnel

There is hereby established an electrical examining board (hereinafter referred to as the board) to consist of a North Carolina registered professional engineer specializing in electrical work, 2 electrical contractors, 1 journeyman electrician, and 1 representative of the public electrical utility, all of whom must reside within the territorial jurisdiction of this UDO. The Development Services Director shall serve as ex officio secretary to the board. The members of the board shall be appointed for 2 year terms by the City Council as provided in §1 4002 of the City Code. The board shall elect from its membership a Chairman and Vice Chairman. The members shall serve without compensation.

B. Purpose of the Board

1. It shall be the duty of the board to examine applicants for certificates as to their knowledge of the rules and regulations for the installation and operation of electrical wiring, devices, appliances and equipment as set forth in the statutes of the State of North Carolina, the ordinances of the City, and the North Carolina Electrical Code; and to determine the general qualifications and fitness of each applicant for performing the class of work covered by a journeyman's certificate.
2. The board shall perform other duties relating to electrical wiring, contracting, electrical installations, or advise on any electrical questions referred to them by the Council.

C. Meetings of the Board

The board shall meet at such intervals as may be necessary for the proper performance of its duties, but in no case less than twice each year. All meetings shall be called by the Chairman.

D. Standards and Procedures for Certifying Electricians

The board shall establish standards and procedures for the qualifications, examinations and licensing of journeyman electricians, and shall issue an appropriate license with no expiration date to each person who meets the qualifications thereof and successfully passes the examination given by the board.

E. Examinations

~~Examinations for journeyman certificates shall be by written form and a complete record of each shall be maintained by the secretary for a period of 2 years. Examinations are to be held the last Tuesday in each of the following months: March, June, September and December. A grade of 75 percent is required for passage of the examination.~~

F. Reexamination

~~Any applicant failing an examination may, upon payment of the regular examination fee, be reexamined after 90 days or more shall have elapsed. After 3 successive failures, an applicant shall not be reexamined for a period of 12 months following.~~

G. Examination Fee

~~Any person desiring to be licensed as a journeyman electrician shall make written application to the board and include a fee in the amount of \$35.00. Such fees shall be made payable to the City of Raleigh and are not refundable. All fees shall be collected by the secretary and promptly remitted to the Revenue Collector. The secretary shall be approved by the Revenue Collector to collect the fees for the examinations.~~

H. Temporary Journeyman Working Card

~~Between the regular periods of required examinations given by the board, any journeyman electrician, if the board secretary deems it an emergency or hardship, who first presents himself to the secretary and indicates he is employed by an electrical contractor licensed by the City, may have a temporary journeyman electrician working permit issued to him for that period before the next regular examination and upon payment of a fee of \$10.00, provided he can satisfy the secretary that he is duly qualified to perform such work. Temporary journeyman electrician working permits so issued may be canceled and recalled by the secretary if the holder thereof fails to conduct his work consistent with the applicable laws and codes. The recall of the temporary permit shall not exclude the holder from taking an examination at the regular period as required by this UDO.~~

I. Revocation of Certificate

~~Any certificate issued by the board may, after a hearing, be suspended or revoked if the person holding such certificate repeatedly violates any provision of this chapter relating to the installation, maintenance, alteration or repair of electrical wiring devices and equipment.~~

J. Certificate Required to Perform Electrical Work

~~No person shall install, alter, repair or extend any electrical system or part thereof or connect any current consuming device, appliance or equipment (except lamps, fuse renewals and other appliances connected by means of attachment plugging devices, maintenance on small motors and on controls for heating/air conditioning equipment), on any electrical wiring used for light, heat or power within or without any building or structure whether employed by a licensed contractor or not until he shall have first passed an examination to be conducted by the City of Raleigh electrical examining board or by the electrical examining or advisory board of any City or County which is a member of the North Carolina Committee for Journeyman Electricians~~

~~and until he shall have secured a certificate of competency as a certified electrician from any such examining or advisory board; provided, however, that nothing herein shall be construed as to require the Chief electrical inspector to permit any person who may have a journeyman electrician certificate of competency issued by the advisory or examining board of any City, town or County who is a member of the North Carolina Committee for Journeyman Electricians to start or remain on any job as the qualified electrician when, in the opinion of the Chief electrical inspector, by past experience said person is not qualified under local standards to do the necessary work or when by past experience it is the opinion of the Chief electrical inspector that the person will not cooperate with the Development Services Department by not calling for inspections at the proper time, or by making or supervising installations not in conformity with applicable state and local codes.~~

Section 53. Article 12.2. of the Part 10 Raleigh Unified Development Ordinance, Defined Terms, is hereby amended by adding the language shown in underline and removing the language shown in strikethrough:

...

Attic

An unfinished and uninhabitable space between roof framing and the ceiling of a room, or rooms, below that is accessed by ladder or permanent stairs. This area is used for storage or mechanical equipment and cannot be used as habitable space. ~~If an attic is converted to a habitable space, such conversion shall cause the area to be deemed as an additional story.~~

...

Crawl Space

An enclosed, unfinished area between the livable space of a dwelling and the surface below. A crawl space must be exposed a minimum of 1.5' above grade on all sides. A crawl space may or may not be ventilated to the outdoors, however, in no instance may a crawl space be used for habitation.

...

Half-Story

A finished, habitable space between a roof and the ceiling of a room, or rooms, below where 50% or more of the floor area has a clear height of less than 7.5 feet; measured from the finished floor to the finished ceiling.

...

Solar Energy System

An energy system that consists of one or more solar collection devices, solar energy related “balance of system” equipment, and other associated infrastructure with the primary intention of generating electricity, storing electricity, or otherwise converting solar energy to a different form of energy. Solar energy systems may generate energy in excess of the energy requirements of a property if it is to be sold back to a public utility in accordance with the law.

...

Story

The space between two adjacent floor levels or between a floor and the roof. This does not include any level qualifying as an attic, crawl space, or basement.

Section . 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 this end the provisions of this ordinance are declared to be severable.

Section . This text change has been reviewed by the Raleigh Planning Commission.

Section . This ordinance has been adopted following a duly advertised legislative hearing of the Raleigh City Council.

Section . This ordinance has been provided to the North Carolina Capital Planning Commission as required by law.

Section . This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code.

Section . This ordinance is effective 5 days after adoption.

ADOPTED: January 6, 2026

EFFECTIVE: January 11, 2026

DISTRIBUTION: Planning & Development – Young, Bowers, Rametta, Bucher
City Attorney – McDonald, Poole, Kibler, Hargrove-Bailey
Department Heads