

ORDINANCE 2020 – 120 TC 435

TC-1(B)-20 BUILDING HEIGHT AND COTTAGE COURTS

AN ORDINANCE TO MODIFY REGULATIONS FOR THE COTTAGE COURT HOUSING PATTERN AND BUILDING HEIGHT STANDARDS FOR FOUR AND FIVE STORY ZONING DISTRICTS

WHEREAS, the Unified Development Ordinance seeks to reasonably accommodate a range of housing types and patterns; and

WHEREAS, the Cottage Court housing pattern is intended to provide flexibility to permit a group of smaller houses gathered around a common open space; and

WHEREAS, the Cottage Court housing pattern should be accommodated in the R-2 and R-4 zoning districts to supplement “missing middle” housing; and

WHEREAS, an increase in the maximum number of dwelling units within a Cottage Court will incentivize its usage; and

WHEREAS, the Unified Development Ordinance establishes mixed use zoning districts that contain height regulations; and

WHEREAS, an increase in building height for four and five story zoning districts will provide greater flexibility in building design;

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

Section 1. Section 1.4.2. of the Part 10 Raleigh Unified Development Ordinance, Building Types Allowed by District, is hereby amended:

In the “Residential-2 (R-2)” row in the “Townhouse” column replace the “--” with a □

Section 2. Section 2.1.1. of the Part 10 Raleigh Unified Development Ordinance, District Intent Statements, is hereby amended by inserting the following underlined text:

C. Residential-2 (R-2)

1. Subject to the density restriction of 2 units per acre, R-2 allows single-unit living in a detached house with a minimum lot size of 20,000 square feet.
2. Decreased minimum lot sizes are permitted as part of a compact development.
3. Additional building types, smaller lot sizes and increased density as part of a conservation development or cottage court are allowed in exchange for preserving common open space.

D. Residential-4 (R-4)

1. Subject to the density restriction of 4 units per acre, R-4 allows single-unit living in a detached house with a minimum lot size of 10,000 square feet.
2. Decreased minimum lot sizes are permitted as part of a compact development.
3. Additional building types, smaller lot sizes and increased density as part of a conservation development or cottage court are allowed in exchange for preserving common open space.

Section 3. Section 2.6.1.B. of the Part 10 Raleigh Unified Development Ordinance, Districts Allowed In, is hereby amended by inserting the following underlined text:

R-2, R-4, R-6, R-10, RX-, OX-, NX-, CX-

Section 4. Section 2.6.1.D. of the Part 10 Raleigh Unified Development Ordinance, Site and Lot Dimensions, is hereby amended by inserting the following underlined text and columns and deleting the text shown with a strike-through (original D4 row deleted in its entirety):

	<u>R-2</u>	<u>R-4</u>	R-6	R-10	RX-, OX-, NX-, CX-
D1 Net Site Area (min)	<u>58,080 sf</u>	<u>29,040 sf</u>	19,000 sf <u>19,360 sf</u>	13,000 sf	13,000 sf
D2 Site Width (min)	<u>140'</u>	<u>140'</u>	120'	100' <u>90'</u>	90'
D3 Site depth (min)	<u>120'</u>	<u>120'</u>	100'	90'	90'
D4 Dwelling units per min site area (max)			4	4	4
D5 Additional site Site area per dwelling unit over four (min)	<u>14,520 sf</u>	<u>7,260 sf</u>	4,700 sf <u>4,840 sf</u>	2,900 sf <u>2,904 sf</u>	2,400 sf
D6 Dwelling units per site (max)	<u>30</u>	<u>30</u>	15 <u>30</u>	15 <u>30</u>	15 <u>30</u>

D7 Dwelling units per acre (max)			9	15	n/a
D8 <u>D6</u> Dwelling unit gross floor area (max)	<u>1,800 sf</u>	<u>1,800 sf</u>	1,800 sf	1,800 sf	1,800 sf
D9 <u>D7</u> Detached accessory structure footprint (max)	<u>450 sf</u>	<u>450 sf</u>	450 sf	450 sf	450 sf
D10 <u>D8</u> Individual lot area (min)	<u>No min.</u>	<u>No min.</u>	No min.	No min.	No min.
D11 <u>D9</u> Minimum lot width directly abutting courtyard (E1)	<u>5'</u>	<u>5'</u>	5'	5'	5'

Section 5. Section 2.6.1.E. of the Part 10 Raleigh Unified Development Ordinance, Internal Courtyard, is hereby amended by inserting the following underlined text and columns:

	<u>R-2</u>	<u>R-4</u>	R-6	R-10	RX-, OX-, NX-, CX-
E1 Area (min)	<u>4,000 sf</u>	<u>3,250 sf</u>	2,600 sf	2,100 sf	1,600 sf
E2 Width as measured parallel to primary street for first 15' of site depth (min) ¹	<u>60'</u>	<u>50'</u>	40'	30'	20'
E3 Additional courtyard area per unit over four (min)	<u>1,000 sf</u>	<u>850 sf</u>	700 sf	550 sf	400 sf
E4 Setback from primary street (max)	<u>0'</u>	<u>0'</u>	0'	0'	0'
E5 Distance from any individual lot (max)	<u>0'</u>	<u>0'</u>	0'	0'	0'
E6 Distance from any individual unit (max)	<u>30'</u>	<u>30'</u>	30'	30'	30'

1) No portion of the minimum internal courtyard area (E1) may be less than 20 feet in width and length. For sites with less than 10 units a meandering courtyard may be split across no more than two distinct sections. For sites with less than 20 units a meandering courtyard may be split across no more than three distinct sections.

Section 6. Section 2.6.1.F. of the Part 10 Raleigh Unified Development Ordinance, Building/Structure Setbacks, is hereby amended by inserting the following underlined text and columns:

F. Building/Structure Setbacks (Site)

	<u>R-2</u>	<u>R-4</u>	R-6	R-10	RX-, OX-, NX-,CX-
F1 From primary street (min)	<u>20'</u>	<u>20'</u>	10'	10'	10'
F2 From side street (min)	<u>15'</u>	<u>15'</u>	10'	10'	10'
F3 From side site line (min)	<u>10'</u>	<u>10'</u>	10'	10'	10'
F4 From rear site line (min)	<u>20'</u>	<u>20'</u>	20'	20'	20'
F5 From alley (min)	<u>5'</u>	<u>5'</u>	5'	5'	5'
F6 Building Separation (min)	<u>6'</u>	<u>6'</u>	6'	6'	6'

Residential infill rules (Sec. 2.2.7.) do not apply

F. Building/Structure Setbacks (Lots)

F7 From internal cottage court lot line (min)	<u>3'</u>	<u>3'</u>	3'	3'	3'
F8 From shared internal townhouse lot line (min)	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>

Section 7. Section 2.6.1.G. of the Part 10 Raleigh Unified Development Ordinance, Parking Setbacks, is hereby amended by inserting the following underlined text and columns:

	<u>R-2</u>	<u>R-4</u>	R-6	R-10	RX-, OX-, NX-,CX-
G1 From primary street if not screened from primary street by C3 yard or principal structure (min)	<u>90'</u>	<u>90'</u>	90'	90'	90'
G2 From primary street if screened from primary street by C3 yard or principal structure (min)	<u>50'</u>	<u>50'</u>	50'	50'	50'
G3 From side street (min)	<u>10'</u>	<u>10'</u>	10'	10'	10'
G4 From side lot line (min)	<u>5'</u>	<u>5'</u>	5'	5'	5'
G5 From rear lot line (min)	<u>5'</u>	<u>5'</u>	5'	5'	5'
G6 From alley (min)	<u>0'</u>	<u>0'</u>	0'	0'	0'

Section 8. Section 2.6.1.H. of the Part 10 Raleigh Unified Development Ordinance, Height, is hereby amended by inserting the following underlined text and columns:

	<u>R-2</u>	<u>R-4</u>	R-6	R-10	RX-, OX-, NX-,CX-
H1 Building height (max)	<u>30'</u>	<u>30'</u>	30'	30'	30'

H2 Building wall plate (max)			<u>22.5'</u>	<u>22.5'</u>	<u>22.5'</u>
H3H2 Accessory structure height (max)	<u>17'</u>	<u>17'</u>	17'	17'	17'
H4 Primary Street Facing End Unit H3 Ground Floor Elevation (min) <u>20' or less from primary street (min)</u>	<u>2'</u>	<u>2'</u>	2'	2'	2'

Residential infill rules (Sec. 2.2.7.) do not apply

Section 9. Section 3.3.1 of the Part 10 Raleigh Unified Development Ordinance, Applicability, is hereby amended by inserting the following underlined text and deleting the text shown with a strike-through:

Section 3.3.1 Applicability

A. Each Mixed Use District must include one of the following height designations. The designation establishes the maximum height in stories and feet for each mixed use district. For example, CX-5 has a maximum height limit of 5 stories and 7580 feet.

- 3 3 stories / 50 feet
max
- 4 4 stories / ~~6268~~ feet
max
- 5 5 stories / 7580 feet
max
- 7 7 stories
- 12 12 stories
- 20 20 stories
- 40 40 stories

Section 10. Section 3.3.2 of the Part 10 Raleigh Unified Development Ordinance, Building Height Standards, is hereby amended by inserting the following underlined text and deleting the text shown with a strike-through:

District		-3	-4	-5	-7	-12	-20	-40
A. Max Height								
A1	Building height (max stories)	3	4	5	7	12	20	40
A1	Building height (max feet)	50'	62' <u>68'</u>	75' <u>80'</u>				

Section 11. Section 6.1.4. of the Part 10 Raleigh Unified Development Ordinance, Allowed Principal Use Table, is hereby amended:

In the “Cottage Court” row, “R-2” column, delete “-” and replace with “P”.

In the “Cottage Court” row, “R-4” column, delete “-” and replace with “P”.

Section 12. This text change has been reviewed by the Raleigh City Planning Commission.

Section 13. This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

Section 14. This ordinance has been provided to the North Carolina Capital Planning Commission as required by law.

Section 15. This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code. All criminal sanctions shall be the maximum allowed bylaw notwithstanding the fifty dollar limit in N.C.G.S. §14-4(a) or similar limitations.

Section 16. This ordinance is effective 5 days after adoption.

ADOPTED: July 7, 2020

EFFECTIVE: July 12, 2020

DISTRIBUTION: Planning-Bowers ,Crane, Waddell, Holmes, City Attorney DL; Hosey, Puccini, Taylor

Prepared by the Department of Planning and Development