

ORDINANCE NO. (2022) 421 TC 472

TC-2-21 PARKING STRUCTURE LIGHTING AND SCREENING

**AN ORDINANCE AN ORDINANCE TO AMEND THE PART 10
RALEIGH UNIFIED DEVELOPMENT ORDINANCE TO MODIFY LIGHTING AND
SCREENING REGULATIONS FOR STRUCTURED PARKING**

WHEREAS, parking structures can impact passersby and neighboring properties due to light spillage, aesthetic qualities, and vehicular circulation; and

WHEREAS, currently, the design and screening of parking structures is confined to those structures zoned with an Urban Frontage; and

WHEREAS, it is in the public interest to regulate the screening and lighting of parking structures throughout the City to minimize these impacts.

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

Section 1. Section 3.4.2.B. of the Part 10 Raleigh Unified Development Ordinance, Design of Parking Structures on Urban Frontages, is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

B. Design of Parking Structures on Urban Frontages

1. The ground story of structured parking must have active uses (such as, but not limited to, residential, commercial, office or civic space) located between the parking structure and any public sidewalk along a primary street or where the structured parking is within 30 feet of any other public sidewalk notwithstanding the existence of an intervening lot, unless the intervening lot is improved with an active use between the sidewalk and the structured parking.
2. ~~Where upper stories of structured parking are located at the perimeter of a building, they must be screened so that cars are not visible from adjacent streets. Sloped ramps cannot be discernible along the perimeter of the parking structure. Architectural and vegetative screens must be used to articulate the facade, hide parked vehicles and shield lighting. In addition, the ground floor facade treatment (building materials, windows and architectural detailing) shall be continued on upper stories. Ramping in the parking structure shall be internalized or otherwise screened.~~
3. ~~Upper stories of parking structure facades shall be designed with both vertical (facade rhythm of 20 feet to 30 feet) and horizontal articulation (aligning with horizontal elements along the block). The ground floor facade treatment of any parking structure facade (building materials, windows and architectural detailing) shall be continued on upper stories. Upper stories shall be designed with a maximum horizontal and vertical rhythm of 30 feet that aligns with other elements along the block face.~~

4. The maximum blank wall area (see Section 1.5.10.) of any parking structure façade shall be 20'. This requirement does not apply to screening elements affixed to the façade and used to meet the requirements of Sec. 7.2.5.F.

Section 2. Section 7.1.3.A. Specialized Vehicle Parking Requirements, Downtown District, is hereby amended by adding the language shown in underline:

A. Downtown District (DX-)

1. No more than 2 on-site vehicle parking spaces per dwelling unit are allowed. For studio or one-bedroom units, no more than 1.5 spaces per unit are allowed.
2. The ground story of structured parking must have active uses (such as, but not limited to, residential, commercial, office or civic space) located between the parking structure and any public sidewalk along a primary street or where the structured parking is within 30 feet of any other public sidewalk notwithstanding the existence of an intervening lot, unless the intervening lot is improved with an active use between the sidewalk and the structured parking.
3. Ramping in the parking structure shall be internalized or otherwise screened.
4. The ground floor facade treatment of any parking structure facade (building materials, windows and architectural detailing) shall be continued on upper stories. Upper stories of shall be designed with a maximum horizontal and vertical rhythm of 30 feet that aligns with other elements along the block face.
5. The maximum blank wall area (see Section 1.5.10.) of any parking structure façade shall be 20'. This requirement does not apply to screening elements affixed to the façade and used to meet the requirements of Sec. 7.2.5.F.

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Section 3. Section 7.2.3.C. of the Part 10 Raleigh Unified Development Ordinance, Design Alternate Findings, is hereby amended by adding the language shown in underline:

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C. The approved alternate utilizes other architectural, artistic, or landscaping treatments to create visual interest; and

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Section 4. Section 7.2.5. of the Part 10 Raleigh Unified Development Ordinance, Screening, is hereby amended by adding the language shown in underline:

F. Parking Structures

1. Applicability

- a. Any façade facing towards, and located within 150 feet, of any of the following areas shall have openings screened with active uses or screening elements:

- i. Public street
 - ii. Off-site public park
 - iii. Off-site amenity area
 - iv. Residential district
 - v. Residential use
- b. For properties zoned DX-, or with a Shopfront or Urban General Frontage, or -TOD, all facades shall have openings screened with active uses or screening elements.

2. Allowable Screening Elements

- a. Allowable screening elements include mesh, tensile fabric, perforated or decorative panels, tinted or sandblasted opaque spandrel glass, or materials compatible with the associated principal building in terms of texture, quality, material and color.
- b. Mesh or perforated screening elements shall have a maximum open area of 40%. Chain link fencing shall be prohibited as an allowable mesh or similar screening element.
- c. Non-residential buildings, walls, or fences, located on-site, and within 30 feet of the parking structure façade, shall qualify as allowable screening elements.
- d. Alternative screening elements such as a green walls or louvers may be considered as part of a design alternate (see Section 7.2.3.)

3. Design Standards

- a. Screening elements shall have a gap of no more than 18 inches from the frame of the screening element to the wall opening.
- b. For parking structures located on properties not zoned DX-, or with a Shopfront or Urban General Frontage, or -TOD, screening elements may have a maximum lateral spacing of no more than 18 inches.
- c. On all levels where parking is provided adjacent to an exterior wall of the parking structure, all façades shall have exterior opaque walls a minimum height of 42 inches above any finished grade and any finished floor.

4. Exemptions

The following openings are not required to be screened:

- a. Vehicular ingress and egress openings at a maximum width of 30 feet for two driveways.
- b. Vehicular ingress and egress openings at a maximum width of 40 feet for three or more driveways.
- c. Pedestrian access openings at a maximum width of 8 feet.
- d. Openings required by Section 903.2.11. of the Fire Code.

Section 5. Article 7.4. of the Part 10 Raleigh Unified Development Ordinance, Site Lighting, is hereby amended by adding the language shown in underline:

Sec. 7.4.11. Parking Structures

Lighting of Parking Structures shall be designed to reduce light spillage outside the parking structure according to the following:

- A. Internal illumination shall be screened so that internal light sources shall not be visible. Internal light fixtures directly visible from outside the structure shall be directed internally upward or shall be shielded to prevent such visibility.
- B. Internal illumination shall conform to the standards of UDO Section 7.4.7.A., 7.4.7.B. and 7.4.7.E. Vehicular Canopies.
- C. Rooftop lighting shall be located at an elevation height less than the top of the nearest exterior perimeter rooftop wall; or shall be setback a minimum of 15 feet from the exterior perimeter of the rooftop wall at a maximum mounted height of 12 feet above finished floor with cutoff light fixtures that have a maximum 90 degree illumination.
- D. Lighting levels measured at the property line of parcels adjacent to the structured parking deck shall not be greater than 0.5 footcandles, excluding property lines within 10 feet of any pedestrian or vehicular ingress or egress.
- E. Lighting elements that do not comply with the above requirements such as motion sensor lighting may be considered as part of a design alternate (see Section 7.4.12.).

Sec. 7.4.12. Design Alternate Findings

The Planning Commission or Appearance Commission performing the quasi judicial duties of the Planning Commission (as designated by the City Council), after conducting a duly noticed quasi-judicial evidentiary hearing in accordance with Sec. 10.2.17., shall approve a design alternate, if all of the following findings are satisfied:

- A. The approved alternate does not substantially negatively impact the comfort and safety of adjacent tenants, property owners, and/or pedestrians.

Section . Section 10.2.8.B.4. of the Part 10 Raleigh Unified Development Ordinance, Table of Applicable Standards, is hereby amended by adding a row between “Parking” and “Lighting” titled “Parking Structure Design and Screening” as follows:

<i>Standard</i>	<i>UDO Sections</i>	<i>Tier 1</i>	<i>Tier 2</i>	<i>Tier 3</i>
Parking Structure Design and Screening	Chapters 3 and 7	a, d	a, d	•

a - Not applicable to the existing improvements on the site at the time of site plan review.

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d - Applicable if demolition and reconstruction of an entire structure is proposed.

Section 6. Section 10.2.17.D.4. of the Part 10 Raleigh Unified Development Ordinance, Approval Process, is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

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- a. Sec. 1.5.6.D (Build-To)
- b. Sec. 1.5.8.C. (Pedestrian Access)
- c. Sec. 1.5.9.C. (Transparency)
- d. Sec. 1.5.10. (BlankWall)
- e. Sec. 1.5.12.C. (Garage)
- f. Sec. 3.3.3.C. (Building Massing)
- g. Sec. 7.1.7.I. (Vehicle Parking Lot) and
- h. Sec. 7.2.3. (Landscaping and Screening).
- i. Article 7.4. (Site Lighting)
- ij. Sec. 8.3.2., 8.3.4. and 8.3.5. (Blocks, Lots and Access)
- jk. Section 8.4 (New and Existing Streets)
- kl. Section 8.5 (Street Cross Sections)

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Section 7. All laws and clauses of laws in conflict herewith are repealed to the extent of such conflict.

Section 8. 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 9. This text change has been reviewed by the Raleigh Planning Commission.

Section 10. This ordinance has been adopted following a duly advertised legislative hearing of the Raleigh City Council.

Section 11. This ordinance has been provided to the North Carolina Capital Planning Commission as required by law.

Section 12. This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code.

Section 13. This ordinance is effective 60 days after adoption.

ADOPTED: September 20, 2022

EFFECTIVE: November 19, 2022

DISTRIBUTION: Planning & Development – Young, Bowers, Crane, Waddell, Ray,
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Prepared by the Department of Planning and Development