

TC-3-25

ORDINANCE NO. (XXX-2024)

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

WHEREAS, the City's updated Greenway Master Plan responds to Raleigh's growth by focusing on improved trail connectivity, flood management, habitat preservation, and public access; and

WHEREAS, this text change aligns Unified Development Ordinance (UDO) regulations with the 2022 Greenway Master Plan and 2024 Comprehensive Plan update by clarifying easement standards and encouraging developer-built greenways through open space incentives; and

WHEREAS, this text change supports a connected multimodal network and reduces ambiguity by establishing clear standards for greenway dedication, design, and construction during development;

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

Section 1. Section 2.5.1., Amount of Open Space, of the Part 10 Raleigh Unified Development Ordinance is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

Applicants that choose the conservation standards must set aside at least the minimum acreage specified in Sec. 2.4.1.B1. as common open space. Applicants that choose the compact standards must set aside at least the minimum acreage as specified in Sec. 2.3.1.B1. as common open space. The amount of required common open space is calculated as a percentage of the net site area.

If a tract of land includes any part of a "proposed trail" as designated in the Comprehensive Plan's Greenway Trails Map, then the construction of a Developed Greenway Trail may be used to count toward the development's total common open space acreage requirements per Sec. 2.3.1.B1, Sec. 2.4.1.B1.

The common open space credit is calculated as follows:

- Total area of the Developed Greenway Trail easement (in acres) multiplied by 2.5.
A Developed Greenway Trail connection shall conform to City of Raleigh greenway standard design details and shall be set within a publicly accessible greenway easement or bicycle and

pedestrian access easement at least 30 feet in width. The trail access surface shall be constructed of concrete, asphalt or other fixed, firm and nonslip material.

Section 2. Section 8.1.7., Easements, of the Part 10 Raleigh Unified Development Ordinance is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

- A. Platted easements and deeds of easement shall be provided in the locations and dimensions required by the City in order to:
1. Allow for adequate storm drainage facilities;
 2. Allow for proper installation of water and sewer lines, whether immediately proposed or necessary for adequate service in the future;
 3. Allow for cross-access between properties;
 4. Allow for adequate transit facilities and access;
 5. Allow for adequate pedestrian and bicycle access;
 6. Allow for adequate right-of way for street types;
 7. Allow for adequate public access; and
 8. Allow for adequate slope for roadway construction.
 9. Allow for greenways and pedestrian paths

Section 3. Section 8.6.1.A., Required Greenway Dedication, of the Part 10 Raleigh Unified Development Ordinance is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

...

Subject to the limitations of Sec. 8.6.1.C. below, whenever a tract of land included within any proposed residential subdivision or ~~residential site plan~~ any tier three site plan includes any part of a greenway designated on the Comprehensive Plan, the greenway shall be platted and dedicated as a greenway easement. A written deed of easement shall be recorded in connection with the required plat.

Section 4. Section 8.6.1.B., Greenway Easement Width, of the Part 10 Raleigh Unified Development Ordinance is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

...

B. Greenway Easement Width

Subject to the limitations of Sec. 8.6.1.C. below, the greenway easement required to be platted shall at a minimum, be the product of the following dimensions:

1. Minimum standard width multiplied by the length of the boundary along the banks of the adjoining watercourse;
 - a. Minimum standard width along the Neuse River corridor: 150 feet from each bank.

b. Minimum standard width along the Crabtree & Walnut Creek corridors: 100 feet from each bank.

c. Minimum standard width along Open Space Corridors containing an Existing Trail or a "Proposed Trail" as designated in the Comprehensive Plan's Greenway Trails Map: 75 feet from each bank.

d. Minimum standard width along all other designated greenway corridors as established by the Comprehensive Plan's Open Space Corridors Map: 50 feet from each bank.

2. Plus that portion of the watercourse contained within the development when property lines extend to the centerline of the watercourse: or wholly incorporate the watercourse.

~~a. Neuse River: 150 feet from each bank.~~

~~b. Crabtree & Walnut Creeks: 100 feet from each bank.~~

~~c. All other tributaries: As established by the current City Council approved Raleigh Parks Plan.~~

3. If a proposed development includes any part of a "proposed trail" as designated in the Comprehensive Plan's Greenway Trails Map the width of the total easement to be dedicated may be reduced to 30 feet in cases where the developer is constructing a Developed Greenway Trail to City of Raleigh standards .

Section 5. Section 8.6.1.D.2, Methods and Conditions of Reimbursement, of the Part 10 Raleigh Unified Development Ordinance is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

...

2. No payment will be allowed if the dedicated ~~open space~~ greenway area is being used to satisfy a requirement for open space based on the underlying zoning district. Reimbursements will be reduced by any open space facility fee credits.

Section 6.' Section 10.2.8, Site Plan Review, of the Part 10 Raleigh Unified Development Ordinance is hereby amended by adding a row in the table titled 'Table of Applicable Standards' under 'Public Improvements' titled 'Greenway Easement' dedication, inserting 'Chapter 8 in the column titled 'UDO Sections'; inserting '—' in the column titled 'Tier 1', inserting '—' in the column titled 'Tier 2', and inserting '●' in the column entitled 'Tier 3'.

Section 7. Section 9.1.4.D.2.a, General Conservation Area Requirements, of the Part 10 Raleigh Unified Development Ordinance is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

...

2. Greenways

- a. City of Raleigh Greenways may be included as tree conservation areas, provided that an area of ~~2530~~ feet multiplied by the length of the greenway is excluded as tree conservation for trail construction.

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 __ days after adoption.

ADOPTED:

EFFECTIVE:

DISTRIBUTION: