

TC-4-26
MINOR AND EXEMPT SUBDIVISIONS
ORDINANCE NO. (XXX-2026)

**AN ORDINANCE TO AMEND THE RALEIGH UNIFIED DEVELOPMENT
ORDINANCE TO ESTABLISH EXEMPT AND MINOR SUBDIVISION REVIEW
PROCESSES**

WHEREAS, the City seeks to promote efficient and context-sensitive residential development by establishing clear and predictable subdivision review pathways that distinguish between subdivisions exempt from local approval requirements pursuant to State law, small-scale residential subdivisions with limited infrastructure impacts, and subdivisions requiring full review and approval; and

WHEREAS, the proposed amendment establishes an exempt subdivision process consistent with North Carolina General Statute 160D-802 and creates a Minor Subdivision process for qualifying residential subdivisions that do not involve new public streets, extensions of public water or sewer infrastructure, or other significant public infrastructure improvements; and

WHEREAS, the proposed amendment is consistent with the City's adopted plans and policies by supporting housing choice, encouraging efficient use of existing infrastructure, facilitating appropriate residential infill development, and providing additional opportunities for the creation of housing units within established communities.

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

Section 1. Section 10.2.5., Subdivision Review, of the Part 10 Raleigh Unified Development Ordinance is hereby amended by adding the language shown in underline:

A. Applicability

Except as expressly exempted below or approved as a Minor Subdivision pursuant to Sec. 10.2.5.H., no land shall be subdivided within the City or within the City's extraterritorial jurisdiction until:

1. A preliminary subdivision plan has been submitted and approved as provided in Sec. 10.2.5.E.; and
2. Infrastructure Construction Plans have been submitted and approved; and
3. A final plat has been submitted and approved as provided in Sec. 10.2.5.F.; and
4. The approved final plat has been filed and recorded with the local register of deeds office where the property is located.

B. Exemptions

The following are exempt and are not subject to subdivision review under this section and the requirements of Chapter 8. Subdivision & Site Plan Standards, unless otherwise provided.

1. The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the applicable zoning district.
2. The division of land into parcels greater than 10 acres where no right-of-way dedication is involved.
3. The public acquisition by purchase of strips of land for the widening or opening of streets or for public transportation system corridors.
4. City of Raleigh right-of-way easement acquisition plats.
5. The division of a tract in single ownership whose entire area is no greater than 2 acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the local government, as shown in its subdivision regulations.
6. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

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E. Preliminary Subdivision Plan Approval Process

1. Application Requirements
 - a. An application for preliminary subdivision plan approval shall be submitted in accordance with Sec. 10.2.1.B. Minor Subdivisions approved pursuant to Sec. 10.2.5.F.6 are not subject to the Preliminary Subdivision Plan approval requirements of this Section.

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F. Final Subdivision Plat Approval Process

1. Applicability
 - a. All divisions of land not exempted in Sec. 10.2.5.B. shall require final subdivision plat approval as set forth below.
 - b. Except as provided in Sec. 10.2.5.F.6 for Minor Subdivisions, The final subdivision plat shall constitute one or more phases of the approved preliminary subdivision plan.
 - c. Approval of the final subdivision plat shall be subject to the installation, acceptance, warranty and as-built drawing of the improvements required in Chapter 8. Subdivision & Site Plan Standards or the posting of a construction surety as set forth in Sec. 8.1.3.

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6. Minor Subdivision Final Plat Approval

- a. An applicant may submit a final subdivision plat for review in accordance with the submittal requirements described in Sec. 10.2.5.F.2 as a Minor Subdivision when the proposed subdivision meets the eligibility requirements of Sec.10.2.5.H.3.

- b. Following the administrative review as described in Sec. 10.2.5.F.3, an application for Minor Subdivision final plat approval shall be subject to Sec. 10.2.5.F.4 and 10.2.5.F.5.

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H. Minor Subdivisions

1. Purpose

- a. The purpose of a Minor Subdivision is to provide a streamlined subdivision process for small residential infill development where limited public infrastructure impacts are anticipated while ensuring that lots are served by adequate public facilities and pedestrian infrastructure.

2. Applicability

- a. The provisions of this Section apply only to subdivisions approved as Minor Subdivisions pursuant to UDO Sec 10.2.5.H.

3. Eligibility

- a. A subdivision shall qualify as a Minor Subdivision only when all of the following are met:
 - i. The subdivision abuts only Local Streets;
 - ii. The subdivision is located entirely within a residential zoning district;
 - iii. The subdivision creates no more than six lots;
 - iv. No new public street;
 - v. The subdivision does not require the extension of public water or public sanitary sewer mains;
 - vi. Each proposed lot shall comply with all applicable standards of this Ordinance, including minimum lot area, width, frontage, setbacks, and other dimensional requirements;
 - vii. No portion of the parent tract shall have been included within a recorded Minor Subdivision during the preceding five years.

4. Minor Subdivision Review Standards

- a. Minor Subdivisions shall provide street improvements meeting the following minimum standards:

<u>Width</u>	
<u>A Right-of-way width</u>	<u>44'</u>
<u>B Back-of-curb to back-of-curb (min)</u>	<u>25'</u>
<u>Streetscape</u>	
<u>C Maintenance strip (min)</u>	<u>1'</u>
<u>D Sidewalk (min)</u>	<u>5'</u>
<u>E Planting area (min)</u>	<u>3.5'</u>
<u>F Installation</u>	<u>Streetscape must be graded to 1.5% cross-slope</u>

<u>Principal Building Setbacks</u>	
<u>G Minimum</u>	<u>Applicable UDO standard shall apply, however in no instance shall a building be located closer than 5' from the edge of right-of-way as set forth in the Neighborhood Yield Street Cross Section.</u>
<u>General</u>	
<u>Walkway type</u>	<u>Sidewalk</u>
<u>Planting type</u>	<u>Tree lawn</u>
<u>Tree spacing</u>	<u>40' o.c. avg.</u>

5. Sidewalk Requirements

- a. Sidewalk construction shall be required for a Minor Subdivision whenever one or more of the following conditions exist:

- i. The proposed Minor Subdivision is contiguous with existing sidewalk, or a sidewalk planned as a public project or a submitted development plan;
- ii. The proposed Minor Subdivision is located within a ¼ mile street network distance of any of the following:
 - A. Public school
 - B. Greenway Trail
 - C. Library
 - D. Community Center
 - E. Existing or Planned Transit Service

- iii. The proposed Minor Subdivision is located within any of the following zones on the Urban Form map:
 - A. Main Street
 - B. Urban Thoroughfare
 - C. Transit Emphasis Corridor
 - D. Transit Station Area
 - E. Mixed-Use Center
 - F. BRT Area
 - G. City Growth Center
 - H. Downtown
 - I. Frequent Transit Area

Section 2. Section 10.2.6., Non-Subdivision Final Plat and Recorded Instruments, of the Part 10 Raleigh Unified Development Ordinance is hereby amended by adding the language shown in underline:

A. Applicability

The provisions of this section apply to the following:

1. The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots conform with, or exceed, the standards of Sec. 8.3.3., but if the standards of Sec. 8.3.3. are not met, the recombination may still be approved if the recombined lots more closely conform to the minimum standards of Sec. 8.3.3. than do the existing conditions.
2. The division of land into parcels greater than 10 acres where no right-of-way dedication is involved.
3. The public acquisition by purchase or dedication of strips of land for the widening or opening of streets or for public transportation system corridors.
4. City of Raleigh right-of-way or easement acquisition plats.
5. All other plats or maps, other than subdivision plats, where the existing property boundaries or street rights-of-way are changed or new street rights-of way are created.
6. All other maps or plats, other than subdivision plats, that are required by State Law to contain a City certification.
7. Except as expressly exempted below, no map or plat shall be filed and recorded with the local register of deeds office for lands within the City or within the City's extraterritorial jurisdiction unless and until it has been submitted and approved as provided in this section.
8. The division of a tract in single ownership whose entire area is no greater than 2 acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the local government, as shown in its subdivision regulations.
9. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

Section 6. 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 7. This text change has been reviewed by the Raleigh Planning Commission.

Section 8. This ordinance has been adopted following a duly advertised legislative hearing of the Raleigh City Council.

Section 9. This ordinance has been provided to the North Carolina Capital Planning Commission as required by law.

Section 10. This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code.

Section 11. This ordinance is effective _ days after adoption.

ADOPTED:

EFFECTIVE:

DISTRIBUTION: