

ORDINANCE NO. (2021) 263 TC 451

TC-5-20 MISSING MIDDLE HOUSING

AN ORDINANCE TO INCREASE HOUSING OPTIONS BY EXPANDING THE ALLOWABLE BUILDING TYPES, ADJUSTING MINIMUM YARDS, LOT, AND SITE AREAS, AND REMOVING UNIT PER ACRE DENSITY RESTRICTIONS IN MOST RESIDENTIAL ZONING DISTRICTS.

WHEREAS, the Unified Development Ordinance currently restricts the Attached House building type to the R-6 and R-10 residential zoning districts; and

WHEREAS, the Unified Development Ordinance currently restricts the Townhouse building type to the R-10 residential zoning district; and

WHEREAS, the Unified Development Ordinance currently restricts the Apartment building type to large minimum lot sizes in the R-10 district; and

WHEREAS, the Unified Development Ordinance currently regulates density in residential zoning districts by limiting the number of units per acre that can be built; and

WHEREAS, the City Council finds it in the public interest to promote housing choice options and address housing affordability.

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 by as follows:

In the column titled “Attached House”, in the rows titled “Residential-2 (R-2)” and “Residential-4 (R-4)”, replace “□” with “■”.

In the column titled “Townhouse”, in the row titled “Residential-6 (R-6)”, replace “□” with “■” and in the row titled “Residential-2 (R-2)”, replace “--” with “□”.

Revise the table key by adding the following language shown in underline: □ = Building type Allowed as Part of an Approved Compact, Conservation or Cottage Court Development

Delete footnote “(1)”.

Section 2. Section 1.5.2.F. of the Part 10 Raleigh Unified Development Ordinance, Density, is hereby amended by insertion of the following underlined text and deletion of the following struck-through text:

F. Density, Lot Area per Dwelling Unit, and Site Area per Dwelling Unit

1. Residential density, where applicable, is expressed in units per acre and is calculated by dividing the total number of dwelling units by the gross site area. Unless otherwise specified herein, minimum lot sizes, minimum site areas per dwelling unit, and minimum lot areas per dwelling unit shall be the controlling factors in determining dwelling unit yields.
2. Although minimum lot sizes may allow additional units, density, where applicable, serves as the maximum number of principal units per acre. For any lot developed with a Detached House used for Single-unit Living or an Attached House used for Two-unit Living, one accessory dwelling unit is permitted per lot, regardless of underlying density, minimum lot size, minimum lot area per dwelling unit, or minimum site area per dwelling unit designations.
3. In residential districts, any area required to be dedicated for public right-of-way by the Comprehensive Plan or any area dedicated as greenway, provided that the dedicators waive their statutory right to withdraw the dedication, may be transferred to contiguous property zoned to allow dwelling units. Transfers are restricted to properties under the same ownership which are located outside any Watershed Protection Area and in the same development as the dedication for right-of-way less than 60 feet in width.
4. A map showing the property and right-of-way dedication shall be recorded in the Wake County Registry with an indication that the roadway dedication density allowance has been utilized for the particular property prior to recording any subsequent maps in the development.
5. No density, lot area, or site area transfer shall be allowed if the developer has executed a reimbursement contract.
6. ~~The density transfer is applicable to all those portions of greenway dedicated after September 1, 2013 provided that the dedicators waive their statutory right to withdraw the dedication.~~
7. ~~The dedicated greenway easement carries the residential density as shown on the Official Zoning Map for that location.~~
86. When a site is partly within a CM District, density, lot area, or site area may be transferred from the CM District, which carries the residential density, lot area, or site area minimums of the contiguous zoning district. If more than 1 zoning district adjoins the CM District, the CM District shall be divided by carrying the boundary lines separating the districts into the CM-zoned area.

Section 3. Section 1.5.2.B. of the Part 10 Raleigh Unified Development Ordinance, Lot Area, is hereby amended by insertion of the following underlined text and deletion of the following struck-through text:

B. Lot Area

Lot area is the area included within the rear, side and front lot lines. It does not include existing or proposed right-of-way, whether dedicated or not dedicated to public use. District density applies and may require larger lots than those required for an individual building type. ~~For any lot developed with a Detached House used for Single unit Living or an Attached House used for Two unit Living; however, one accessory dwelling unit is permitted per lot, regardless of underlying district density designation.~~

Section 4. Section 1.5.7.B. of Part 10 Raleigh Unified Development Ordinance, Ground Floor Elevations, is hereby repealed and placed with the following:

“[Reserved for future codification.]”

Section 5. Section 2.1.1. of Part 10 Raleigh Unified Development Ordinance, District Intent Statements, is hereby amended by adding the following language shown in underlined and removing the language shown in strikethrough:

B. Residential-1 (R-1)

1. Subject to the density restriction of 1 unit per acre, R-1 allows single-unit living in a detached house with a minimum lot size of 40,000 square feet.
2. Smaller 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 are allowed in exchange for preserving common open space.

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 and two-unit living in an attached 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, and 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 and two-unit living in an attached house with a minimum lot size of 10,000 square feet.
2. Decreased minimum lot sizes and additional building types are permitted as part of a compact development.
3. Additional building types, and smaller lot sizes and increased density as part of a conservation development or cottage court are allowed in exchange for preserving common open space.

E. Residential-6 (R-6)

1. ~~Subject to the density restriction of 6 units per acre,~~ R-6 allows single-unit living in a detached house and two-unit living in an attached house or townhouse with a minimum lot size of 6,000 square feet. Multi-unit living is also allowed in a townhouse.
2. Smaller minimum lot sizes are permitted as part of a compact development.
3. Additional building types, and smaller lot sizes and increased density as part of a conservation development or cottage court are allowed in exchange for preserving common open space.

F. Residential-10 (R-10)

1. ~~Subject to the density restriction of 10 units per acre,~~ R-10 allows single-unit living in a detached house and two-unit living in an attached house or townhouse with a minimum lot size of 4,000 square feet ~~and 2-unit living in an attached house with a minimum lot size of 6,000 square feet.~~ Multi-unit living is also allowed in a townhouse or apartment.
2. Smaller minimum lot sizes are permitted as part of a compact development.
3. 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 6. Section 2.1.2. of Part 10 Raleigh Unified Development Ordinance, Housing Options, is hereby amended by adding the following language shown in underlined and removing the language shown in strikethrough:

B. Compact Development Option (see Article 2.3. Compact Development)

1. A compact development permits a reduction in lot size for residential subdivisions in exchange for an increase in common open space. This allows for efficient residential subdivisions and ample amenity area for the residents.
2. Size Open space thresholds are district-based and are listed in Sec. 2.3.1. For projects under these minimum size open space thresholds, only the conventional option can be used.
3. ~~Density is regulated by the zoning district. Where the Conservation Development Option permits additional density, the Compact Development option does not.~~
4. 3. Applicants that choose the Compact Development option must set aside 20% of the total project area or the minimum district-based requirements, whichever is greater, as common open space. Requirements for the configuration, use and management of common open space are set forth in Article 2.5. Common Open Space Requirements.

C. Conservation Development Option (see Article 2.4. Conservation Development Option)

1. A conservation development trades smaller lot sizes (with reduced setbacks) and additional density in exchange for preserving common open space. This allows for more efficient layout of lots, streets and utilities, promotes a mix of housing and protects the natural character of an area through the preservation of open space, recreation areas, environmental features and scenic vistas.
2. ~~A conservation development must be a minimum size to ensure sufficient common open space can be incorporated into the subdivision design.~~
3. 2. Size Open space thresholds are district-based and are listed in Sec. 2.4.1. For projects under these minimum size open space thresholds, only the conventional option can be used.
4. 3. Applicants that choose to use the conservation development option must set aside 40% of the total project area or the minimum district-based requirements, whichever is greater, as common open space. Requirements for the configuration, use and management of common open space are set forth in Article 2.5. Common Open Space Requirements.

Section 7. Section 2.2.1., Detached House, is hereby amended by adding the following language as shown underlined and removing language shown in strikethrough, as follows:

Sec. 2.2.1. Detached House					
	R-1	R-2	R-4	R-6	R-10
A. Lot Dimensions					
A1 Area (min)	40,000 sf	20,000 sf	10,000 sf	6,000 sf	4,000 sf
A2 Lot width <u>Width – Interior lot</u> (min)	100'	80'	65'	50'	45'
A2 Width – corner (min)	100'	80'	80'	65'	60'
A3 Depth (min)	100'	100'	100'	80'	60'
A4 Density (max)	1 u/a	2 u/a <u>n/a</u>	4 u/a <u>n/a</u>	6 u/a <u>n/a</u>	10 u/a <u>n/a</u>
B. Principal Building Setbacks					
B1 From primary street (min)	20'	20'	20'	10'	10'
B2 From side street (min)	15 <u>20</u> '	15 <u>20</u> '	15 <u>20</u> '	10'	10'
B3 From side lot line (min)	10'	10'	10'	5'	5'
B4 Sum of side setbacks (min)	20'	20'	20'	15'	10'
B5 4 From rear lot line (min)	30'	30'	30'	20'	20'
B6 5 Residential infill rules may apply (see Sec. 2.2.7.)	no	no	yes	yes	yes
C. Accessory Structure Setbacks See Section 6.7.2					
D. Height					
D1 Principal building (max)	40' ³ / _{stories}	40' ³ / _{stories}	40' ³ / _{stories}	40' ³ / _{stories}	40' ³ / _{stories}
D2 Accessory structure (max)	25'	25'	25'	25'	25'
D3 Residential Infill rules may apply (see Sec. 2.2.7)	no	no	yes	yes	yes
E. Ground Floor Elevation					
E1 20' or less from front property line (min)	<u>2'</u>	<u>2'</u>	<u>2'</u>	<u>2'</u>	<u>2'</u>
E1 More than 20' from front property line (min)	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
F. Allowed Building Elements					
— Poreh, stoop		-	-	-	-

— Balcony		-	-	-	-
See Sec. 1.5.4.D "Building Setbacks" for specific building elements requirements.					

Section 8. Section 2.2.2. of the Part 10 Raleigh Unified Development Ordinance, Attached House, is hereby amended by adding two new columns titled “R-2” and “R-4”, and by adding the following language as shown underlined and removing language shown in strikethrough, as follows:

Sec. 2.2.2. Attached House	R-2	R-4	R-6	R-10
A. Lot Dimensions				
A1 Area (min)	<u>20,000</u> sf	<u>10,000</u> sf	6,000 sf	4,000 sf
A2 Lot width Width—Interior lot (min)	<u>80'</u>	<u>65'</u>	60' <u>50'</u>	50' <u>45'</u>
A2 Width—corner (min)			80'	65'
A3 Depth (min)	<u>100'</u>	<u>100'</u>	80'	60'
A4 Density (max)			6 u/a	10 u/a
B. Principal Building Setbacks				
B1 From primary street (min)	<u>20'</u>	<u>20'</u>	10'	10'
B2 From side street (min)	<u>20'</u>	<u>20'</u>	10'	10'
B3 From side lot line (min)	<u>10'</u>	<u>10'</u>	5'	5'
B4 Sum of side setbacks (min)			15'	10'
B5 <u>4</u> From rear lot line (min)	<u>30'</u>	<u>30'</u>	20'	20'
B6 <u>5</u> Residential infill rules may apply (see Sec. 2.2.7.)	<u>no</u>	<u>yes</u>	yes	yes
C. Accessory Structure Setbacks See Section 6.7.2				
D. Height				
D1 Principal building (max)	<u>40/3</u> stories	<u>40/3</u> stories	40/3 stories	40/3 stories
D2 Accessory structure (max)	<u>25'</u>	<u>25'</u>	25'	25'
D3 Residential Infill rules may apply (see Sec. 2.2.7.)	<u>no</u>	<u>yes</u>	yes	yes
E. Ground Floor Elevation				
E1 20' or less from front property line (min)	<u>2'</u>	<u>2'</u>	2'	2'
E1 More than 20' from front property line (min)	<u>n/a</u>	<u>n/a</u>	n/a	n/a

F. Allowed Building Elements	-	-	-	-
— Porch, stoop	-	-	-	-
— Balcony	-	-	-	-
See Sec. 1.5.4.D "Building Setbacks" for specific building elements requirements.				

Section 9. Section 2.2.3. of Part 10 Raleigh Unified Development Ordinance, Townhouse, is hereby deleted in its entirety and replaced with the following:

Sec. 2.2.3. Townhouseⁱ		
	R-6	R-10
A. Site Dimensions		
A1 Net site area/unit (min)	4,500 sf	3,000 sf
A2 Width (min)	60'	45'
A3 Outdoor amenity area (min)	10%	10%
B. Lot Dimensions		
B1 Area (min)	n/a	n/a
B2 Width (min)	16'	16'
C. Principal Building/Structure Setbacks		
C1 From primary street (min)	10'	10'
C2 From side street (min)	10'	10'
C3 From side site boundary line (min)	10'	6'
C4 From rear site boundary line (min) ⁱⁱ	20'	20'
C5 From alley (min) ⁱⁱⁱ	4' or 20' min	4' or 20' min
C6 Internal building separation (min)	10'	10'
C7 Residential infill rules may apply (see Sec. 2.2.7.)	yes	yes
D. Parking Setbacks^{iv}		
D1 From primary street (min)	20'	20'
D2 From side street (min)	10'	10'
D3 From side lot line (min)	0'	0'
D4 From rear lot line (min)	3'	3'
D5 From alley, garage only (min)	4'	4'
D6 Residential infill rules may apply (see Sec. 2.2.7.)	yes	yes
E. Height		
E1 Principal building (max)	45'/3 stories	45'/3 stories

E2 Accessory structure (max)	25'	25'
E3 Residential Infill rules may apply (see Sec. 2.2.7)	yes	yes

ⁱ A townhouse development containing only two dwelling units shall be regulated by the standards of Sec. 2.2.2., Attached House, however: (a) a minimum site area per unit of one-half the area required by Sec. 2.2.2.A1. is required; (b) Sec. 2.2.3.B. shall still control provided a minimum site width equal to the dimensions specified by Sec. 2.2.2.A2. is met; and (c) Sec. 2.2.2.B3. shall only apply to the non-party wall side lot line.

ⁱⁱ A permanently recorded open lot or common area lot of at least 20 feet in width may be used to satisfy Sec. 2.2.3.C.4.

ⁱⁱⁱ Garages (or a portion thereof) must either be located 4 feet from the travel lane of an alley or rear access drive or be a minimum of 20 feet from the alley or rear access drive. Where parking spaces are located between the garage and the alley or rear access drive, the garage must be located at least 20 feet from the travel lane of an alley or rear access drive.

^{iv} Parking setbacks shall not apply to driveways serving individual dwelling units or shared between two dwelling units.

Section 10. Section 2.2.4., Apartment, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough and inserting footnote “i” at the end of the table:

Sec. 2.2.4. Apartment	
	R-10
A. Lot Dimensions	
A1 Area (min)	15,000 <u>7,500</u> sf
A2 Width (min)	100' <u>80'</u>
A3 Outdoor amenity area (min)	10%
A4 Density (max) <u>Lot area per unit (min)</u>	10 u/a <u>2,500</u> sf
B. Building/Structure Setbacks	
B1 From primary street	10'
B2 From side street (min)	10'
B3 From side lot line (min)	0' or 6' <u>5'</u>
B4 From rear lot line (min)	20'
B5 From alley ⁱ	4' or 20' min
B6 Residential infill rules may apply (see Sec. 2.2.7.)	yes
C. Parking Setbacks	
C1 From primary street (min)	10'
C2 From side street (min)	10'
C3 From side/rear lot line (min)	0' or 3'
C4 From rear lot line (min)	3'

<u>€4C5</u> From alley, garage only (min)	4'
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ⁱ Garages (or a portion thereof) must either be located 4 feet from the travel lane of alley or rear access drive or be a minimum of 20 feet from the alley or rear access drive. Where parking spaces are located between the garage and the alley or rear access drive, the garage must be located at least 20 feet from the travel lane of alley or rear access drive.

Section 11. Section 2.2.5.E., Civic Building Allowed Building Elements, is hereby deleted in its entirety.

Section 12. Section 2.2.6.E., Open Lot Allowed Building Elements, is hereby deleted in its entirety.

Section 13. Section 2.3.1., General Requirements for Compact Development, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough:

Sec. 2.3.1. General Requirements					
	R-1	R-2	R-4	R-6	R-10
A. Site	-	-	-	-	-
A1 Density (max)	1 u/a	2 u/a	4 u/a	6 u/a	10 u/a
A2 Gross site area (min)	10 acres	10 acres	8 acres	<u>Greater than 5 acres</u>	<u>Greater than 5 acres</u>
B. Open Space					
B1 Open Space required (min acreage)	<u>20% or 4 acres, whichever is greater</u>	<u>20% or 2 acres, whichever is greater</u>	<u>20% or 1 acre, whichever is greater</u>	<u>20% or 0.5 acres, whichever is greater</u>	<u>20% or 0.5 acres, whichever is greater</u>
B2 Width of open space (min)	50'	50'	50'	50'	50'
C. Transitional Protective Yard					
C1 Site boundary (min)	Type B1 or B2 Transitional Protective Yard (see <i>Sec. 7.2.4.A</i>) or perimeter lots must meet the dimensional standards of <i>Article 2.2 Conventional Development Option</i> of the district where the property is located.				
D. Residential Unit Types (max)					
Detached house	100%	100%	100%	100%	100%
Attached house	n/a	n/a-100%	n/a-100%	100%	100%
Townhouse	n/a	n/a	n/a-100%	n/a-100%	100%

Apartment	n/a	n/a	n/a	n/a	100%
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Section 14. Section 2.3.2. of Part 10 Raleigh Unified Development Ordinance, Compact Development Option Detached House, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough:

Sec. 2.3.2. Detached House	R-1	R-2	R-4	R-6	R-10
A. Lot Dimensions					
A1 Area (min)	30,000 sf	15,000 sf	7,500 sf	5,000 <u>4,500</u> sf	4,000 <u>3,000</u> sf
A2 Lot width <u>Width—interior lot (min)</u>	100'	80'	65'	50'	45'
A2 Width—corner lot (min)	100'	80'	80'	65'	60'
A3 Depth (min)	100'	100'	100'	80'	60'
A4 Density (max)	1 u/a	2 u/a	4 u/a	6 u/a	10 u/a
B. Principal Building Setbacks					
B1 From primary street (min)	20'	20'	10'	10'	10'
B2 From side street (min)	15' <u>20'</u>	15' <u>20'</u>	15' <u>10'</u>	10'	10'
B3 From side lot line (min)	10'	10'	10'	5'	5'
B4 Sum of side setbacks (min)	15'	15'	15'	15'	10'
B5 From rear lot line (min)	30' <u>20'</u>	30' <u>20'</u>	30' <u>20'</u>	20'	20'
<u>B5 Residential infill rules may apply (see Sec. 2.2.7.)</u>	<u>no</u>	<u>no</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
C. Accessory Structure Setbacks See Section 6.7.2					
D. Height					
D1 Principal building (max)	40'/3 stories	40'/3 stories	40'/3 stories	40'/3 stories	40'/3 stories
D2 Accessory structure (max)	25'	25'	25'	25'	25'
<u>D3 Residential infill rules may apply (see Sec. 2.2.7.)</u>	<u>no</u>	<u>no</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
E. Ground Floor Elevation		-	-	-	-
E1 20' or less from front property line (min)	2'	2'	2'	2'	2'
E1 2 More than 20' from front property line (min)	n/a	n/a	n/a	n/a	n/a

F. Allowed Building Elements		-	-	-	-
—Porch, stoop		-	-	-	-
—Balcony		-	-	-	-

See Sec. 1.5.4.D "Building Setbacks" for specific building elements requirements.

Residential infill regulations for additional building setback and reduced height may apply (see Sec. 2.2.7.)

Section 15. Section 2.3.3. of Part 10 Raleigh Unified Development Ordinance, Compact Development Option Attached House, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough:

Sec. 2.3.3. Attached House	R-2	R-4	R-6	R-10
A. Lot Dimensions				
A1 Area (min)	<u>15,000</u> sf	<u>7,500</u> sf	7,500 4,500 sf	6,000 3,000 sf
A2 <u>Lot width</u> Width Interior lot (min)	<u>80'</u>	<u>65'</u>	60' 50'	50' 45'
A2 Width corner (min)			80'	65'
A3 Depth (min)	<u>100'</u>	<u>100'</u>	80'	60'
A4 Density (max)			6 u/a	10 u/a
B. Principal Building Setbacks				
B1 From primary street (min)	<u>20'</u>	<u>10'</u>	10'	10'
B2 From side street (min)	<u>20'</u>	<u>10'</u>	10'	10'
B3 From side lot line (min)	<u>10'</u>	<u>10'</u>	5'	5'
B4 Sum of side setbacks (min)			15'	10'
B5 <u>From rear lot line</u> (min)	<u>20'</u>	<u>20'</u>	20'	20'
<u>B5 Residential infill rules may apply (see Sec. 2.2.7.)</u>	<u>no</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
C. Accessory Structure Setbacks See Section 6.7.2				
D. Height				
D1 Principal building (max)	<u>40'/3</u> stories	<u>40'/3</u> stories	40'/3 stories	40'/3 stories
D2 Accessory structure (max)	<u>25'</u>	<u>25'</u>	25'	25'

D3 Residential infill rules may apply (see Sec. 2.2.7.)	<u>no</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
E. Ground Floor Elevation	-	-	-	-
-E1 20' or less from front property line (min)	<u>2'</u>	<u>2'</u>	<u>2'</u>	<u>2'</u>
-E1 More than 20' from front property line (min)	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
F. Allowed Building Elements	-	-	-	-
— Porch, stoop	-	-	-	-
— Balcony	-	-	-	-
See Sec. 1.5.4.D “Building Setbacks” for specific building elements requirements.				
<i>Residential infill regulations for additional building setback and reduced height may apply (see Sec. 2.2.7.)</i>				

Section 16. Section 2.3.4. of Part 10 Raleigh Unified Development Ordinance, Compact Development Option Townhouse, is hereby deleted in its entirety and replaced with the following:

Sec. 2.3.4. Townhouseⁱ	R-4	R-6	R-10
A. Site Dimensions			
A1 Net site area/unit (min)	6,000 sf	3,500 sf	2,500 sf
A2 Width (min)	70'	52'	45'
A3 Outdoor amenity area (min) ⁱⁱ	5%	5%	5%
B. Lot Dimensions			
B1 Area (min)	n/a	n/a	n/a
B2 Width (min)	16'	16'	16'
C. Principal Building/Structure Setbacks			
C1 From primary street (min)	20'	10'	10'
C2 From side street (min)	20'	10'	10'
C3 From side site boundary line	10'	10'	10'
C4 From rear <u>site</u> boundary line (min) ⁱⁱⁱ	20'	20'	20'
C5 From alley ^{iv}	4' or 20' min	4' or 20' min	4' or 20' min
C6 Internal building separation (min)	10'	10'	10'
C7 Residential infill rules may apply (see Sec. 2.2.7.)	yes	yes	yes
D. Parking Setbacks^v			
D1 From primary street (min)	20'	20'	20'

D2 From side street (min)	10'	10'	10'
D3 From side lot line (min)	0'	0'	0'
D4 From rear lot line (min)	3'	3'	3'
D5 From alley, garage only (min)	4'	4'	4'
D6 Residential infill rules may apply (see Sec. 2.2.7.)	yes	yes	yes
E. Height			
E1 Principal building (max)	45'/3 stories	45'/3 stories	45'/3 stories
E2 Accessory structure (max)	25'	25'	25'
E3 Residential infill rules may apply (see Sec. 2.2.7.)	yes	yes	yes
See Sec. 1.5.4.D “Building Setbacks” for specific building element requirements			
<i>Residential infill regulations for additional building setback and reduced height may apply (see Sec. 2.2.7.)</i>			

i A townhouse development containing only two dwelling units shall be regulated by the standards of Sec. 2.3.3., Attached House, however: (a) a minimum site area per unit of one-half the minimum lot area specified in 2.3.3.A1. is required; (b) Sec. 2.3.4.B. shall still control provided a minimum site width equal to the dimensions specified by Sec. 2.3.3.A2. is met; and (c) Sec. 2.3.3.B3. shall only apply to the non-party wall side lot line.

ii Outdoor amenity meeting the requirements of Sec. 1.5.3. may overlap with required open space.

iii A permanently recorded open lot or common area lot of at least 20 feet in width may be used to satisfy Sec. 2.3.4.C4.

iv Garages (or a portion thereof) must either be located 4 feet from the travel lane of an alley or rear access drive or be a minimum of 20 feet from the travel lane of an alley or rear access drive. Where parking spaces are located between the garage and the alley or rear access drive, the garage must be located at least 20 feet from the travel lane alley or rear access drive.

v Parking setbacks shall not apply to driveways serving individual dwelling units or shared between two dwelling units.

Section 17. Section 2.3.5., Compact Development Apartment, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough and inserting footnote “i” in row B5 and at the end of the table:

Sec. 2.3.5. Apartment	
	R-10
A. Lot Dimensions	
A1 Area (min)	15,000 <u>7,000</u> sf
A2 Width (min)	100' <u>80'</u>
A3 Outdoor amenity area (min)	5%
A4 Density (max) <u>Lot area per unit (min)</u>	10 u/a <u>2,000 sf</u>

B. Building/Structure Setbacks	
B1 From primary street	10'
B2 From side street (min)	10'
B3 From side lot line (min)	0' or 6' <u>5'</u>
B4 From rear lot line (min)	20'
B5 From alley ⁱ	4' or 20' min
B6 Residential infill rules may apply (see <i>Sec. 2.2.7.</i>)	yes
C. Parking Setbacks	
C1 From primary street (min)	10'
C2 From side street (min)	10'
C3 From side/rear lot line (min)	0' or 3'
C4 From rear lot line (min)	3'
C5 From alley (min)	4'
D. Height	
D1 Principal building (max)	45'/3 stories
D2 Accessory structure (max)	25'
D3 Residential infill rules may apply (see <i>Sec. 2.2.7.</i>)	yes
E. Pedestrian Access	
E1 Street-facing entrance required (min 1 per building)	yes

ⁱ Garages (or a portion thereof) must either be located 4 feet from the travel lane of an alley or rear access drive or be a minimum of 20 feet from the travel lane of an alley or rear access drive. Where parking spaces are located between the garage and the alley or rear access drive, the garage must be located at least 20 feet from the travel lane of an alley or rear access drive.

Section 18. Section 2.3.6., Compact Development Option Civic Building, is hereby amended by deleting Section 2.3.6.E., Allowed Building Elements, in its entirety.

Section 19. Section 2.3.7., Compact Development Option Open Lot, is hereby amended by deleting Section 2.3.7.E., Allowed Building Elements, in its entirety.

Section 20. Section 2.4.1. of Part 10 Raleigh Unified Development Ordinance, Conservation Development Option General Requirements, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough:

Sec. 2.4.1. General Requirements				
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	R-1	R-2	R-4	R-6	R-10
A. Site	-	-	-	-	-
A1 Density (max)	2 u/a	4 u/a	6 u/a	10 u/a	15 u/a
A2 Gross site area (min)	20 acres	15 acres	12 acres	10 acres	5 acres
B. Open Space					
B1 Open Space required (min acreage)	40% <u>or 8 acres, whichever is greater</u>	40% <u>or 4 acres, whichever is greater</u>	40% <u>or 2 acres, whichever is greater</u>	40% <u>or 1 acre, whichever is greater</u>	40% <u>or 1 acre, whichever is greater</u>
B2 % of lots abutting open space (min)	60%	50%	40%	40%	30%
B3 Contiguous area (min)	60%	60%	60%	60%	60%
B4 Width of open space (min)	50'	50'	50'	50'	50'
C. Transitional Protective Yard					
C1 Site boundary (min)	Type B1 or B2 Transitional Protective Yard (see <i>Sec. 7.2.4.A</i>) or perimeter lots must meet the dimensional standards of <i>Article 2.2 Conventional Development Option</i> of the district where the property is located.				
D. Residential Unit Types (max)					
Detached house	100%	100%	100%	100%	100%
Attached house	n/a	35 <u>100%</u>	40 <u>100%</u>	45 <u>100%</u>	50 <u>100%</u>
Townhouse	n/a	n/a <u>50%</u>	30 <u>100%</u>	35 <u>100%</u>	40 <u>100%</u>
Apartment	n/a	n/a	n/a	30 <u>50%</u>	35 <u>100%</u>

Section 21. Section 2.4.2. of Part 10 Raleigh Unified Development Ordinance, Conservation Development Option Detached House, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough:

Sec. 2.4.2. Detached House					
	R-1	R-2	R-4	R-6	R-10
A. Lot Dimensions					
A1 Area (min)	20,000 sf	10,000 sf	6,000 sf	4,000 sf	3,000 sf
A2 Lot width <u>Width—interior lot</u> (min)	80'	65'	50'	45'	30'
A2 Width—corner lot <u>(min)</u>	80'	80'	65'	60'	45'
A3 Depth (min)	100'	100'	80'	60'	60'

B. Principal Building Setbacks					
B1 From primary street (min)	20'	20'	10'	10'	10'
B2 From side street (min)	20'	20'	10'	10'	10'
B3 From side lot line (min)	10'	10'	5'	5'	5'
B4 Sum of side setbacks (min)	20'	20'	15'	10'	10'
B5 4 From rear lot line (min)	30' 20'	30' 20'	20'	20'	15'
C. Accessory Structure Setbacks See Section 6.7.2					
D. Height					
D1 Principal building (max)	40'/3 stories	40'/3 stories	40'/3 stories	40'/3 stories	40'/3 stories
D2 Accessory structure (max)	25'	25'	25'	25'	25'
E. Ground Floor Elevation		-	-	-	-
E1 20' or less from front property line (min)	2'	2'	2'	2'	2'
E1 2 More than 20' from front property line (min)	n/a	n/a	n/a	n/a	n/a
F. Allowed Building Elements		-	-	-	-
— Porch, stoop		-	-	-	-

— <u>Balcony</u>		-	-	-	-
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See *Sec. 1.5.4.D "Building Setbacks"* for specific building elements requirements.

Section 22. Section 2.4.3. of Part 10 Raleigh Unified Development Ordinance, Conservation Development Option Attached House, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough:

Sec. 2.4.3. Attached House	R-2	R-4	R-6	R-10
A. Lot Dimensions				
A1 Area (min)	10,000 sf	6,000 sf	4,000 sf	3,000 sf
A2 Lot width <u>Width—Interior lot (min)</u>	65'	50'	50' <u>45'</u>	40' <u>30'</u>
A2 Width—corner (min)	80'	80'	65'	55'
A3 Depth (min)	100'	80'	60'	60'
B. Principal Building Setbacks				
B1 From primary street (min)	20'	10'	10'	10'
B2 From side street (min)	20'	10'	10'	10'
B3 From side lot line (min)	10'	5'	5'	5'
B4 Sum of side setbacks (min)	20'	15'	10'	10'
B5 <u>From rear lot line (min)</u>	30' <u>20'</u>	20'	20'	15'
C. Accessory Structure Setbacks See <i>Section 6.7.2</i>				
D. Height				
D1 Principal building (max)	40'/3 stories	40'/3 stories	40'/3 stories	40'/3 stories
D2 Accessory structure (max)	25'	25'	25'	25'
E. Ground Floor Elevation	-	-	-	-
E1 20' or less from front property line (min)	2'	2'	2'	2'
E1 More than 20' from front property line (min)	n/a	n/a	n/a	n/a
F. Allowed Building Elements	-	-	-	-
— <u>Porch, stoop</u>	-	-	-	-
— <u>Balcony</u>	-	-	-	-

See Sec. 1.5.4.D "Building Setbacks" for specific building elements requirements.	
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Section 23. Section 2.4.4. of Part 10 Raleigh Unified Development Ordinance, Conservation Development Option Townhouse, is hereby deleted in its entirety and replaced with the following:

Sec. 2.4.4. Townhouseⁱ				
	R-2	R-4	R-6	R-10
A. Site Dimensions				
A1 Net site area/unit (min)	7,500 sf	4,500 sf	3,000 sf	2,250 sf
A2 Width (min)	78'	70'	52'	40'
B. Lot Dimensions				
B1 Area (min)	n/a	n/a	n/a	n/a
B2 Width (min)	16'	16'	16'	14'
C. Principal Building/Structure Setbacks				
C1 From primary street (min)	20'	10'	10'	10'
C2 From side street (min)	20'	10'	10'	10'
C3 From side site boundary line (min)	10'	10'	10'	6'
C4 From rear site boundary line (min) ⁱⁱ	20'	20'	20'	20'
C5 From alley (min) ⁱⁱⁱ	4' or 20' min	4' or 20' min	4' or 20' min	4' or 20' min
C6 Internal building separation	10'	10'	10'	10'
C7 Residential infill rules may apply (see Sec. 2.2.7.)	no	yes	yes	yes
D. Parking Setbacks^{iv}				
D1 From primary street (min)	20'	20'	20'	20'
D2 From side street (min)	10'	10'	10'	10'
D3 From side lot line (min)	0'	0'	0'	0'
D4 From rear lot line (min)	3'	3'	3'	3'
D5 From alley, garage only (min)	4'	4'	4'	4'
D6 Residential infill rules may apply (see Sec. 2.2.7.)	no	yes	yes	yes
E. Height				
E1 Principal building (max)	45'/3 stories	45'/3 stories	45'/3 stories	45'/3 stories
E2 Accessory structure (max)	25'	25'	25'	25'
E3 Residential infill rules may apply (see Sec. 2.2.7.)	no	yes	yes	yes

See <i>Sec. 1.5.4.D “Building Setbacks”</i> for specific building element requirements				
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ⁱ A townhouse development containing only two dwelling units shall be regulated by the standards of *Sec. 2.4.3.*, Attached House, however: (a) a minimum site area per unit equal to one-half the land area specified in 2.4.3.A1 is required; (b) *Sec. 2.4.4.B.* shall still control provided a minimum site width equal to the dimensions specified by *Sec. 2.4.3.A2.* is met; and (c) *Sec. 2.4.3.B3.* shall only apply to the non-party wall side lot line.

ⁱⁱ A permanently recorded open lot or common area lot of at least 20 feet in width may be used to satisfy *Sec. 2.4.4.C4.*

ⁱⁱⁱ Garages (or a portion thereof) must either be located 4 feet from the travel lane of an alley or rear access drive or be a minimum of 20 feet from the alley or rear access drive. Where parking spaces are located between the garage and the alley or rear access drive, the garage must be located at least 20 feet from the travel lane of an alley or rear access drive.

^{iv} Parking setbacks shall not apply to driveways serving individual dwelling units or shared between two dwelling units.

Section 24. Section 2.4.5. of the Part 10 Raleigh Unified Development Ordinance, Conservation Development Option Apartment, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough and inserting footnote “i” in row B5 and at the end of the table:

Sec. 2.4.5. Apartment	R-6	R-10
A. Lot Dimensions		
A1 Area (min)	15,000 <u>8,000</u> sf	15,000-6,000 <u>sf</u>
A2 Width (min)	100' <u>80'</u>	100' <u>80'</u>
A3 Lot area per unit (min)	<u>2,000</u> sf	<u>1,500</u> sf
B. Building/Structure Setbacks		
B1 From primary street (min)	10'	10'
B2 From side street (min)	10'	10'
B3 From side lot line (min)	0' <u>or 6' 5'</u>	0' <u>or 6' 5'</u>
B4 From rear lot line (min)	20'	20'
B5 From alley ⁱ	4' or 20' min	4' or 20' min
C. Parking Setbacks		
C1 From primary street (min)	10'	10'
C2 From side street (min)	10'	10'
C3 From side/rear lot line (min)	0' <u>or 3'</u>	0' <u>or 3'</u>
C4 From rear lot line (min)	3'	3'
C5 From alley (min)	4'	4'
D. Height		
D1 Principal building (max)	45'/3 stories	45'/3 stories
D2 Accessory structure (max)	25'	25'

E. Pedestrian Access		
E1 Street-facing entrance required (min 1 per building)	yes	yes
See <i>Sec. 1.5.4.D. "Building Setbacks"</i> for specific building element requirements.		

Garages (or a portion thereof) must either be located 4 feet from the travel lane of an alley or rear access drive or be a minimum of 20 feet from the travel lane of an alley or rear access drive. Where parking spaces are located between the garage and the alley or rear access drive, the garage must be located at least 20 feet from the travel lane of an alley or rear access drive.

Section 25. Section 2.4.6., Conservation Development Option Civic Building, is hereby amended by deleting Section 2.4.6.E., Allowed Building Elements, in its entirety.

Section 26. Section 2.4.7., Conservation Development Option Open Lot, is hereby amended by deleting Section 2.4.7.E., Allowed Building Elements, in its entirety.

Section 27. Section 2.5.1., Amount of Open Space, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough:

Section 2.5.1. Amount of Open Space

Applicants that choose the conservation standards must set aside at least 40% of the total project area ~~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 20% of the project area ~~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.

Section 28. Section 3.2.1 of the Part 10 Raleigh Unified Development Ordinance, Detached House, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough:

Sec. 3.2.1. Detached House		
	RX-, OX-, NX-, CX-	DX-
A. Lot Dimensions		
A1 Area (min)	4,000 sf	n/a
A2 Width (min)	45'	n/a
B. Principal Building Setbacks		

B1 From primary street (min)	10'	5'
B2 From side street (min)	10'	5'
B3 From side lot line (min)	5'	3'
B4 Sum of side setbacks (min)	10'	6'
B54 From rear lot line (min)	20'	10'
C. Accessory Structure Setbacks		
C1 From primary street (min)	50'	30'
C2 From side street (min)	10'	5'
C3 From side lot line (min)	5'	3'
C4 From rear lot line (min)	5'	3'
C4 From alley	4' or 20' min	4' or 20' min
D. Height		
D1 Principal building (max)	40'/3 stories	40'/3 stories
D2 Accessory structure (max)	25'	25'
E. Floor Heights		
E1 Ground Floor Elevation (min)	2'	2'
E2 Ground story height, floor to floor (min)	n/a	n/a
E3 Upper story height, floor to floor (min)	n/a	n/a
FE. Transparency		
FE1. Ground story (min)	20%	20%
FE2. Upper story (min)	15%	15%
FE3. Blank wall area (max)	35'	35'
G. Allowed Building Elements		
— Porch, stoop		-
— Balcony		-
See Sec. 1.5.4.D. "Building Setbacks" for specific building element requirements.		

Section 29. Section 3.2.2 of the Part 10 Raleigh Unified Development Ordinance, Attached House, is hereby amended by adding the following language shown in the underlined and removing the language shown in strikethrough:

Sec. 3.2.2. Attached House		
	<u>RX-, OX-, NX-, CX-</u>	<u>DX-</u>
A. Lot Dimensions		
A1 Area (min)	6,000 <u>4,000</u> sf	n/a
A2 Width (min)	50' <u>45'</u>	n/a
B. Principal Building Setbacks		
B1 From primary street (min)	10'	5'
B2 From side street (min)	10'	5'
B3 From side lot line (min)	5'	3'
B4 Sum of side setbacks (min)	10'	6'
B54 From rear lot line (min)	20'	10'
C. Accessory Structure Setbacks		
C1 From primary street (min)	50'	30'
C2 From side street (min)	10'	5'
C3 From side lot line (min)	5'	3'
C4 From rear lot line (min)	5'	3'
C4 From alley	4' or 20' min	4' or 20' min
D. Height		
D1 Principal building (max)	40'/3 stories	40'/3 stories
D2 Accessory structure (max)	25'	25'
E. Floor Heights		-
E1 Ground Floor Elevation (min)	2'	2'
E2 Ground story height, floor to floor (min)	n/a	n/a
E3 Upper story height, floor to floor (min)	n/a	n/a
FE. Transparency		
FE1. Ground story (min)	20%	20%
FE2. Upper story (min)	15%	15%

FE3. Blank wall area (max)	35'	35'
G. Allowed Building Elements		-
— Porch, stoop		-
— Balcony		-
See Sec. 1.5.4.D. "Building Setbacks" for specific building element requirements.		

Section 30. Section 3.2.3. of the Part 10 Raleigh Unified Development Ordinance, Townhouse, is hereby deleted in its entirety and replaced with the following:

Sec. 3.2.3. Townhouseⁱ	RX-, OX-, NX-, CX-	DX-
A. Site Dimensions		
A1 Area (min)	3,300 sf	n/a
A2 Width (min)	44' 45'	n/a
A3 Outdoor Amenity Area	10%	10%
B. Lot Dimensions		
B1 Area (min)	n/a	n/a
B2 Width (min)	16'	n/a
C. Principal Building/Structure Setbacks		
C1 From primary street (min)	10'	5'
C2 From side street (min)	10'	5'
C3 From side site boundary line (min)	10'	6'
C4 From rear site boundary line (min) ⁱⁱ	20'	6'
C5 From alley (min) ⁱⁱⁱ	4' or 20' min	4' or 20' min
C6 Internal building separation	10'	10'
D. Parking Setbacks^{iv}		
D1 From primary street (min)	20'	20'
D2 From side street (min)	10'	10'
D3 From side lot line (min)	0'	0'
D4 From rear lot line (min)	3'	3'
D5 From alley (min)	4'	4'
E. Height		
E1 Principal building (max)	set by district	set by district
E2 Accessory structure (max)	25'	25'
E3 Residential infill rules may apply (see Sec. 2.2.7.)	no	yes
F. Transparency		
F1 Ground story (min)	20%	20%

F2 Upper story (min)	15%	15%
F3 Blank wall area (max)	35'	35'
See <i>Sec. 1.5.4.D "Building Setbacks"</i> for specific building element requirements		

ⁱ A townhouse development containing only two dwelling units shall be regulated by the standards of *Sec. 3.2.2., Attached House*, however: (a) a minimum site area per unit of one-half the area required by *Sec. 3.2.2.A1* is required; (b) *Sec. 3.2.3.B.* shall still control provided a minimum site width equal to the dimensions specified by *Sec. 3.2.2.A2.* is met; and (c) *Sec. 3.2.2.B3.* shall only apply to the non-party wall side lot line.

ⁱⁱ A permanently recorded open lot or common area lot of at least 20 feet in width may be used to satisfy *Sec. 3.2.3.C4.*

ⁱⁱⁱ Garages (or a portion thereof) must either be located 4 feet from the travel lane of an alley or rear access drive or be a minimum of 20 feet from the alley or rear access drive. Where parking spaces are located between the garage and the alley or rear access drive, the garage must be located at least 20 feet from the travel lane of an alley or rear access drive.

^{iv} Parking setbacks shall not apply to driveways serving individual dwelling units or shared between two dwelling units.

Section 31. Section 3.2.4. of the Part 10 Raleigh Unified Development Ordinance, Apartment, is hereby amended by adding the following language shown in underline:

Sec. 3.2.4. Apartment		
	RX-, OX-, NX-, CX-	DX-
A. Lot Dimensions		
A1 Area (min)	10,000 <u>7,500</u> sf	n/a
A12 Area (max)	10 acres (NX-only)	n/a
A23 Width (min)	n/a	n/a
A34 Outdoor amenity area (min)	10%	10%
B. Building/Structure Setbacks		
B1 From primary street (min)	5'	5'
B2 From side street (min)	5'	5'
B3 From side lot line (min)	0' or 6'	0' or 6'
B4 From rear lot line (min)	0' or 6'	20
B5 From alley ⁱ	4' or 20' min	4' or 20' min
C. Parking Setbacks		
C1 From primary street (min)	10'	10'
C2 From side street (min)	10'	10'
C3 From side lot line (min)	0' or 3'	0' or 3'
C4 From rear lot line (min)	0' or 3'	0' or 3'
C5 From alley, garage only (min)	4'	4'

D. Height		
D1 Principal building (max)	Set by district	Set by district
D2 Accessory structure (max)	25'	25'
E. Transparency		
E1 Ground story (min)	20%	20%
E2 Upper story (min)	15%	15%
E3 Blank wall (max)	35%	35%
See Sec. 1.5.4.D "Building Setbacks" for specific building elements requirements.		

Garages (or a portion thereof) must either be located 4 feet from the travel lane of an alley or rear access drive or be a minimum of 20 feet from the alley or rear access drive. Where parking spaces are located between the garage and the alley or rear access drive, the garage must be located at least 20 feet from the travel lane of an alley or rear access drive.

Section 32. Section 3.2.5. of the Part 10 Raleigh Unified Development Ordinance, General Building, is hereby amended by adding the following language shown in underline and removing the language shown in strikethrough:

Sec. 3.2.5. General Building	OP-, OX-, NX-, CX-	DX-	IX-
A. Lot Dimensions			
A1 Area (min)	n/a	n/a	n/a
A+2 Area (max)	10 acres (NX-only)	n/a	n/a
A23 Width (min)	n/a	n/a	n/a
A34 Outdoor amenity area (min)	10%	10%	10%
B. Building/Structure Setbacks			
B1 From primary street (min)	5'	3'	3'
B2 From side street (min)	5'	3'	3'
B3 From side lot line (min)	0' or 6'	0' or 6'	0' or 6'
B4 From rear lot line (min)	0' or 6'	0' or 6'	0' or 6'
B5 From alley	5'	5'	5'
C. Parking Setbacks			
C1 From primary street (min)	10'	10'	10'
C2 From side street (min)	10'	10'	10'
C3 From side lot line (min)	0' or 3'	0' or 3'	0' or 3'
C4 From rear lot line (min)	0' or 3'	0' or 3'	0' or 3'
C5 From alley (min)	5'	5'	5'

D. Height			
D1 Principal building (max)	Set by district	Set by district	Set by district
D2 Accessory structure (max)	25'	25'	25'
E. Floor Heights			
E1 Ground floor elevation (min)	0'	0'	0'
E2 ¹ Ground story height, floor to floor (min)	11'	13'	11'
E3 ² Upper story height, floor to floor (min)	9'	9'	9'
F. Transparency			
F1 Ground story (min)	20%	20%	
F2 Upper story (min)	15%	15%	
F3 Blank wall (max)	35%	35%	
G. Allowed Building Elements			
Balcony			
Gallery, Awning			

See Sec. 1.5.4.D "Building Setbacks" for specific building elements requirements.

Section 33. Section 3.2.6. of the Part 10 Raleigh Unified Development Ordinance, Mixed Use Building, is hereby amended by adding the following language shown in underline and removing the language shown in strikethrough:

Sec. 3.2.6. Mixed Use Building	OP-, OX-, NX-, CX-, IX-	DX-
A. Lot Dimensions		
A1 Area (min)	n/a	n/a
A4 ² Area (max)	10 acres (NX-only)	n/a
A2 ³ Width (min)	n/a	n/a
A3 ⁴ Outdoor amenity area (min)	10%	10%
B. Building/Structure Setbacks		
B1 From primary street (min)	5'	3'
B2 From side street (min)	5'	3'
B3 From side lot line (min)	0' or 6'	0' or 6'
B4 From rear lot line (min)	0' or 6'	0' or 6'
B5 From alley	5'	5'
C. Parking Setbacks		
C1 From primary street (min)	10'	10'
C2 From side street (min)	10'	10'
C3 From side lot line (min)	0' or 3'	0' or 3'
C4 From rear lot line (min)	0' or 3'	0' or 3'
C4 ⁵ From alley (min)	5'	5'

D. Height		
D1 Principal building (max)	Set by district	Set by district
D2 Accessory structure (max)	25'	25'
E. Floor Heights		
E1 Ground floor elevation (min)	0'	0'
E2 1 Ground story height, floor to floor (min)	11'	13'
E3 2 Upper story height, floor to floor (min)	9'	9'
F. Transparency		
F1 Ground story (min)	20%	20%
F2 Upper story (min)	15%	15%
F3 Blank wall (max)	35%	35%

See *Sec. 1.5.4.D "Building Setbacks"* for specific building elements requirements.

Section 34. Section 3.2.7., Civic Building, is hereby amended by deleting Section 3.2.7.E., Allowed Building Elements, in its entirety.

Section 35. Section 3.2.8., Open Lot, is hereby amended by deleting Section 3.2.8.E., Allowed Building Elements, in its entirety.

Section 36. Section 6.1.4., Allowed Principal Use Table, is hereby amended as follows:

In the row entitled “Two-unit living”, replace the “L” with a “P” in the columns entitled “R-2” and “R-4”.

In the row entitled “Multi-unit living”, replace the “-” with an “L” in the column entitled “R-2” and replace the “L” with a “P” in the row entitled “R-6”.

Section 37. Section 6.2.1., Household Living, is hereby amended by adding the following language shown in underline and removing the language shown in strikethrough:

C. Two-Unit Living

1. Defined

Two dwelling units in a single principal structure.

2. Use Standards

~~Where two-unit living is allowed as a limited use, it is allowed only in a conservation development (see Article 2.4. Conservation Development).~~

D. Multi-Unit Living

1. Defined

Three or more dwelling units in a single principal structure. Multiple principal buildings are allowed on the same lot.

2. Use Standards

- a. In a Residential District where multi-unit living is allowed as a limited use, it is allowed only in a compact or conservation development (see Article 2.3. Compact Development and Article 2.4. Conservation Development).
- b. In an IX- District where multi-unit living is allowed as a limited use, it is allowed only in the upper stories of a building. A lobby or other entrance is allowed on the ground floor.

Section 38. Section 10.3.5. of the Part 10 Raleigh Unified Development Ordinance, Nonconforming Lots of Record, is hereby amended by adding the following language shown in underline and removing the language shown in strikethrough:

A. Authority to use For ~~Single-Unit~~ Two-Unit Living

In any district in which a single-unit living detached house or two-unit living attached house is allowed as a permitted use, notwithstanding the regulations imposed by any other provisions of this UDO, a single-unit living detached house or two-unit living attached house which complies with the restrictions of *Sec. 10.3.5.B.* below may be erected on a nonconforming lot that:

1. Has less than the prescribed minimum lot area, depth, or width; and
2. Is shown by a recorded plan or deed to have been a lot of record owned separately and individually from adjoining tracts of land at a time when the creation of a lot or tract of such area, width, and depth at such location would not have been prohibited by any zoning or other ordinance.

B. Regulations for ~~Single-Family~~ Unit Living or Two-Unit Living Use of Nonconforming Lots

A nonconforming lot authorized to be used pursuant to *Sec. 10.3.5.A.* above may be used for a single-unit living detached house or two-unit living attached house and permitted accessory uses and structures. Construction of the single-unit living detached house or two-unit living attached house shall comply with all the regulations, except lot area, depth, or width, applicable to the detached or attached house in the district in which the lot is located, unless a variance is granted pursuant to *Sec. 10.2.10.*

Section 39. This text change has been reviewed by the Raleigh Planning Commission.

Section 40. This ordinance has been adopted following a duly advertised legislative hearing of the Raleigh City Council.

Section 41. This ordinance has been provided to the North Carolina Capital Planning Commission as required by law.

Section 42. 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 by law notwithstanding the fifty-dollar limit in N.C.G.S. 14-4(a) or similar limitations.

Section 43. This ordinance is effective 30 days after adoption.

Adopted: July 6, 2021

Effective: August 5, 2021

**Distribution: Young, Bowers, Crane, Bynum; Waddell, Rametta, Hardin, Hosey, York, Puccini,
Taylor
City Attorney DL**