AN ORDINANCE TO MODIFY THE DEFINITION
AND ASSOCIATED REGULATIONS FOR MEZZANINE

WHEREAS, the Unified Development Ordinance defines and regulates mezzanines; and

WHEREAS, mezzanines serve both commercial and residential functions; and

WHEREAS, permitting multiple mezzanines within a building will provide greater flexibility to designers and developers; and

WHEREAS, it is still beneficial to regulate the size and number of mezzanines to limit the intensity of development.

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

Section 1. Section 3.3.1. of the Part 10 Raleigh Unified Development Ordinance, Height Requirements - Applicability, is hereby amended by inserting the following underlined text:

D. When a mezzanine or mezzanines comprise less than 50% of the floor area of the room or space in which they are located, they are not considered a story. When a mezzanine or mezzanines comprise 50% or more of the floor area of the room or space in which they are located, they are considered a story. If a building is taller than five stories, mezzanines are permitted within only two stories of that building. Any additional intermediate level otherwise qualifying as a mezzanine is considered an additional story. If a building has five or fewer stories, there is no limit on the number of stories in that building that may contain a mezzanine.

Section 2. Section 12.2 of the Part 10 Raleigh Unified Development Ordinance, Defined Terms, is hereby amended by inserting the following underlined text and deleting the text shown in strike through:

Mezzanine
An internal space, intermediate level or levels between the finished floor and ceiling of a story, above and open to the first floor below. When a mezzanine comprises less than 33% of the footprint area of the building, it is not considered a story. When a mezzanine comprises 33% or more of the footprint area of the building, it is considered a story. Only one mezzanine is permitted per building.

Section 3. This text change has been reviewed by the Raleigh City Planning Commission.
Section 4. This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

Section 5. This ordinance has been provided to the North Carolina Capital Planning Commission as required by law.

Section 6. 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 7. This ordinance is effective 5 days after adoption.

Adopted: September 1, 2020
Effective: September 6, 2020

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