**AN ORDINANCE TO AMEND THE PART 10
RALEIGH UNIFIED DEVELOPMENT ORDINANCE REGARDING
THE MORDECAI NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT**

**WHEREAS,** the intent of the Overlay Districts is to apply regulations that achieve a specific purpose to a targeted area; and

**WHEREAS,** NCODs are intended to preserve the built character of an existing neighborhood through specific context based regulations; and

**WHEREAS,** it is in the public interest to amend the current Mordecai NCOD standards to ensure development is compatible with the character of the Mordecai Neighborhood.

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

**Section 1.** Section 5.4.3.F.8. of the Part 10 Raleigh Unified Development Ordinance, Mordecai Neighborhood, is hereby amended by adding the language shown in underline, deleting the language shown in strikethrough:

**8. Mordecai Neighborhood**

a. Conservation District 1 (west of Wake Forest Road and north of Cedar Street, except for part of the north side of Courtland Drive - see Mordecai Plan boundaries)

   i. Minimum lot size: 7,260 square feet.

   ii. Maximum lot size: 14,520 square feet.

   iii. Minimum lot width: 50 feet.

   iv. Maximum lot width: 100 feet.

   v. Front yard setback: Minimum of 35 feet.

   vi. All other setbacks: Minimum of 5 feet or underlying zoning district standard, whichever is greater. This shall not apply to internal townhouse lot lines, howeverall applicable townhouse site boundary line setbacks and alley setbacks shall apply.

   vii. Front yard encroachments: Covered porches and covered stoops shall not encroach more than 5 feet into the front yard setback.

   viii. Side yard encroachments: In no instance shall covered porches, covered stoops, bay windows and vestibules be less than 5 feet from any side lot line or side site boundary line.

ix. Minimum principal building separation on the same lot: 10 feet. This shall be inclusive of covered porches, covered stoops, bay windows and vestibules.

i. x. Maximum building height: 35 feet.

b. Conservation District 2 (east of Wake Forest Road, south of Cedar Street and portions of Courtland Drive - see Mordecai Plan boundaries)

i. Minimum lot size: 7,260 square feet.

ii. Maximum lot size: 14,520 square feet.

iii. Minimum lot width: 50 feet.

iv. Maximum lot width: 100 feet.

v. Front yard setback: Minimum of 15 feet; maximum of 25 feet.

vi. All other setbacks: Minimum of 5 feet or underlying zoning district standard, whichever is greater. This shall not apply to internal townhouse lot lines, however all applicable townhouse site boundary line setbacks and alley setbacks shall apply.

vii. Front yard encroachments: Covered porches and covered stoops shall not encroach more than 5 feet into the front yard setback.

viii. Side yard encroachments: In no instance shall covered porches, covered stoops, bay windows and vestibules be less than 5 feet from any side lot line or side site boundary line.

ix. Minimum principal building separation on the same lot: 10 feet. This shall be inclusive of covered porches, covered stoops, bay windows and vestibules.

vi. x. Maximum building height: 35 feet.


**Section 2.** 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 3.** This text change has been reviewed by the Raleigh Planning Commission.

**Section 4.** This ordinance has been adopted following a duly advertised legislative 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 a provided in the Raleigh City Code.

**Section 7.** This ordinance is effective 30 days after adoption.

**ADOPTED:**

**EFFECTIVE:**

**DISTRIBUTION:**

# Text Change (TC) Application

**Planning and Development Department** • One Exchange Plaza | Raleigh, NC 27601

Use this form to request a change to the Unified Development Ordinance (UDO). A pre-application conference must be completed prior to the submittal of any text change application. A $329 filing fee is required upon submittal. The Planning and Development Services Customer Service Center processes payments. Payment types include cash, MasterCard, Visa or check made payable to the City of Raleigh.

| Applicant Information |
|---|
| Name: |
| Address: |
| Mailing address (if different): |
| Email:                          Phone #: |

| General Information |
|---|
| UDO Section(s) to be changed and/or added: |
| |

| Purpose |
|---|
| Please describe in detail why the UDO should be changed: |
| |

| Considerations for Review |
|---|
| Does the proposed change correct an error or meet the challenges of some changing condition? |
| |
| Is the proposed change in response to changes in state law? |
| |
| Is the proposed change generally consistent with the comprehensive plan and other applicable adopted plans? Please cite specific policies and/or actions as applicable. |
| |
| Does the proposed change provide a benefit to the City as a whole? Proposed changes should not be solely for the benefit of a particular landowner or owners at a particular point in time. |
| |
| Does the proposed change significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation? |
| |
| Does the proposed change significantly impact existing conforming development patterns? |
| |

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## Proposed Text

Please be specific and include relevant code sections as applicable. See recently adopted text changes as reference. Please submit as a separate attachment if need be.

# Text Change (TC) Review Timeline

**Raleigh**

### Pre-Application Conference

- Request meeting with appropriate staff member to discuss proposed text change

### Complete and Submit Application

### Staff Review

- Staff will provide a report to the City Council within 90 days of receipt of a completed application.

### Planning Commission Action

- The PC shall provide a written report to the City Council within 60 days of receipt of the application.
- If no recommendation is made within this time period, and no extension is granted, the Council may nevertheless take action on the request.

### Planning Commission Review

- The Planning Commission or one of its committees shall hold a legislative hearing on the request.
- The PC will advise and comment on whether the proposed change is consistent with the comprehensive plan or other adopted plan

### Initial Report and Recommendation

- If authorized by Council, Staff will provide a report and recommendation to the Planning Commission.

### City Council Review

- Following the PC review or expiration of the applicable review period, the City Council shall conduct a legislative hearing on the request.
- Notice of the public hearing shall occur within 60 days of receiving the PC's written report.
- At the legislative hearing, those in support and opposition will be given a total of eight minutes each to explain their position.

### City Council Action

- The Council shall approve, approve as revised, deny or send the TC back to the PC, Staff or a Council Committee for additional consideration.
- When adopting or rejecting the TC, the Council shall approve a brief statement describing whether the action is consistent or inconsistent with the Comprehensive Plan.