

**ORDINANCE NO. (2020) 46 TC 430
TC-13-19**

**AN ORDINANCE TO AMEND THE PART 10
RALEIGH UNIFIED DEVELOPMENT ORDINANCE TO MODIFY THE HEIGHT
STANDARDS FOR THE MIXED USE ZONING DISTRICTS**

WHEREAS, the City of Raleigh Unified Development Ordinance establishes mixed use zoning districts that contain height regulations;

WHEREAS, the mixed-use zoning districts are intended to provide more predictability to building form;

WHEREAS, the City Council received a petition of citizens where interest was expressed in modifying the mixed-use height categories, as the existing regulations make it difficult to construct “Class A” office space;

WHEREAS, city staff performed peer city research and identified potential enhancements to the height district standards;

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

Section 1. Section 1.5.7.C of the Part 10 Raleigh Unified Development Ordinance, Story Height, is hereby amended by adding language shown in underline and deleting language shown in strikethrough:

C. Story Height

1. Story height is measured from the top of the finished floor to top of the finished floor above.
2. Minimum ground story height applies to the first 30 feet of the building measured inward from the street facing facade. At least 50% of the ground story floor area must meet the minimum ground story height provisions.
3. Where applicable, at least 80% of each upper story floor area must meet the required minimum upper story height provisions.
4. As a primary or accessory use, levels of a parking structure with both a ceiling and a floor shall be included when calculating the maximum number of stories.

Section 2. Section 3.3.1 of the Part 10 Raleigh Unified Development Ordinance, Applicability, is hereby amended by adding language shown in underline and deleting language shown in strikethrough:

Section 3.3.1 Applicability

A. Each Mixed Use District must include one of the following height designations. The designation establishes the maximum height in stories and feet for each mixed use district. For example, CX-5 ~~CX-7~~ has a maximum height limit of 5 ~~7~~ stories and 75 ~~90~~ feet.

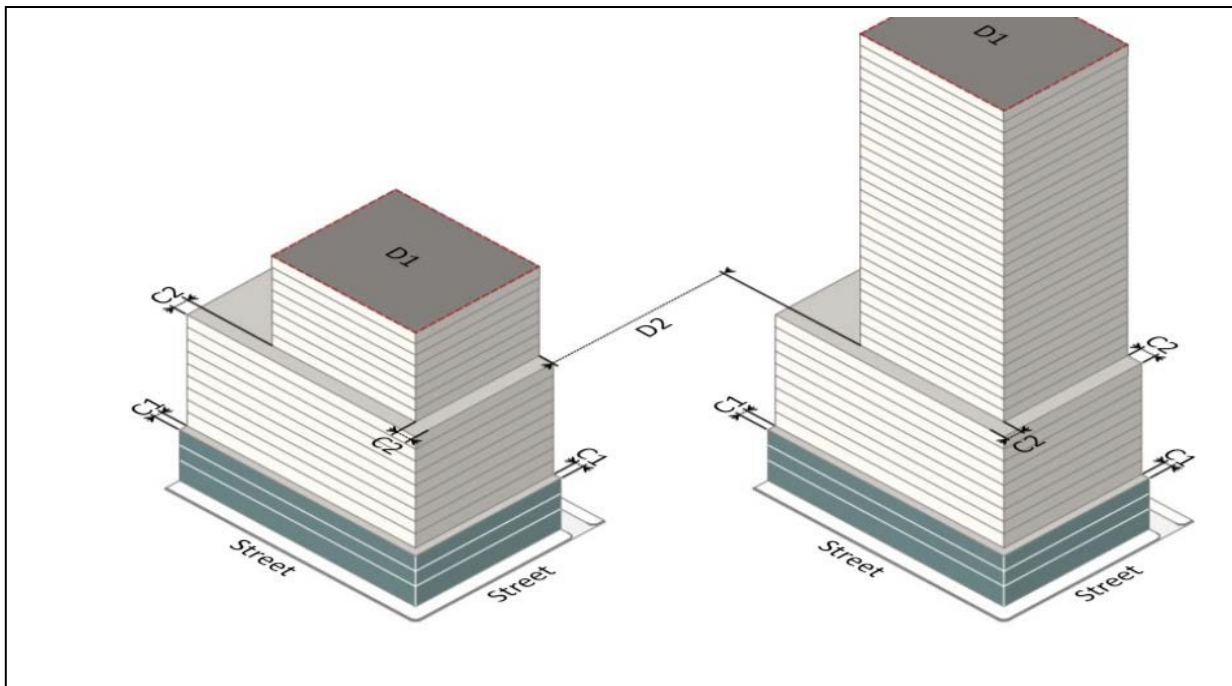
| | |
|-----|--|
| -3 | 3 stories / 50 feet max |
| -4 | 4 stories / 62 feet max |
| -5 | 5 stories / 75 feet max |
| -7 | 7 stories / 90 feet max |
| -12 | 12 stories / 150 feet max |
| -20 | 20 stories / 250 feet max |
| -40 | 40 stories / 500 feet max |

Section 3. Section 3.3.2 of the Part 10 Raleigh Unified Development Ordinance, Building Height Standards, is hereby amended by adding language shown in underline and deleting language shown in strikethrough:

| District | | -3 | -4 | -5 | -7 | -12 | -20 | -40 |
|--------------------------------------|---|-----|-----|-----|----------------|------|-----------------|------|
| A. Max Height | | | | | | | | |
| A1 | Building height (max stories) | 3 | 4 | 5 | 7 | 12 | 20 | 40 |
| A1 | Building height (max feet) | 50' | 62' | 75' | 90' | 150' | 250' | 500' |
| B. Min Height (Urban Frontages Only) | | | | | | | | |
| B2 | Building height (min stories) | n/a | n/a | n/a | 2 | 2 | 3 | 3 |
| B3 | Street facing façade(s) at min height (cumulative min % of lot <u>building</u>) | n/a | n/a | n/a | 75% | 75% | 75% | 75% |

| | | | | | | | | |
|----|--|-----|-----|-----|-----|-----|-----|-----|
| B4 | width (s) Depth of min height from front building facade into lot (min) | n/a | n/a | n/a | 30' | 45' | 60' | 60' |
|----|--|-----|-----|-----|-----|-----|-----|-----|

Section 4. Section 3.3.3. of the Part 10 Raleigh Unified Development Ordinance, Building Massing Standards, is hereby amended by deleting “C2” as shown in the diagram.



Section 5. Section 3.3.3. of the Part 10 Raleigh Unified Development Ordinance, Building Massing Standards, is hereby amended by adding language shown in underline and deleting language shown in strikethrough:

| Height of Building | Up to 3 Stories | 4 to 5 Stories | 6 to 7 Stories | 8 to 12 Stories | 13 to 20 Stories | 21 to 40 Stories |
|---|-----------------|----------------|----------------|-----------------|------------------|------------------|
| D. C. Massing | | | | | | |
| C1 3 rd – 7 th story stepback (min) | n/a | n/a | n/a | 12' | 15' | 15' |

| E. D. Towers | | | | | | | |
|---------------------|---|-----|-----|-----|-----|-----------|-----------|
| D1 | Floor plate size above 12 stories (max) | n/a | n/a | n/a | n/a | 25,000 sf | 25,000 sf |
| D2 | Spacing between towers – floors above 12 stories (min)* | n/a | n/a | n/a | n/a | n/a | 100' |

Section 6. All laws and clauses of laws in conflict herewith are repealed to the extent of such conflict.

Section 7. 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 8. This text change has been reviewed by the Raleigh City Planning Commission.

Section 9. This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

Section 10. 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 11. This ordinance is effective 30 days after adoption.

ADOPTED: January 7, 2020

EFFECTIVE: February 6, 2020

DISTRIBUTION: Planning – Bowers, Crane
 Development Services – Bailey Taylor
 City Attorney – Tatum, Hofmann, Hargrove-Bailey
 Department Heads
 Transcription Svcs – Taylor

Prepared by the Department of City Planning