



Planning & Development

Zoning Division
 One Exchange Plaza, Suite 300
 Raleigh, North Carolina 27601
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City of Raleigh Official Zoning Code Interpretation

Requested Interpretation		Case Number
<p>The transaction number for the project is 422945. The comment is as follows: 2. The VSA plant islands show 3 islands without trees. Please add trees as required per code 10-2082.6(c)(1) & (2).</p> <p>The comment is from zoning and states that we are required to make every landscape island on the project 350 square feet and provide a tree in every island. The code reference is 10-2082.6(c)(1)&(2). This code section has been interpreted the same way on every project that I've worked on for 30 years in Raleigh and I have never had it interpreted in this way. In the past we have been allowed to have islands of any size and with or without trees, so long as we provided islands of 350 square feet with trees to meet the 50' parking lot coverage requirement. Is it possible the new UDO is being confused with the old code? Our zoning is O&I so we are using the old code for landscape requirements.</p>		UI-3-2015
Site Address/PIN: N/A		
Date Submitted: 3 March 2015	Date Issued: 1 April 2015	Code Sections Affected: 10-2082.6(c)(1)&(2) of the Part 10 Zoning Code

STAFF ANALYSIS

Section 10-2082.6 provides the regulations for vehicular surface area landscaping. These regulations require street yard areas and interior parking lot landscaped islands. This section includes minimum standards for the size of the landscaped areas in square feet and width, as well as minimum quantity and size of the plantings contained in these landscaped areas.

Subsection (c)(5) notes that "so long as the minimum standards of this section are met, the number, size and shape of landscaped planting area shall be at the discretion of the owner." The question posed, is does the phrase "minimum standards" apply to the minimum dimensional requirements for all landscaped islands? The ordinance clearly requires minimum standards for landscaping, based on the amount of vehicular surface area. But, once the ordinance has been satisfied, can additional landscaping be installed that does not meet the minimum standards?

STAFF INTERPRETATION

The phrase "minimum standards" in this context refers to the minimum obligation to install landscaping based upon the amount of vehicular surface area. It is important to note the specific language in subsection (c)(5), which specifically includes "size and shape" to be determined by the developer, so long as the minimum requirements are met. Once the minimum landscaping has been satisfied, additional landscaping may be installed to any size, shape and dimension. Additional interior plantings that are in excess of the requirements of the vehicular surface area's tree and shrub planting obligations, are not subject to the minimum 350 square feet standard or the minimum dimension standard of 7 feet.

SIGNATORY

Travis R. Crane, Planning and Zoning Administrator