

**ORDINANCE NO. (2025) 728 ZC 899**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:**

**Section 1.** That Part 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same it hereby amended as follows:

- 1. Z-40-24 – 2340 Compassionate Drive**, located approximately 800 ft north of Southeast Raleigh Magnet High School, being Wake County PIN 1712784212. Approximately 10 acres rezoned to Residential Mixed Use, 4-stories-Conditional Use (RX-4-CU)

Conditions dated: March 14, 2025

- The following Principal Uses listed in UDO Section 6.1.4 that are permitted, limited, or special uses in the RX-District shall be prohibited: (1) Single-unit living; (2) Two-unit living; (3) Cottage court; (4) Dormitory, fraternity, sorority; (5) School, public or private (K-12); (6) Telecommunications tower; and (7) all uses in Commercial use category.
- There shall be no more than 200 principal dwelling units on the Property.
- A minimum of twenty-five percent (25%) of the net site area shall be set aside as Open Area. “Open Area” as used in this condition shall mean land area: (1) located outside of the public right-of-way; (2) located outside of a building footprint (except for rooftop terraces and amenities); and (3) located outside of a parking area. This Open Area shall be used for passive and active open space and may include required Outdoor Amenity Areas under UDO Section 1.5.3, private parks, public multiuse paths, private trails, rooftop terraces and amenities, environmentally sensitive areas, required Tree Conservation Areas under UDO Section 9.1, landscaped buffers, protective yards, neighborhood transition yards, and stormwater devices.
- The dwelling units at the property shall be both (a) occupied by households whose income at initial occupancy does not exceed the imputed income limitation designations of up to 80% of area median income, provided that the average of the income limitation designations will not exceed sixty percent (60%) of area median income as determined annually by the US Department of Housing and Urban Development, and (b) subject to rents that are not more than 30% of the imputed income limitation applicable to the unit, adjusted for household size (collectively, the “Affordability Restriction”) for a period of no less than thirty (30) years from the date of issuance of a certificate of occupancy on the property. A declaration of restrictive covenants (the “Declaration”) for affordable housing in a form approved by the North Carolina Housing Finance Agency shall be filed and recorded in the property’s chain of title by the property owner in the Wake County Register of Deeds prior to the project receiving a certificate of occupancy. Notwithstanding the forgoing, the Declaration and the Affordability Restrictions shall terminate

upon a foreclose or instrument in lieu thereof and language to this effect will be included in the Declaration.

5. On or before the date of submittal to the City of the first development plan for the Property, developer shall initiate a signal warrant analysis at the intersection of Compassionate Drive and Rock Quarry Road (“Warrant Analysis”). If warranted by the Warrant Analysis, developer shall remove the existing HAWK (High-Intensity Activated CrossWalk) signal located on Rock Quarry Road between Compassionate Drive and Star Sapphire Drive, once the traffic signal installed but before the signal is activated, and shall install or cause to have installed the Traffic Signal per City of Raleigh and NCDOT standards prior to issuance of the first certificate of occupancy.
6. Beginning on or before the date 30 days after submittal to the City of the first development plan for the Property, the owner(s) of the Property shall hold a public informational meeting, in person or virtually, to provide updates and receive comments regarding all development plan(s) that have been submitted for city review for the Property owned by the party(ies) convening such meeting. A written report of each required meeting will be submitted to the City’s Department of Planning and Development within 15 business days after such meeting and will include a list of persons and organizations contacted about the meeting, a listing of those in attendance who have provided their names, and a summary of issues discussed at the meeting. At least ten days prior to the required meeting, written notice of such meeting shall be mailed to each property owner and tenant owning property or residing within 500 feet of the Property
7. The maximum building height shall be 55 feet (55’).
8. Any site plan will provide sufficient mitigation measures so that the flood level differences between pre-development and post-development conditions for the 25-, 50- and 100-year storm events does not exceed peak discharge rates at the project boundary. The developer, as part of any site plan process, shall also analyze the 100-year storm in the drainage system and Property to ensure the development does not create conditions that would cause upstream flooding.
9. Development of the site shall include a minimum of one of the following green stormwater infrastructure (GSI) measures: bioretention area, constructed wetland, permeable pavement system, suspended pavement section, rainwater harvesting (cisterns), green roofs, planter boxes or other methods approved under the City’s GSI initiative.

**Section 2.** That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

**Section 3.** If this ordinance or any application thereof is held invalid as to any person or application thereof, such invalidity shall not affect other provisions or applications of the ordinances which can be given separate effect and to that end the provisions of this ordinance are declared to be severable.

**Section 4.** This ordinance is being adopted following a recommendation from the Raleigh City Planning Commission and a duly advertised public hearing of the Raleigh City Council.

**Section 5.** That this ordinance shall become effective as indicated below.

**Adopted:** March 18, 2025

**Effective:** March 23, 2025

**Distribution:** Planning and Development  
Inspections  
City Attorney