

(b) Partial Listing of Permitted Uses.

All general uses, conditional uses, and special uses allowed in the Special Residential-30 District are listed in the **Schedule of Permitted Uses in Zoning Districts**, §10-2071. Some of the uses permitted in the District include the *following*:

(1) General uses.

- Church, synagogue, or religious education *building*
- *Civic club*
- Fraternity and sorority house
(Ord. No. 1997-137-TC-153, §6, TC-18-96, 6-17-97)
- Library, art gallery, or museum - governmental
- Public school (elementary, middle, and high)
- *Recreational use - governmental*
- Residential *accessory structures and uses* including: above ground storage tank (home consumption), flagpole, fountain, parking area, garage (less than four (4) vehicles), garden, greenhouse (noncommercial), horse stall (noncommercial and subject to Part 12 Chapter 3), monument, open space, patio, swimming pool (for single *dwelling*s)
- *Rest home*
(Ord. No. 1997-137-TC-153, §6, TC-18-96, 6-17-97)
- *Single-family detached dwelling unit*
- *Utility services* and substation

(2) Conditional uses.

See §10-2072 for provisions applicable to each conditional use.

- Additional *dwelling units* or *equivalent dwelling units* on a *lot* [three (3) or more] or additional residential density [greater than twenty (20)] but not greater than thirty (30) *dwelling units* per net acre.
(Ord. No. 1997-137-TC-153, §6, TC-18-96, 6-17-97)
- *Cluster unit developments* - ten (10) acre minimum
(Ord. No. 1997-137-TC-153, §6, TC-18-96, 6-17-97)
- *Congregate care* or *congregate living structure*
(Ord. No. 1997-137-TC-153, §6, TC-18-96, 6-17-97)
- *Duplex*
- *Home occupation*
- *Life care community*
(Ord. No. 1997-137-TC-153, §6, TC-18-96, 6-17-97)
- *Multi-family dwelling development*
(Ord. No. 1997-137-TC-153, §6, TC-18-96, 6-17-97)

Sec. 10-2024.**SPECIAL RESIDENTIAL-30 (SP. R-30) DISTRICT.****(a) Approval.**

If the use requires a *site plan*, as set forth in §10-2132.2, approval of a *site plan* is required by either the administrative staff, the Planning Commission, or the *City Council*; see §10-2132.2(b) and (c). If the use requires a *plot plan*, as set forth in §10-2132.1, administrative approval is required.

(Ord. No. 1997-137-TC-153, §2, TC-18-96, 6-17-97)

- *Multi-unit supportive housing residence*
(Ord. No. 1994-365-TC-71, §7, TC-22-93, 4-5-94)
- *Recreational uses related to residential development*
- Residential accessory structures and uses including: deck, fence, wall, storage *building*, and the storage of one (1) unoccupied *manufactured home* or *travel trailer*
(Ord. No. 2000-734-TC-189, TC-2-00, §1, 2-15-00)
- *Residential related service*
- *Supportive housing residence*
(Ord. No. 1994-365-TC-71, §7, TC-22-93, 4-5-94)
- Temporary event
(Ord. No. 1993-296-TC-68, §1, TC-23-93, 12-7-93)
- *Townhouse development*
(Ord. No. 1997-137-TC-153, §6, TC-18-96, 6-17-97)
- *Unit ownership (condominium)*
(Ord. No. 1997-137-TC-153, §6, TC-18-96, 6-17-97)

Editor's note: Ord. No. 1994-365-TC-71, §7, TC-22-93, adopted April 5, 1994, deleted "family care home" and "family group home" (derived from Ord. No. 895-TC-383, §7, TC-21-91, adopted Dec. 8, 1991) from the list of conditional uses for the Special Residential-30 District.

Cross reference: *Cluster unit developments, congregate care or congregate living structure, duplex, group housing developments, life care communities, multi-family dwelling developments, townhouse developments, and unit ownership (condominium) developments* are conditional uses. However, their regulations are set forth in Article F of this chapter and not in §10-2072.

(3) Special uses.

- a. See §10-2144 for special uses approved by the Board of Adjustment.
 - Airfield or landing strip
 - *Bed and breakfast inn*
 - *Day care facility* (child or adult)
 - *Guest house*
 - *Limited home business*
 - Private or parochial school
 - *Recreational outdoor use - commercial*
 - *Recreational use restricted to membership - not for profit*
 - *Rooming house, lodging house, or tourist home*
 - *Special care facility*

(Ord. No. 1992-30-TC-396, §2, TC-13-92, 8-4-92; Ord. No. 1993-248-TC-64, §1, TC-18-93, 8-3-93; Ord. No. 1996-877-TC-130, §2, TC-2-96, 5-7-96; Ord. No. 2004-647-TC-248, §3, TC-4-04, 6-1-04; Ord. No. 2008-405-TC-312, §1, TC-3-08, 6-3-08)

Editor's note: Ord. No. 1994-365-TC-71, §8, TC-22-93, adopted April 5, 1994, deleted "group care facility" from the list of special uses for the Special Residential-30 District.

- b. See §10-2145 for special uses approved by the Raleigh City Council.
 - Heliport
 - Outdoor stadium, outdoor theater, outdoor racetrack with more than two hundred and fifty (250) seats; outdoor movie theatre
 - Parking facility - off-site, for a *residential institution* in *residential zoning districts*
 - Telecommunication tower
(Ord. No. 1997-137-TC-153, §7, TC-18-96, 6-17-97; Ord. No. 1999-616-TC-181, §3, TC-3-99, 8-3-99; Ord. No. 2008-405-TC-312, §3, TC-3-08, 6-3-08)

(c) Prohibited Uses.

Except for improvements made pursuant to Part 10 chapter 3 of this Code, any use not explicitly allowed in the Special Residential-30 District by the **Schedule of Permitted Land Uses in Zoning Districts** §10-2071 is prohibited. The enumeration of expressly prohibited uses *shall* not be deemed exclusive or all-inclusive. Prohibited uses include:

- Any club or organization operating for profit not otherwise specifically allowed in the District
- Any use of prima facie business, commercial, or industrial character not otherwise specifically allowed in the District
- Any use prohibited by an applicable conditional use zoning district, an applicable overlay zoning district, or both
- *Manufactured home* or *travel trailer* not allowed as a conditional use in §10-2072 as an *accessory structure or use*
(Ord. No. 2000-734-TC-189, TC-2-00, §1, 2-15-00)
- Open dump
- Rear yard *dwelling* or rear yard garage apartment
- School administrative personnel offices located outside of a school
- *Sign* not explicitly allowed in the Special Residential-30 District by the **Schedule of Permitted Signs in Zoning Districts** or erected in violation of §10-2083 or §10-2084
- Storage of two (2) or more unlicensed, uninspected, wrecked, crushed, dismantled, or partially dismantled automotive vehicles

(d) Area, Density, Bulk, Yard, and Height Requirements.

(1) Area, density, and bulk.

- a. The required minimum *net lot area* for any *dwelling unit* and *equivalent dwelling unit* is set forth in the **Schedule of Minimum Net Lot Areas for Dwelling Units and Equivalent Dwelling Units**, §10-2073.
- b. Outside overlay districts the maximum residential density per net acre is twenty (20) units without a special use permit and thirty (30) units per net acre with a special use permit.

All minimum *net lot areas* and residential densities shall be calculated in accordance with §10-2073(c). All residential density and minimum *net lot area* requirements are subject to the exceptions listed in §10-2073(d).

(2) Yard.

The minimum district yard setbacks, unless otherwise required by this Code, are:

front yard	The greater of either 15 feet or within 10 per cent of the median <i>front yard</i> setback established by <i>buildings</i> on the same side of the <i>block face</i> of the proposed <i>building</i> The minimum district yard setback as established above shall also constitute the maximum allowable <i>building</i> setback for the <i>front yard area</i>	
Side yard, if aggregate side yards met		5 feet
aggregate side yard		10 feet
corner lot side yard	Triangular area formed by the street right-of-way lines and a line connecting them at points 20 feet from the <i>street</i> rights-of-way intersection	
rear yard		20 feet

See §10-2075 for other *yard areas* required by this Code, method of calculating, exceptions and reductions to *yard areas*, and illustrations.

(3) Height.

Buildings and structures, unless otherwise regulated by this Code, may be constructed to a height of twelve (12) feet higher than any other residential *building* or structure which is both located within thirty (30) feet of said *lot* and located within the Special Residential-30 District. *Buildings* and structures greater than forty (40) feet high, however, shall add one (1) foot additional width to each required district yard setback for each foot of height greater than forty (40) feet high.

Notwithstanding the foregoing paragraph, *buildings* and structures constructed greater than forty (40) feet high after application of this paragraph which are located closer than fifty (50) feet to either the *lot* line of any *dwelling*, any *congregate care* or any *congregate living structure*, or a boundary line of any *residential zoning district* shall add two (2) feet of additional width to the required district yard setback adjacent thereto for each foot of height greater than forty (40) feet high. Later establishment of either a *dwelling*, a *congregate care* or a *congregate living structure*, or of a *residential zoning district* boundary within the fifty (50) foot distance shall not render the previously lawful existing *building* or structure *nonconforming* or illegal.*

See §10-2076 for method of height calculation, exceptions, and illustrations.

*Editor's note: The regulations of this paragraph first became applicable on January 1, 1987. (Ord. No. 1986-799-TC-267, §2) (Ord. No. 1992-43-TC-397, §1, TC-10-92, 9-1-92; Ord. No. 1998-385-TC-170, §1, 8-4-98)

(e) Supplementary Regulations.

All uses and activities are also subject to Article H, overlay zoning districts, conditional use zoning districts, and supplementary regulations of Article E. Supplementary regulations include:

- (1) **Off-street parking** see §10-2081
- (2) **Landscaping** see §10-2082
- (3) **Signage**
- on-premise signs* see §10-2083
- off-premise signs* see §10-2084

(Ord. No. 1984-438-TC-226, §3,4, TC-275, 11-6-84; Ord. No. 1985-600-TC-242, §4, TC-13-85, 7-2-85)

Additional *dwelling units* or *equivalent dwelling units* on a *lot* (three (3) or more) or additional residential density (greater than twenty (20) but not greater than thirty (30) *dwelling units* per net acre), or both, in the Special Residential-30 District.

Additional *dwelling units* or *equivalent dwelling units* on a *lot* (three (3) or more) or additional residential density (greater than twenty (20) but not greater than thirty (30) *dwelling units* per net acre), or both *shall* meet all of the *following*:

- (1) The materials, including their direction, dimension, and application, used on the exterior portion of the proposed *building* or additions *shall* be the same as those materials used on any two (2) or more existing *buildings* on the *block face*, provided that, any

other material used on one-third ($\frac{1}{3}$) or more of the total *block faces* within the District is allowed.

- (2) The proposed *building* or additions contain a main roof with a minimum rise-to-run pitch of four (4) to twelve (12). If three (3) or more roofs on the *block face* are multidirectional or multipitched, then any multipitched or multidirectional roof style located on the *block face shall* be used.
- (3) Any four-sided window and door pattern on the facade(s) of the proposed *building* or additions visible from an adjacent right-of-way, excluding alleyways, *shall* contain a minimum height-to-width ratio of one and five-tenths (1.5) to one (1). Other shaped window and door patterns *may* be used if they are found on the block face.
- (4) The location, relative to the public street, of the main *building* entrance including the entryway level *shall* be the same as three (3) or more *buildings* on the *block face*. No upper story entrance *shall* be visible from an adjacent *street right-of-way*, excluding alleyways.
- (5) The longest side of the proposed or existing building including its additions or the largest side of the proposed *building* does not exceed either one and one-half ($1\frac{1}{2}$) times its height, as determined from §10-2076, or the minimum height-to-width ratio found in three (3) or more buildings on the *block face*, whichever is greater.
- (6) The proposed *building lot coverage* does not exceed fifty (50) per cent of the *net lot area*.
- (7) All *vehicular surface areas* containing more than four (4) spaces that are located within one hundred (100) feet of any adjoining lot that is both zoned a *residential district* and contains a *dwelling shall* provide the same *transitional protective yard* as is required for high residential density uses in §10-2082.9(e).

Editor's note: This provision was formerly codified as a special use in §10-2145. (Ord. No. 438-TC-226, TC-275, 12-11-84; Ord. No. 600-TC-242, §4, TC-13-85, 7-2-85; Ord. No. 799-TC-267, §36, TC-21-85, 1-1-87)
(Ord. No. 1997-137-TC-153, §47, TC-18-96, 6-17-97)