



Certified Recommendation

Raleigh Planning Commission

CR# 11676

Case Information: TC-11-15 / Townhome Height – Mixed Use Districts

Comprehensive Plan Guidance

<p><i>Applicable Policy Statements</i></p>	<p>Policy LU 2.1—Placemaking Development within Raleigh’s jurisdiction should strive to create places, streets, and spaces that in aggregate meet the needs of people at all stages of life, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity, and maintain or improve local character.</p> <p>Policy LU 6.2 - Complementary Uses and Urban Vitality A complementary integration and mixture of land uses should be provided within all growth centers and mixed-use centers and developments to maintain the City’s livability, manage future growth, and provide walkable and transit accessible destinations. Areas designated for mixed-use development in the Comprehensive Plan should be zoned consistent with this policy.</p> <p>Policy LU 8.1—Housing Variety Accommodate growth in newly developing areas of the City through mixed-use neighborhoods with a variety of housing types.</p> <p>Policy H 1.8a—Zoning for Housing Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing.</p>
<p><i>Action Items</i></p>	<p>Not applicable</p>

Summary of Text Change

<p><i>Summary</i></p>	<p>Amends Sections 3.2.3. of the Part 10A Raleigh Unified Development Ordinance to amend the maximum allowable height for townhomes to be determined by the underlying zoning district rather than to be capped at 45’ or 3 stories.</p>
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Summary of Impacts

<p><i>Impacts Identified</i></p>	<p><u>Adoption of TC-11-15:</u> 1. The adoption of the text change would set the maximum allowable height for townhomes in mixed</p>
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Zoning Staff Report – TC-11-15

Townhome Height – Mixed Use Districts

Request

<i>Section Reference</i>	Part 10A §3.2.3. Townhouse
<i>Basic Information</i>	Amends Sections 3.2.3. of the Part 10A Raleigh Unified Development Ordinance to amend the maximum allowable height for townhomes to be determined by the underlying zoning district rather than to be capped at 45' or 3 stories.
<i>PC Recommendation Deadline</i>	February 9, 2016

Comprehensive Plan Guidance

<i>Applicable Policies</i>	<p>Policy LU 2.1—Placemaking Development within Raleigh’s jurisdiction should strive to create places, streets, and spaces that in aggregate meet the needs of people at all stages of life, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity, and maintain or improve local character.</p> <p>Policy LU 6.2 - Complementary Uses and Urban Vitality A complementary integration and mixture of land uses should be provided within all growth centers and mixed-use centers and developments to maintain the City’s livability, manage future growth, and provide walkable and transit accessible destinations. Areas designated for mixed-use development in the Comprehensive Plan should be zoned consistent with this policy.</p> <p>Policy LU 8.1—Housing Variety Accommodate growth in newly developing areas of the City through mixed-use neighborhoods with a variety of housing types.</p> <p>Policy H 1.8a—Zoning for Housing Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing.</p>
<i>Action Items</i>	Not applicable



Zoning Staff Report – TC-11-15

Townhome Height – Mixed Use Districts

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History/Overview

This text change was initiated by Mack Paul, attorney, on behalf of a client, Hyde Street Holdings, who is interested in constructing a four story townhome on property zoned OX-5.

Purpose and Need

This text change would allow townhomes to be constructed to the same height as other building types in the Mixed Use District. This text change would allow townhomes to be more appropriately sized based on the district in which they would be built. For many districts, the cap of 45'3 stories may still be the most appropriate height limitation; however, certain districts may warrant more or less height based on allowable uses and other district specific regulations.

Alternatives Considered

None

Scoping of Impacts

Potential adverse impacts of the proposed text change have been identified as follows:

None, as other building types in the district would already be allowed to be constructed to a greater height.

The adverse impacts of taking no action (retaining the existing regulations) have been identified as follows:

None.

Impacts Summary

Adoption of Proposed Text Change

Townhome developments within Mixed Use Districts would be allowed to be constructed to the height set by the district and no longer capped at 3 stories or 45'.

No action

The status quo will be maintained and the Part 10A Raleigh Unified Development Ordinance's Chapter 3 Mixed Use Districts will remain unchanged and townhome height would be limited to 45'3 stories regardless of district.

**ORDINANCE NO. (2015) 529 TC 376
TC-11-15**

**AN ORDINANCE TO MODIFY THE MAXIMUM ALLOWED HEIGHT FOR
TOWNHOUSES IN MIXED USE DISTRICTS IN THE CITY OF RALEIGH
UNIFIED DEVELOPMENT ORDINANCE TO REFLECT THE DISTRICT**

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

Section 1. Section 3.2.3 of the Part 10A Raleigh Unified Development Ordinance, Townhouse, is hereby amended by changing "45'3 Stories" in both columns of line F1 of the height table to read "Set by district."

Section 2. All laws and clauses of laws in conflict herewith are repealed to the extent of such conflict.

Section 3. 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 4. This text change has been reviewed by the Raleigh City Planning Commission.

Section 5. This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

Section 6. This ordinance has been provided to the North Carolina Capital Commission as required by law.

Section 7. 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 8. This ordinance is effective five (5) days after adoption.

ADOPTED: December 1, 2015

EFFECTIVE: December 6, 2015

DISTRIBUTION: Planning – Bowers, Crane, Hodge
City Attorney – Botvinick, Hargrove-Bailey
Department Heads
Transcription Svcs – Taylor

Prepared by the Planning and Development Department