



Certified Recommendation

Raleigh Planning Commission

CR# 11445

Case Information: TC-2-12 / Hospitality House

Comprehensive Plan Guidance

<i>Applicable Policy Statements</i>	Not applicable
<i>Action Items</i>	Not applicable

Summary of Text Change

<i>Summary</i>	Amends the Zoning Code to create a new land use entitled Hospital Hospitality House. The use is proposed to be first permitted in the R-10 district subject to special use permit approval by the Board of Adjustment. Limitations require that the house be located within ½-mile of the associated hospital and house no more than 12 persons at any one time.
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Summary of Impacts

<i>Impacts Identified</i>	<p><u>Adoption of TC-2-12:</u> Introduces a new permitted use within the medium and high density residential districts which is not a traditional residential use. Any potential negative impacts should be mitigated through the Special Use Permit Hearing process before the Board of Adjustment.</p> <p><u>No Action:</u> Requires a Hospital Hospitality House to meet the definition of hotel and only be permitted within nonresidential zoning districts.</p>
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Public Meetings

<i>Public Hearing</i>	<i>Committee</i>		<i>Planning Commission</i>	
1-17-12			1-24-12	APPROVED w/ revisions

Planning Commission Recommendation

<p><i>Recommendation</i></p>	<p>That this text change be approved, as revised.</p>
<p><i>Findings & Reasons</i></p>	<p>That there is an apparent need for this use, which is currently not addressed by the City of Raleigh Zoning Code. Requiring Special Use Permit Approval by the Board of Adjustment ensures that surrounding neighbors will be able to participate in the review of any proposal to locate a Hospitality House within a residential neighborhood.</p> <p>The Planning Commission proposes the following changes to the proposed ordinance:</p> <ul style="list-style-type: none"> - To increase the allowable distance between the hospitality house and the hospital from ½-mile to 1 mile. - To not limit the maximum number of rental rooms and residents within the residential districts, but allow the Board of Adjustment to set the maximum; and to allow applicants for hospitality houses within a nonresidential district to propose additional rental rooms or residents above the maximum (6 rooms, 12 residents) through the Special Use Permit process. - For hospitality houses proposing to locate within a residential zoning district, <ul style="list-style-type: none"> - that parking not occupy more than 50% of the front yard area; - that all new structures and expansions be architecturally compatible with surrounding properties; and - that the Board of Adjustment find that the use will not negatively impact surrounding properties.
<p><i>Motion and Vote</i></p>	<p>Motion: Mattox Second: Schuster</p> <p>In Favor: Batchelor, Butler, Buxton, Fleming, Harris Edmisten, Haq, Mattox, Schuster, Sterling Lewis, Terando</p>

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report.

Planning Director Date _____^{1/24/12}
Planning Commission Chairperson Date

Staff Coordinator: Greg Hallam: greg.hallam@raleighnc.gov

TC-2-12 Hospital Hospitality House

Proposes to amend the Zoning Code to include Hospital Hospitality House as a new land use listing subject to the following requirements:

- Not permitted within the R-1 through R-6 districts.
- Requires Special Use Permit approval by the Board of Adjustment when locating within the R-10 through R-30 districts.
- Requires Conditional Use approval when locating within nonresidential districts.

All hospital hospitality houses are subject to the following requirements:

- (1) Required to be associated with a hospital and located within ½-mile of the associated hospital;
- (2) Contains rental rooms without individual cooking facilities for lodging of visitors but not available for rent to the general public;
- (3) Contains a maximum of 6 rental rooms housing no more than 12 persons at any one time;
- (4) The lot area equals or exceeds the minimum net lot area for a detached single-family dwelling unit in the applicable zoning district; and
- (5) Provides a minimum of 1.5 off-street parking spaces per rental room. All off-street parking spaces shall comply with the following:
 - be constructed of permanent, nonerodible surface treatment limited to masonry, concrete or asphalt;
 - arranged so that vehicle ingress and egress is by forward motion of the vehicle;
 - and landscaped in accordance with street yard and vehicular surface area requirements.

2/7/12

**ORDINANCE NO. (2012) 9 TC 352
TC-2-12**

**AN ORDINANCE TO AMEND THE ZONING CODE BY ADDING A NEW
LAND USE LISTING ENTITLED HOSPITALITY HOUSE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH
CAROLINA that:**

Section 1. Amend Raleigh City Code Sections 10-2021(b)(3)a., 10-2022(b)(3)a., 10-2023(b)(3)a., 10-2024(b)(3)a. and 10-2025(b)(3)a. to add the following new special use listing in alphabetical order:

“- Hospital hospitality house”

Furthermore, amend Sections 10-2032(b)(2), 10-2035(b)(2), 10-2036(b)(2), 10-2040(b)(2), 10-2041(b)(2), 10-2042(b)(2), 10-2043(b)(2) and 10-2045(b)(2) to add the following new special use listing in alphabetical order:

“- Hospital hospitality house”

Section 2. Amend Section 10-2071, **SCHEDULE OF PERMITTED LAND USES IN ZONING DISTRICTS**, within the **RESIDENTIAL** Land Use category, by adding the following new land use in alphabetical order:

“Hospital Hospitality House”

Furthermore, amend Section 10-2071 for this new land use listing by providing a Special Use (Board of Adjustment) symbol (solid square) within the R-10, R-15, R-20, Sp R-30 and R-30 districts and a Conditional Use symbol (open circle) within the RB, O&I-1, O&I-2, BC, SC, NB, BUS and TD districts.

Section 3. Amend Section 10-2072, **Conditional Uses – Alphabetical Listing**, by including the following new use in alphabetical order:

“- Hospital Hospitality House”

Furthermore, amend Section 10-2072, subsection (b), to include the following new conditional use standards in alphabetical order:

“Hospital hospitality house

A hospital hospitality house in the Residential Business, Office and Institution-1, Office and Institution-2, Buffer Commercial, Shopping Center, Neighborhood Business, Business, or Thoroughfare Districts *shall* meet all of the following:

- (1) Required to be associated with a hospital, located within one (1) mile of the associated hospital (as measured from the closest property line to the closest property line);
- (2) Contains rental rooms without individual cooking facilities for lodging of visitors but not available for rent to the general public;
- (3) Contains a maximum of six (6) rental rooms housing no more than twelve (12) persons at any one time, unless additional rental rooms and/or persons are approved as a Special Use Permit by the Board of Adjustment;
- (4) The *lot* area equals or exceeds the minimum *net lot area* for a detached single-family dwelling unit in the applicable zoning district; and
- (5) Provides a minimum of one and one-half (1.5) off-street parking spaces per rental room. All off-street parking spaces *shall* comply with the following: be constructed of permanent, nonerodible surface treatment limited to masonry, concrete or asphalt; arranged so that vehicle ingress and egress is by forward motion of the vehicle; and landscaped in accordance with §§10-2082.5 and 10-2082.6.”.

Section 4. Amend Section 10-2144, **Special use permits – alphabetical listing**, by including the following new use in alphabetical order:

“- Hospital Hospitality House”

Furthermore, amend Section 10-2144, subsection (b), to include the following new conditional use standards in alphabetical order:

“Hospital hospitality house

To permit a hospital hospitality house in the Residential-10, Residential-15, Residential-20, Special Residential-30 and Residential-30 districts after the Board finds that the evidence presented at the hearing establishes each of the *following*:

- (1) The use is associated with a hospital, located within one (1) mile of the associated hospital (as measured from the closest property line to the closest property line);
- (2) The use contains rental rooms without individual cooking facilities for lodging of visitors but not available for rent to the general public;
- (3) That all new structures and expansions be architecturally compatible with surrounding properties;
- (4) The *lot* area equals or exceeds the minimum *net lot area* for a detached single-family dwelling unit in the applicable zoning district;

- (5) The use provides a minimum of one and one-half (1.5) off-street parking spaces per rental room. All off-street parking spaces and *vehicular surface areas shall* comply with the following: occupies no more than fifty (50) per cent of the *front yard area*, be constructed of permanent, nonerodible surface treatment limited to masonry, concrete or asphalt; arranged so that vehicle ingress and egress is by forward motion of the vehicle; and landscaped in accordance with §§10-2082.5 and 10-2082.6, and
- (6) The use will not adversely impact public infrastructure and facilities or negatively impact surrounding properties.”.

Section 5. All laws and clauses of laws in conflict herewith are hereby repealed to the extent of said conflict.

Section 6. 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 the end the provisions of this ordinance are declared to be severable.

Section 7. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council and the City Planning Commission following a recommendation of the Planning Commission.

Section 8. This ordinance has been provided to the North Carolina Capital Commission as required by law.

Section 9. This ordinance shall be enforced by law 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 G.S. 14-4(a) or similar limitations.

Section 10. This ordinance shall become effective five (5) days following its adoption.

ADOPTED: February 7, 2012
EFFECTIVE: February 12, 2012

DISTRIBUTION: Planning – Silver, Hallam, Brandon
City Attorney – Hargrove
Transcription Svcs – Taylor
Duke University Health System, Inc. (Laura Raynor, Gary Milewski)