



Certified Recommendation

Raleigh Planning Commission

CR# 11664

Case Information: TC-10-15 / Alley Transitions

Comprehensive Plan Guidance

<p><i>Applicable Policy Statements</i></p>	<p>Policy LU 5.2 - Managing Commercial Development Impacts Manage new commercial development using zoning regulations and through the conditional use zoning and development review processes so that it does not result in unreasonable and unexpected traffic, parking, litter, shadow, view obstruction, odor, noise, and vibration impacts on surrounding residential areas.</p> <p>Policy LU 5.6 - Buffering Requirements New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.</p> <p>Policy LU 7.4 - Scale and Design of New Commercial Uses New uses within commercial districts should be developed at a height, mass, scale, and design that is appropriate and compatible with surrounding areas.</p> <p>Policy LU 8.3 - Conserving, Enhancing, and Revitalizing Neighborhoods Recognize the importance of balancing the need to increase the housing supply and expand neighborhood commerce with the parallel need to protect neighborhood character, preserve historic resources, and restore the environment.</p> <p>Policy LU 8.5 - Conservation of Single-Family Neighborhoods Protect and conserve the City's single-family neighborhoods and ensure that their zoning reflects their established low density character. Carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single-family neighborhoods to protect low density character, preserve open space, and maintain neighborhood scale.</p> <p>Policy LU 8.12 - Infill Compatibility Vacant lots and infill sites within existing neighborhoods should be developed consistently with the design elements of adjacent structures, including height, setbacks, and massing through the use of zoning tools including Neighborhood Conservation Overlay Districts.</p>
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	<p>Policy HP 2.4 - Protecting Historic Neighborhoods Protect the scale and character of the City's historic neighborhoods while still allowing compatible and context-sensitive infill development to occur.</p>
<i>Action Items</i>	Not applicable

Summary of Text Change

<i>Summary</i>	Amends Section 3.5 of the Part 10A Raleigh Unified Development Ordinance, Transitions, to address situations where a Mixed Use District or Campus District is separated from a Residential District (R-1 through R-10) by an intervening alley.
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Summary of Impacts

<i>Impacts Identified</i>	<p><u>Adoption of TC-10-15:</u></p> <ol style="list-style-type: none"> The adoption of the text change would require a neighborhood transition when a Mixed Use or Campus District is separated from a Residential District only by an intervening alley. The adoption of the text change would allow ½ of the width of the alley to be applied to the width of the Transition Zones A and B. <p><u>No Action:</u></p> <ol style="list-style-type: none"> Where an intervening alley separates a Mixed Use or Campus District from a Residential District, no Neighborhood Transition would be required.
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Public Meetings

<i>Submitted</i>	<i>Committee</i>		<i>Planning Commission</i>
Sept. 1, 2015		9-22-15	Approval

Attachments

- Draft Ordinance

Planning Commission Recommendation

<i>Recommendation</i>	Approval
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Zoning Staff Report – TC-10-15

Alley Transitions

Request

<i>Section Reference</i>	Part 10A §3.5.1. Neighborhood Transitions - Applicability
<i>Basic Information</i>	Amends the Part 10A Raleigh Unified Development to require Neighborhood Transitions where a Mixed Use or Campus Districts would otherwise abut a Residential District were it not for an intervening alley.
<i>PC Recommendation Deadline</i>	November 24, 2015

Comprehensive Plan Guidance

<i>Applicable Policies</i>	<p>Policy LU 5.2 - Managing Commercial Development Impacts Manage new commercial development using zoning regulations and through the conditional use zoning and development review processes so that it does not result in unreasonable and unexpected traffic, parking, litter, shadow, view obstruction, odor, noise, and vibration impacts on surrounding residential areas.</p> <p>Policy LU 5.6 - Buffering Requirements New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.</p> <p>Policy LU 7.4 - Scale and Design of New Commercial Uses New uses within commercial districts should be developed at a height, mass, scale, and design that is appropriate and compatible with surrounding areas.</p> <p>Policy LU 8.3 - Conserving, Enhancing, and Revitalizing Neighborhoods Recognize the importance of balancing the need to increase the housing supply and expand neighborhood commerce with the parallel need to protect neighborhood character, preserve historic resources, and restore the environment.</p> <p>Policy LU 8.5 - Conservation of Single-Family Neighborhoods Protect and conserve the City's single-family neighborhoods and ensure that their zoning reflects their established low density character. Carefully manage the development of vacant land and</p>
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	<p>the alteration of existing structures in and adjacent to single-family neighborhoods to protect low density character, preserve open space, and maintain neighborhood scale.</p> <p>Policy LU 8.12 - Infill Compatibility Vacant lots and infill sites within existing neighborhoods should be developed consistently with the design elements of adjacent structures, including height, setbacks, and massing through the use of zoning tools including Neighborhood Conservation Overlay Districts.</p> <p>Policy HP 2.4 - Protecting Historic Neighborhoods Protect the scale and character of the City's historic neighborhoods while still allowing compatible and context-sensitive infill development to occur.</p>
<i>Action Items</i>	Not applicable

Contact Information

<i>Staff Coordinator</i>	Eric Hodge: eric.hodge@raleighnc.gov ; 919.996.2639
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History/Overview

This text change was initiated by a neighborhood group concerned about Mixed Use Districts being proposed across an alley from their Residential District and how a Neighborhood Transition would be addressed.

Purpose and Need

This text change would require a Neighborhood Transition when a Mixed Use or Campus District is separated from a Residential District only by an intervening alley. In order to acknowledge the presence of the alley, the required Neighborhood Transition would be able to be reduced by ½ of the width of the alley as it would apply towards the width requirements of Zones A and/or B of the Neighborhood Transition. This would serve to provide an effective buffer between the Residential District to help protect and conserve single-family neighborhoods while still allowing compatible and context-sensitive infill development to occur. .

Alternatives Considered

None

Scoping of Impacts

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

None.

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

Where an intervening alley separates a Mixed Use or Campus District from a Residential District, no Neighborhood Transition would be required. The transition otherwise afforded to Residential Districts would not be triggered if an alley separated the residential neighborhood from the Mixed Use or Campus District.

Impacts Summary

Adoption of Proposed Text Change

New developments within Mixed Use or Campus Districts would be developed adjacent to alleys with residential neighborhood compatible transitions. The presence of the alley would be acknowledged towards some of the width requirements of the transition zones otherwise normally required.

No action

Where an intervening alley separates a Mixed Use or Campus District from a Residential District, no Neighborhood Transition would be required.

**ORDINANCE NO. (2015) 513 TC 374
TC-10-15**

**AN ORDINANCE TO MODIFY THE TRANSITION STANDARDS IN THE
CITY OF RALEIGH UNIFIED DEVELOPMENT ORDINANCE TO ACCOMMODATE
MIXED USE AND CAMPUS DEVELOPMENT ADJACENT TO ALLEYS**

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

Section 1. Section 3.5 of the Part 10A Raleigh Unified Development Ordinance, Transitions, is hereby amended by adding the following underlined text:

Section 3.5.1 Applicability

- A. The following neighborhood transition standards apply in the Mixed Use and Campus Districts when the following occurs:
 - 1. The site immediately abuts a district boundary of an R-1, R-2, R-4 or R-6 district, except where the abutting property contains a civic use.
 - 2. The site immediately abuts a district boundary of an R-10 district where the abutting property is vacant or contains an existing detached house or attached house used for residential purposes.
- B. Zone B does not apply to sites 50 feet or less in depth. In such cases, Zone C starts immediately adjacent to the Zone A protective yard.
- C. Zones B and C do not apply to detached house, attached house, townhouse or apartment building types in RX- where 3 stories is the maximum height.
- D. Where an intervening alley is located between the residential property and the Mixed Use District or Campus District, the transition regulations apply. One-half of the width of the alley shall be included in the required transition yard measurement and shall be first applied to the required width of Zones A and B and then to Zone B. In all cases, landscaping, fences and walls shall not be required where there is an intervening alley.

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: November 3, 2015

EFFECTIVE: November 8, 2015

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

Prepared by the Department of City Planning