

Official Zoning Code Interpretation



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Requested Interpretation		Case Number
9.1.4.B.2, has an apparent typo where it states "areas described in h. through Sec 9.1.4.B.1.b." as there is no "h" above in the code. Further, 9.1.4.B.4 allows an alternate compliance to 9.1.4.B.1.a and b. and states that the minimum area is 4000sf and does not provide a minimum width. Above in 9.1.4.B.2. a minimum width is specified, but with the typo referenced above, it is not clear if this minimum width would apply to 9.1.4.B.4. What is "h." and what sections have a minimum width as specified in 9.1.4.B.2.?		UI-05-2017
Site Address/PIN: NA		
Date Submitted: 4-26-2017	Date Issued: 5-11-2017	Code Sections Affected: 9.1.4.B.2, 9.1.4.B.1.b

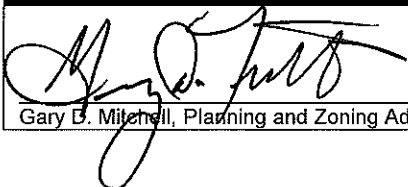
STAFF ANALYSIS

In determining what "h" is and the specified minimum width staff examined the UDO and the first public review draft. Looking at the specific sections of the UDO it is apparent that "h" is a misprint. There is no section entitled "h" within 9.1.4. In the public review draft of the UDO, dated January 12, 2012, there is no reference to an 'h'. Rather the UDO section 9.1.4.B.2 specifically references the "...paragraphs 1.a through 1.c. above..." The minimum width issue is also addressed by the misprint in the UDO. 9.1.4. B.2. Section 9.1.4.B.2 states, "...must be at least is 32 feet in all directions and be a minimum of 4,000 square feet in area, excluding external boundaries." By accounting for the misprint, the minimum width will always be at least 32 feet as stated. However, it may be wider based on the requirements as outlined in 1.a through 1.c.

STAFF INTERPRETATION

There is no "h" subsection in UDO 9.1.4. The minimum width for a secondary tree conservation area is 32 feet and a minimum of 4,000 square feet in area unless altered by the requirements in 9.1.4.B.1, subparagraphs a through c.

SIGNATORY



Gary B. Mitchell, Planning and Zoning Administrator