

**ORDINANCE NO. 2019 954 TC 417
TC-1(B)-18**

**AN ORDINANCE TO AMEND MULTIPLE SECTIONS OF THE PART 10 RALEIGH
UNIFIED DEVELOPMENT ORDINANCE, OMNIBUS LIST 2019 USE RELATED
CLARIFICATIONS**

WHEREAS, the Unified Development Ordinance is a regulatory document and in order to properly regulate development, the document should be clear and understandable;

WHEREAS, errors and inconsistencies in the document can undermine the consistency and application of the regulations;

WHEREAS, after application of certain standards, staff has identified areas of need to improve and correct the errors; and

WHEREAS, staff has identified a need to enhance or clarify certain processes contained within the document;

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

Section 1. Section 6.1.4. of the Part 10 Raleigh Unified Development Ordinance, Allowed Principal Use Table, is hereby amended by insertion of the following underlined language:

LIGHT INDUSTRIAL, EXCEPT AS LISTED BELOW

Commercial parking ~~lot~~facility

Remote parking ~~lot~~facility

Section 2. Section 6.1.4. of the Part 10 Raleigh Unified Development Ordinance, Allowed Principal Use Table, is hereby amended by insertion of the following underlined language beneath the “LIGHT INDUSTRIAL, EXCEPT AS LISTED BELOW” category as amended above:

Brewery, winery, distillery, cidery

Section 3. Section 6.1.4. of the Part 10 Raleigh Unified Development Ordinance, Allowed Principal Use Table, is hereby amended:

Under the “Brewery, winery, distillery, cidery” category, list the use as “L” in the DX zoning district, and “P” in the IX and IH zoning districts.

Section 4. Section 6.4.7.C of the Part 10 Raleigh Unified Development Ordinance, Remote Parking Facility, is hereby amended by deletion of the following strikethrough language and insertion of the following underlined language:

C. Remote Parking Facility

1. Defined

A facility that provides parking as a principal use ~~that is used to meet the off-site parking provisions of Sec. 7.1.2.C.~~ for a permitted principal use located on a separate lot within the same the zoning district.

2. Use Standards

- a. The remote ~~off-site parking lot~~ facility must be located within the specified distance of the principal use served as set forth in *Sec. 7.1.5.B.*
- b. The remote ~~off-site parking lot~~ facility must be located completely within ~~the same contiguous a zoning district~~ that permits the principal use that the parking is serving, as the principal use served.
- c. A Type A1 or A2 transitional protective yard (see *Sec. 7.2.4.A.*) must be established along any side of the property abutting a residential use.
- d. In an R-1, R-2, R-4, R-6, R-10 or R-X district, a fee may not be charged.

Section 5. Section 6.5.2. of the Part 10 Raleigh Unified Development Ordinance, Light Industrial Use Category, is hereby amended by insertion of the following underlined language:

A. Light Industrial Use Category

Manufacturing, assembly, repair or servicing of industrial, business, or consumer machinery, equipment, products, or by-products mainly by providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Light industrial includes the following uses.

1. Bottling.
2. Brewery, winery, distillery, cidery.
3. Bus or rail transit vehicle maintenance or storage facility.
4. Contractors storage including janitorial and building maintenance service, exterminator, or other maintenance yard or facility, building, heating, plumbing, landscaping or electrical contractor and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site.
5. Food and beverage products except animal slaughter, stockyards.
6. Lawn, tree or garden service.
7. Laundry, dry-cleaning, and carpet cleaning plants.
8. Leather and leather products except tanning and finishing.
9. Sheet metal, welding, machine, tool repair shop or studio.
10. Stone, clay, glass, and concrete products.
11. Woodworking, including cabinet makers and furniture manufacturing.

B. Brewery, Winery, Distillery

1. Use Standards

- a. In the DX District, a brewery, winery, distillery or cidery shall not distribute any quantity of beer, wine or spirits off-premises.
- b. In the DX District, there shall be no allowance for outdoor storage of materials associated with the production of beer, wine or spirits.

Section 6. Section 6.7.3.G.7. of the Part 10 Raleigh Unified Development Ordinance, Recreational Use Related to a Residential Development, is hereby amended by insertion of the following underlined language:

7. Parking for the recreational uses shall be provided in accordance with Sec. 7.1.2.C Parking Requirements by Use. However, the number of required parking spaces may be reduced by the ratio of the total parking required for the residential uses that are located within 400 feet of the recreation use to the total required parking for all residential uses in the development.

Section 7. Section 6.8.2.D.1. of the Part 10 Raleigh Unified Development Ordinance, Produce Stand, is hereby amended by deletion of the following strikethrough language:

1. Defined

A produce stand permits the itinerant sale of agricultural produce and home-made food goods ~~on a property~~ without a permanent structure or improvements.

Section 8. All laws and clauses of laws in conflict herewith are repealed to the extent of such conflict.

Section 9. 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 10. This text change has been reviewed by the Raleigh City Planning Commission.

Section 11. This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

Section 12. This ordinance has been provided to the North Carolina Capital Commission as required by law.

Section 13. 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 14. This ordinance is effective 5 days after adoption.

ADOPTED: June 4, 2019

EFFECTIVE: June 9, 2019

DISTRIBUTION: Bowers, Crane, Holland, Walter, Hosey

Prepared by the Department of City Planning