

ORDINANCE NO. (2024) 683 TC 485

TC-4-24

TEMPORARY AND ACCESSORY EMERGENCY SHELTERS

**AN ORDINANCE TO AMEND THE
RALEIGH UNIFIED DEVELOPMENT ORDINANCE TO ALLOW TEMPORARY AND
ACCESSORY EMERGENCY SHELTERS**

WHEREAS, there is increased interest in provided shelters to temporarily displaced individuals during inclement weather or other mass displacement events; and

WHEREAS, the UDO only contains allowances for permanent emergency shelters, which in most instances requires the issuance of a Special Use Permit; and

WHEREAS, it is in the public interest to allow temporary and accessory shelters to protect individuals from the elements and other potential harms.

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

Section 1. Section 6.7.3., of the Part 10 Raleigh Unified Development Ordinance, Additional Standards for Accessory Uses, is hereby amended by adding the language shown in underline:

L. Emergency Shelter – Accessory

An indoor facility providing temporary shelter and/or sleeping facilities for displaced persons during, or following, severe weather, a natural disaster, or other qualifying event.

1. The shelter must provide a minimum of 50 square feet of occupiable space per person.
2. An employee or volunteer must maintain continuous on-site supervision during hours of operation.
3. The shelter is not allowed in an Airport Overlay District.
4. No counseling or therapeutic activities may be conducted. Referral of residents to employment agencies and other personal service agencies shall not be deemed to be counseling.
5. The shelter shall only be permitted in the following districts:
 - a. CX-, DX-, IX-, or IH with a conforming permitted principal use; or
 - b. Any district with a conforming permitted Civic Use
6. The shelter shall only operate for the duration of the following events:
 - a. Winter Weather, Wind Chill, Frost/Freeze, Heat, Wind, Smoke and/or Dust Advisories; or Hurricane, Tropical Storm, Tornado, Severe Thunderstorm, and/or Fire Weather Watches as issued by the National Weather Service

- b. Public Health Concerns and Mass Displacement Events as determined by the [either "City Manager" or "Wake County Manager" or "Governor"]

Section 2. Section 6.8.2., of the Part 10 Raleigh Unified Development Ordinance, Temporary Use Permit required, is hereby amended by adding the language shown in underline:

G. Emergency Shelter – Temporary

An indoor facility providing temporary shelter and/or sleeping facilities for displaced persons during, or following, severe weather, a natural disaster, or other qualifying event.

1. The shelter must provide a minimum of 50 square feet of occupiable space per person.
2. An employee or volunteer must maintain continuous on-site supervision during hours of operation.
3. The shelter is not allowed in an Airport Overlay District.
4. No counseling or therapeutic activities may be conducted. Referral of residents to employment agencies and other personal service agencies shall not be deemed to be counseling.
5. The shelter shall only be permitted in the CX-, DX-, IX-, or IH districts
6. The shelter shall only operate for the duration of the following events:
 - a. Winter Weather, Wind Chill, Frost/Freeze, Heat, Wind, Smoke and/or Dust Advisories; or Hurricane, Tropical Storm, Tornado, Severe Thunderstorm, and/or Fire Weather Watches as issued by the National Weather Service
 - b. Public Health Concerns and Mass Displacement Events as determined by the [either "City Manager" or "Wake County Manager" or "Governor"]

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 Planning Commission.

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

Section 6. This ordinance has been provided to the North Carolina Capital Planning 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.

Section 8. This ordinance is effective 30 days after adoption.

ADOPTED: October 15, 2024

EFFECTIVE: November 14, 2024

DISTRIBUTION: Planning & Development – Young, Bowers, Walter,
Ray, Rametta, McDonald, Sheppard
Engineering Services – Miles, Brown, Hoyt, Witherspoon
City Attorney – McDonald, York, Hargrove-Bailey
Department Heads
Transcription Svcs – Taylor, Puccini