

**ORDINANCE NO. (2022) 328 TC 463**

**(TC-17-21 - PLAYGROUND EQUIPMENT AND ACCESSORY STRUCTURES)**

**AN ORDINANCE AN ORDINANCE TO AMEND THE PART 10  
RALEIGH UNIFIED DEVELOPMENT ORDINANCE TO REVISE THE  
REGULATIONS FOR CERTAIN ACCESSORY STRUCTURES**

**WHEREAS**, the Unified Development Ordinance broadly defines accessory structures; and

**WHEREAS**, Accessory structures are subject to certain limitations and permitting requirements which regulate dimensional requirements and their placement on lots; and

**WHEREAS**, Accessory structures can have variable impacts, whether perceived or actual, on adjacent properties depending on their use, nature, and size; and

**WHEREAS**, The City Council finds it is the public interest to exempt or limit regulation of certain minor ancillary structures separately from the accessory structure regulations.

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

**Section 1.** Section 6.7.2., Accessory Structures, is hereby amended by adding the following language shown in underline and deleting the language shown in strikethrough:

C. In Residential Districts, accessory structures associated with Detached or Attached Houses shall comply with the following:

1. Accessory structures with gross floor area of 150 square feet or less and height of 10 feet or less shall have a minimum setback of 5 feet from side and rear property lines;

2. Playsets, as defined in Article 12.2, Defined Terms, shall not be deemed structures for the purposes of Section 10.2.8.A. A zoning permit is not required for these structures, however, notwithstanding any other requirements of this section, only the following standards shall apply:

a. Maximum height shall not exceed 15’;

b. Playsets may not encroach into any primary or side street setback; and

c. Any roofed-over portion shall not exceed 100 square feet.

~~23.~~ The Accessory structure shall not be located any closer to the primary or side street than the wall plane of the principal structure closest to the street;

~~34.~~ Accessory structures shall have a minimum setback of 4 feet from an alley;

~~45.~~ The vehicular opening of a garage on an alley shall have a setback of either 4

feet or 20 feet or more from the alley;

56. Notwithstanding anything herein, accessory structures shall be lower in height than the principal building;

67. No deck or balcony shall be permitted above the finished floor elevation of the ground floor;

78. Vertical encroachments are not permitted; and

89. Encroachments into setbacks are not permitted.

**Section 2.** Article 12.2. of the Part 10 Raleigh Unified Development Ordinance, Definitions, is hereby amended by inserting the following definition of “Playset” after “Play Fields” and before “Portable Ground Sign”:

**Playset**

A freestanding play structure primarily intended for children, including swing sets, tree houses, and slides.

**Section 3.** This text change has been reviewed by the Raleigh Planning Commission.

**Section 4.** This ordinance has been adopted following a duly advertised legislative hearing of the Raleigh City Council.

**Section 5.** This ordinance has been provided to the North Carolina Capital Planning Commission as required by law.

**Section 6.** 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 7.** This ordinance is effective 5 days after adoption.

**Adopted:** January 18, 2022

**Effective:** January 23, 2022

**Distribution:** Planning & Development – Young, Bowers, Crane, Waddell, Ray, Rametta,  
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*Prepared by the Department of Planning and Development*