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.

3. 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;

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

5. 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 a 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, McDonald, Bailey-Taylor
City Attorney – Tatum, Hill, York, Hargrove-Bailey
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Prepared by the Department of Planning and Development