

TC-12-21 Accessory Commercial Units

Ask-A-Planner

November 2021



Background

- City Council authorized a text change to allow Accessory Commercial Units (ACUs) in June of 2021.
- ACUs are intended to be accessory to residential uses in residential districts.
- The goal of the text change is to allow more opportunities for shopping and services within walking distance of neighborhoods.



Existing Similar Accessory Uses

The UDO currently allows the following accessory uses in residential districts that are similar to ACUs:

- Home Occupation
- Live-Work
- Day Care, Home



Home Occupation

- Fully contained within residential structure
- Maximum size of 25% of building
- Almost no outward appearance of a business allowed
- No expressly allowed or prohibited uses. Use impacts regulated by restriction on external aspects
- No employees or customers allowed
- No special use permit required



Live-Work

- Allows some external business features such as signs and parking
- Maximum size set by definition of accessory use (“subordinate in area, extent and prupose”)
- Allows up to two employees
- Maximum of 5 customers
- Allowed uses expressly stated
- No outdoor storage
- Requires a special use permit



Day Care, Home

- Resident must operate
- No employees other than resident's family
- Maximum of 8 children
- No play equipment in front yard
- No special use permit required



TC-12-21 Overall Framework

- Remove special use permit (SUP) requirement for Live-Work
- Completely remove Home Occupation
 - Without SUP, Home Occupation becomes redundant with Live-Work
- Modify Live-Work
- Add ACUs with additional regulation



TC-12-21 Overall Framework

Sec. 6.7.3. Additional Standards for Specific Accessory Uses

- Home Occupation
- Live-Work
 - Requires SUP

*Day care, home is unchanged



TC-12-21 Overall Framework

Sec. 6.7.3. Additional Standards for Specific Accessory Uses

- ~~Home Occupation~~
- Live-Work [amended]
 - ~~Requires SUP~~
- Accessory Commercial Units (ACU)

*Day care, home is unchanged



Modify Live-Work

- Remove SUP requirement
- Allow in accessory structures
- Remove cap on customers, use fire code to limit occupancy
- Clarify allowed uses



ACU Standards (pt. 1)

- Allowed uses:
 - Office
 - Indoor Recreation (ex. dance academy)
 - Personal Service (ex. hair salon)
 - Retail
 - Eating Establishment
 - Light manufacturing uses (ex. clothing manuf.)



ACU Standards (pt. 2)

- One ACU per lot
- Principal residential use must be occupied
- Maximum size: 1,000 sf. or 40% of building, whichever is smaller
- Hours of operation: 6 AM to 11 PM
- Direct pedestrian access required



ACU Standards (pt. 3)

- No outdoor seating
- Screening of service areas and mechanical equipment required
- Full cutoff lighting required
- Outdoor display of products only in front of business
- No outdoor storage



Raleigh

Outdoor Display





ACU Standards (pt. 4)

- No vehicle parking required
- Short term bicycle parking required
- One building sign allowed per street frontage
- One associated vehicle allowed
- Not allowed in an ADU



ADU and ACU

- No express prohibition of Home Occupation or Live-Work in Accessory Dwelling Unit (ADU) standards
- TC-12-21 would clarify that Live-Work is allowed in an accessory structure but ACU is not



Summary of Framework (Existing)

Topic	Home Occupation	Live-Work	ACU
SUP needed	No	Yes	N/A
Employees	No	Yes (up to 2)	N/A
Customers	No	Yes (up to 5)	N/A
Outdoor display	No	No	N/A
Outdoor storage	No	No	N/A
Outdoor seating	No	No	N/A
Signs	No	Yes	N/A
Allowed in acc. struct.	No	Yes	N/A



Summary of Framework (TC-12-21)

Topic	Home-Occupation	Live-Work	ACU
SUP needed	No	Yes No	No
Employees	No	Yes (up to 2)	Yes
Customers	No	Yes (up to 5)	Yes
Outdoor display	No	No	Yes (50 sf.)
Outdoor storage	No	No	No
Outdoor seating	No	No	No
Signs	No	Yes (1)	Yes (1 per street)
Allowed in acc. struct.	No	Yes	No



Allowed Uses

	Home Occupation	Live-Work	ACU
Existing	Not specified (no external features; no noise, fumes, odors, vibration, etc.)	Office Studio Gallery Beauty/hair salon Light manufacturing	N/A
TC-12-21	N/A	Office Indoor Recreation Personal Service Retail Sales Light Manufacturing	Office Indoor Recreation Personal Service Retail Sales Eating Establishment Light Manufacturing



About Allowed Uses

- City Council committee conversation focused on food access
- Other City policies support walkability, integrated uses, and reduction of carbon emissions
- Uses that are less intense than retail and restaurant (ex. Office) could reasonably be allowed in ACUs and serve additional policy goals
- Difficult or illegal to regulate what goods are sold in retail uses (ex. Alcohol, tobacco/vapor products)
- Zoning cannot guarantee fresh or healthy foods are sold



Questions?