



Certified Recommendation

Raleigh Planning Commission

CR#

Case Information: TC-2-18 Accessory Structures

Comprehensive Plan Guidance

<p><i>Applicable Policy Statements</i></p>	<p>Growing Successful Neighborhoods and Communities (Vision Theme) Growth and new development will be accommodated within Raleigh through creative solutions that conserve our unique neighborhoods while allowing for growth and expanding our local businesses. The City will have healthy and safe older neighborhoods that are conserved and enhanced through careful infill development that complements existing character and responds to natural features. Places of historic and architectural significance will be protected. Newly developed areas will be diverse, walkable neighborhoods providing convenient access to open space, community services, retail, and employment.</p> <p>Policy LU 2.1 Placemaking Development within Raleigh's jurisdiction should strive to create places, streets, and spaces that in aggregate meet the needs of people at all stages of life, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity, and maintain or improve local character.</p> <p>Policy LU 5.1 Reinforcing the Urban Pattern New development should be visually integrated with adjacent buildings, and more generally with the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.</p> <p>Policy LU 8.5 Conservation of Single-Family Neighborhoods Protect and conserve the City's single-family neighborhoods and ensure that their zoning reflects their established low density character. Carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single-family neighborhoods to protect low density character, preserve open space, and maintain neighborhood scale.</p> <p>Policy UD 5.1 Contextual Design Proposed development within established neighborhoods should create or enhance a distinctive character that relates well to the surrounding area.</p>
--	--



Certified Recommendation

Raleigh Planning Commission

CR#

	<p>Policy UD 5.4 Neighborhood Character and Identity Strengthen the defining visual qualities of Raleigh’s neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context.</p> <p>Policy UD 5.6 Protection of Neighborhood Open Space Infill development should respect and improve the integrity of neighborhood open spaces and public areas. Buildings should be designed to avoid the loss of sunlight and reduced usability of neighborhood parks and plazas.</p> <p>Policy HP 1.1 Stewardship of Place Foster stewardship of neighborhood, place, and landscape as the City grows and develops.</p> <p>Policy HP 2.4 Protecting Historic Neighborhoods Protect the scale and character of the City’s historic neighborhoods while still allowing compatible and context-sensitive infill development to occur.</p> <p>Policy HP 3.4 Context Sensitive Design Use the existing architectural and historical character within an area as a guide for new construction.</p>
<p><i>Action Items</i></p>	<p>Action HP 2.7 Applying Zoning Regulations and Planning Tools Use Historic Overlay Districts, Neighborhood Conservation Overlay Districts, and other zoning regulations and planning tools in response to neighborhood requests for protection and conservation.</p>

Summary of Text Change

<p><i>Summary</i></p>	<p>Amends the Part 10 Raleigh Unified Development Ordinance to modify dimensional standards for accessory structures. Standards regulating height, setbacks, coverage, and building separation are proposed to be modified to ensure compatibility of accessory structures with surrounding development and reduce impacts of accessory structures on adjacent properties.</p>
-----------------------	--

Summary of Impacts

<p><i>Impacts Identified</i></p>	<p><u>Adoption of TC-2-18:</u> 1. Accessory structures build under the proposed standards are likely to be better integrated into the existing</p>
----------------------------------	--

	<p>character of surrounding development. 2. Visual and massing impacts of new accessory structures on adjacent properties, such as decreased access to light and air, are likely to be reduced. 3. The maximum scale of accessory structures allowed in low density residential contexts would be reduced.</p> <p><u>No Action:</u> 1. Accessory structures to attached and detached buildings in residential districts would continue to be regulated according to the standards defined in the UDO.</p>
--	--

Public Meetings

<i>Submitted</i>		<i>Committee</i>		<i>Planning Commission</i>	
8-28-18	9-18-18	TCC		9-25-18	

Attachments

1. Draft Ordinance

Planning Commission Recommendation

<i>Recommendation</i>	
<i>Findings & Reasons</i>	
<i>Motion and Vote</i>	Motion: Second: Approval:

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report.

Planning Director Date

Planning Commission Chairperson Date

Staff Coordinator: Eric Hodge: eric.hodge@raleighnc.gov



Zoning Staff Report – TC-2-18

Accessory Structures

Request

<p><i>Section Reference</i></p>	<p>Section 1.5.12.D.3 Detached; Section 2.2.1.C., Accessory Structure Setbacks; Section 2.2.2.C. Accessory Structure Setbacks; Section 2.3.2.C. Accessory Structure Setbacks; Section 2.3.3.C. Accessory Structure Setbacks; Section 2.4.2.C. Accessory Structure Setbacks; Section 2.4.3.C. Accessory Structure Setbacks; Section 6.7.2. Accessory Structures; Article 12.2. Defined Terms;</p>
<p><i>Basic Information</i></p>	<p>Amends the Part 10 Raleigh Unified Development Ordinance to modify dimensional standards for accessory structures. Standards regulating height, setbacks, coverage, and building separation are proposed to be modified to ensure compatibility of accessory structures with surrounding development and reduce impacts of accessory structures on adjacent properties.</p>
<p><i>PC Recommendation Deadline</i></p>	<p>November 26, 2018</p>

Comprehensive Plan Guidance

<p><i>Applicable Policies</i></p>	<p>Growing Successful Neighborhoods and Communities (Vision Theme) Growth and new development will be accommodated within Raleigh through creative solutions that conserve our unique neighborhoods while allowing for growth and expanding our local businesses. The City will have healthy and safe older neighborhoods that are conserved and enhanced through careful infill development that complements existing character and responds to natural features. Places of historic and architectural significance will be protected. Newly developed areas will be diverse, walkable neighborhoods providing convenient access to open space, community services, retail, and employment.</p> <p>Policy LU 2.1 Placemaking Development within Raleigh’s jurisdiction should strive to create places, streets, and spaces that in aggregate meet the needs of people at all stages of life, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity, and maintain or improve local character.</p> <p>Policy LU 5.1 Reinforcing the Urban Pattern New development should be visually integrated with adjacent buildings, and more generally with the surrounding area. Quality design and site planning is required so that new development</p>
-----------------------------------	---

	<p>opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.</p> <p>Policy LU 8.5 Conservation of Single-Family Neighborhoods Protect and conserve the City’s single-family neighborhoods and ensure that their zoning reflects their established low density character. Carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single-family neighborhoods to protect low density character, preserve open space, and maintain neighborhood scale.</p> <p>Policy UD 5.1 Contextual Design Proposed development within established neighborhoods should create or enhance a distinctive character that relates well to the surrounding area.</p> <p>Policy UD 5.4 Neighborhood Character and Identity Strengthen the defining visual qualities of Raleigh’s neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context.</p> <p>Policy UD 5.6 Protection of Neighborhood Open Space Infill development should respect and improve the integrity of neighborhood open spaces and public areas. Buildings should be designed to avoid the loss of sunlight and reduced usability of neighborhood parks and plazas.</p> <p>Policy HP 1.1 Stewardship of Place Foster stewardship of neighborhood, place, and landscape as the City grows and develops.</p> <p>Policy HP 2.4 Protecting Historic Neighborhoods Protect the scale and character of the City’s historic neighborhoods while still allowing compatible and context-sensitive infill development to occur.</p> <p>Policy HP 3.4 Context Sensitive Design Use the existing architectural and historical character within an area as a guide for new construction.</p>
<p><i>Action Items</i></p>	<p>Action HP 2.7 Applying Zoning Regulations and Planning Tools Use Historic Overlay Districts, Neighborhood Conservation Overlay Districts, and other zoning regulations and planning tools in response to neighborhood requests for protection and conservation.</p>

Contact Information

<i>Staff Coordinator</i>	Eric Hodge: eric.hodge@raleighnc.gov ; 919.996.2639
--------------------------	---

History/Overview

This request was initiated through a citizen's petition at the April 19, 2016 meeting of the City Council. The citizen petition was a request to analyze the Infill Standards found in Section 2.2.7 of the Unified Development Ordinance. The Growth and Natural Resources committee subsequently discussed it at their meeting on May 9, 2018. The Growth and Natural Resources committee directed staff to pursue a series of modifications to the dimensional standards for accessory structures to attached and detached building types in residential districts. The modifications included setbacks, height in feet and stories, relationship to the principal structure, and side wall height.

Purpose and Need

The citizen's petition expressed a concern about the proximity of accessory structures to property lines as well as the general density of buildings in a neighborhood when accessory structures are present. The current standard allows accessory buildings to be up to 25 feet tall and within 5 feet of a rear or side property line. Accessory structures must be at least 10 feet from the principal structure. There is no limit to the number and square footage of accessory structures, if they meet the setback, height, and separation standards. The presence of a large number of accessory structures in a neighborhood under these standards may affect the character of a neighborhood.

Alternatives Considered

None.

Scoping of Impacts

Potential adverse impacts of the proposed text change have been identified as follows:

The proposed standards would reduce the size, number, or placement of accessory structures that property owners may construct in residential areas.

The adverse impacts of taking no action (retaining the existing regulations) have been identified as follows:

The character of residential neighborhoods may be altered more significantly by the construction of accessory structures. Access to light and air may be restricted for neighboring property owners by the presence of accessory structures.

Impacts Summary

Adoption of Proposed Text Change

Reduce property owner's options for accessory structure construction. Increase the likelihood that neighborhood character will be maintained. Decrease potential impedances to light and air.

No action

Increase the likelihood that neighborhood character will be altered by accessory structures. Potentially reduce light and air in residential areas.

ORDINANCE NO. (2018)

TC-2-2018 Accessory Structures

AN ORDINANCE TO AMEND REGULATIONS RELATED TO ACCESSORY STRUCTURES FOR PROPERTIES DEVELOPED WITH DETACHED AND ATTACHED HOUSES IN THE RESIDENTIAL DISTRICTS OF THE PART 10 CODE OF RALEIGH – UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, the Unified Development Ordinance for the City of Raleigh is intended to preserve the rights of property owners while promoting orderly development;

WHEREAS, smaller structures have historically been developed alongside and in support of residential structures;

WHEREAS, the presence of accessory structures can be a contributor to orderly and compatible development;

WHEREAS, accessory structures should be regulated in such a way as to ensure that the rights of property owners are balanced with those of neighboring property owners; and

WHEREAS, the size and location of an accessory structure on one property can be detrimental to the quality of life for owners or occupants of a neighboring property.

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

Section 1. Section 1.5.12.D.3. of the Raleigh Unified Development Ordinance, Detached, is hereby amended to remove any language with strikethrough and insert any language shown with the underlined text.:

3. Detached

Garage is placed ~~entirely to the rear of the house~~ no closer to the primary street or the side street than the principal structure's closest wall plane to the street.

Section 2. Section 2.2.1.C. of the Raleigh Unified Development Ordinance, Accessory Structure Setbacks, is hereby amended by inserting the following underlined language and deleting all subsections C1 through C4:

C. Accessory Structure Setbacks: See Section 6.7.2.

Section 3. Section 2.2.2.C. of the Raleigh Unified Development Ordinance, Accessory Structure Setbacks, is hereby amended by inserting the following underlined language and deleting all subsections C1 through C4:

C. Accessory Structure Setbacks: See Section 6.7.2.

Section 4. Section 2.3.2.C. of the Raleigh Unified Development Ordinance, Accessory Structure Setbacks, is hereby amended by inserting the following underlined language and deleting all subsections C1 through C4:

C. Accessory Structure Setbacks: See Section 6.7.2.

Section 5. Section 2.3.3.C. of the Raleigh Unified Development Ordinance, Accessory Structure Setbacks, is hereby amended by inserting the following underlined language and deleting all subsections C1 through C4:

C. Accessory Structure Setbacks: See Section 6.7.2.

Section 6. Section 2.4.2.C. of the Raleigh Unified Development Ordinance, Accessory Structure Setbacks, is hereby amended by inserting the following underlined language and deleting all subsections C1 through C4:

C. Accessory Structure Setbacks: See Section 6.7.2.

Section 7. Section 2.4.3.C. of the Raleigh Unified Development Ordinance, Accessory Structure Setbacks, is hereby amended by inserting the following underlined language and deleting all subsections C1 through C4:

C. Accessory Structure Setbacks: See Section 6.7.2.

Section 8. Section 6.7.2. of the Raleigh Unified Development Ordinance, Accessory Structures, is hereby amended to remove any language with strikethrough and insert any language shown below with underlined text.:

Sec. 6.7.2. Accessory Structures

A. Setback and height requirements for all accessory structures are established for each building type and are set forth in the district chapter (*Chapter 2. Residential Districts, Chapter 3. Mixed Use Districts, and Chapter 4. Special Districts*) unless otherwise regulated specifically herein.

- B. No accessory structure may be located closer than ~~10~~ 6 feet to any other building or structure on the same lot. Two or more structures joined by a breezeway shall be considered attached and part of the same principal structure except when the breezeway meets the following:
1. Is no more than 10 feet in width, including roof overhangs;
 2. Is no more than 16 feet in height or the height of the principal structure, whichever is less;
 3. Meets the accessory structure setbacks;
 4. Is open on the sides except for structural support columns;
 5. Is located no closer to the primary or side street than the wall plane of the principal structure closest to the street; and
 6. Has no walkway on the roof.
- 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. 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;
 3. Accessory structures shall have a minimum setback of 4 feet from an alley;
 4. 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;
 5. Notwithstanding anything herein, accessory structures shall be lower in height than the principal building;
 6. No deck or balcony shall be permitted above the finished floor elevation of the ground floor;
 7. Vertical encroachments are not permitted; and
 8. Encroachments into setbacks are not permitted.
- D. In Residential Districts, accessory structures associated with Detached or Attached Houses shall conform to the standards shown in tables 1 and 2 below. Breezeway connections permitted under Sec. 6.7.2.B. shall not count towards the floor area or footprint calculations of this section.

<u>D.1 Floor Area and Footprint Standards for Accessory Structures in Residential Districts</u>			
	<u>The smallest area within a row shall control. Area maximums apply to all accessory structures on a lot combined.</u>		
<u>Lot size</u>	<u>Combined Floor Area (max.)</u>	<u>Combined footprint (max.)</u>	<u>Combined footprint (max.)</u>
<u>Less than 10,000 sf</u>	<u>600 sf</u>	<u>50% of rear yard area</u>	<u>75% of principal building footprint</u>
<u>10,000 sf to 40,000 sf</u>	<u>900 sf</u>	<u>50% of rear yard area</u>	<u>75% of principal building footprint</u>
<u>Greater than 40,000 sf</u>	<u>1,200 sf</u>	<u>50% of rear yard area</u>	<u>75% of principal building footprint</u>

<u>D.2 Height and Setback Standards for Accessory Structures in Residential Districts</u>			
	<u>One-story</u>	<u>One and a half story</u>	<u>Two-story</u>
<u>Max. height (ft)</u>	<u>16</u>	<u>20.5</u>	<u>25</u>
<u>Max. height (stories)</u>	<u>1</u>	<u>1</u>	<u>2</u>
<u>Attics</u>	<u>Not permitted</u>	<u>Permitted</u>	<u>Not permitted</u>
<u>Side/Rear Setback (ft)</u>	<u>10</u>	<u>15</u>	<u>20</u>
<u>Max. wall height (ft.)</u>	<u>12</u>	<u>12</u>	<u>N/A</u>

Section 9. Article 12.2 of the Raleigh Unified Development Ordinance, Defined Terms, is hereby amended to remove any language with strikethrough and insert any language shown with the underlined text.:

Accessory Structure ~~or Use~~

Unless otherwise specifically regulated elsewhere herein, a ~~Any~~ structure with height greater than 4 feet that is ~~or use~~ subordinate in both purpose and size that is incidental to and customarily associated with any principal structure ~~or principal use~~ that is located on the same lot and detached from the principal structure.

Accessory Use

Any use subordinate in both purpose and size that is incidental to and customarily associated with any principal use that is located on the same lot.

Section 10. All laws and clauses of laws in conflict herewith are repealed to the extent of such conflict. Notwithstanding any language in a zoning condition indicating administrative alternates are allowed, this ordinance hereby repeals such language.

Section 11. 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 12. This text change has been reviewed by the Raleigh City Planning Commission.

Section 13. This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

Section 14. This ordinance has been provided to the North Carolina Capital Commission as required by law.

Section 15. 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 16. This ordinance is effective 60 days after adoption.

ADOPTED:

EFFECTIVE:

DISTRIBUTION:

Prepared by the Department of City Planning

ORDINANCE NO. (2018)

TC-2-2018 Accessory Structures

AN ORDINANCE TO AMEND REGULATIONS RELATED TO ACCESSORY STRUCTURES FOR PROPERTIES DEVELOPED WITH DETACHED AND ATTACHED HOUSES IN THE RESIDENTIAL DISTRICTS OF THE PART 10 CODE OF RALEIGH – UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, the Unified Development Ordinance for the City of Raleigh is intended to preserve the rights of property owners while promoting orderly development;

WHEREAS, smaller structures have historically been developed alongside and in support of residential structures;

WHEREAS, the presence of accessory structures can be a contributor to orderly and compatible development;

WHEREAS, accessory structures should be regulated in such a way as to ensure that the rights of property owners are balanced with those of neighboring property owners; and

WHEREAS, the size and location of an accessory structure on one property can be detrimental to the quality of life for owners or occupants of a neighboring property.

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

Section 1. Section 1.5.12.D.3. of the Raleigh Unified Development Ordinance, Detached, is hereby amended to remove any language with strikethrough and insert any language shown with the underlined text.:

3. Detached

Garage is placed ~~entirely to the rear of the house~~ no closer to the primary street or the side street than the principal structure's closest wall plane to the street.

Section 2. Section 2.2.1.C. of the Raleigh Unified Development Ordinance, Accessory Structure Setbacks, is hereby amended by inserting the following underlined language and deleting all subsections C1 through C4:

C. Accessory Structure Setbacks: See Section 6.7.2.

Section 3. Section 2.2.2.C. of the Raleigh Unified Development Ordinance, Accessory Structure Setbacks, is hereby amended by inserting the following underlined language and deleting all subsections C1 through C4:

C. Accessory Structure Setbacks: See Section 6.7.2.

Section 4. Section 2.3.2.C. of the Raleigh Unified Development Ordinance, Accessory Structure Setbacks, is hereby amended by inserting the following underlined language and deleting all subsections C1 through C4:

C. Accessory Structure Setbacks: See Section 6.7.2.

Section 5. Section 2.3.3.C. of the Raleigh Unified Development Ordinance, Accessory Structure Setbacks, is hereby amended by inserting the following underlined language and deleting all subsections C1 through C4:

C. Accessory Structure Setbacks: See Section 6.7.2.

Section 6. Section 2.4.2.C. of the Raleigh Unified Development Ordinance, Accessory Structure Setbacks, is hereby amended by inserting the following underlined language and deleting all subsections C1 through C4:

C. Accessory Structure Setbacks: See Section 6.7.2.

Section 7. Section 2.4.3.C. of the Raleigh Unified Development Ordinance, Accessory Structure Setbacks, is hereby amended by inserting the following underlined language and deleting all subsections C1 through C4:

C. Accessory Structure Setbacks: See Section 6.7.2.

Section 8. Section 6.7.2. of the Raleigh Unified Development Ordinance, Accessory Structures, is hereby amended to remove any language with strikethrough and insert any language shown below with underlined text.:

Sec. 6.7.2. Accessory Structures

A. Setback and height requirements for all accessory structures are established for each building type and are set forth in the district chapter (*Chapter 2. Residential Districts, Chapter 3. Mixed Use Districts, and Chapter 4. Special Districts*) unless otherwise regulated specifically herein.

- B. No accessory structure may be located closer than ~~10~~ 6 feet to any other building or structure on the same lot. Two or more structures joined by a breezeway shall be considered attached and part of the same principal structure except when the breezeway meets the following:
1. Is no more than 10 feet in width, including roof overhangs;
 2. Is no more than 16 feet in height or the height of the principal structure, whichever is less;
 3. Meets the accessory structure setbacks;
 4. Is open on the sides except for structural support columns;
 5. Is located no closer to the primary or side street than the wall plane of the principal structure closest to the street; and
 6. Has no walkway on the roof.
- 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. 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;
 3. Accessory structures shall have a minimum setback of 4 feet from an alley;
 4. 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;
 5. Notwithstanding anything herein, accessory structures shall be lower in height than the principal building;
 6. No deck or balcony shall be permitted above the finished floor elevation of the ground floor;
 7. Vertical encroachments are not permitted; and
 8. Encroachments into setbacks are not permitted.
- D. In Residential Districts, accessory structures associated with Detached or Attached Houses shall conform to the standards shown in tables 1 and 2 below. Breezeway connections permitted under Sec. 6.7.2.B. shall not count towards the floor area or footprint calculations of this section.

<u>D.1 Floor Area and Footprint Standards for Accessory Structures in Residential Districts</u>			
	<u>The smallest area within a row shall control. Area maximums apply to all accessory structures on a lot combined.</u>		
<u>Lot size</u>	<u>Combined Floor Area (max.)</u>	<u>Combined footprint (max.)</u>	<u>Combined footprint (max.)</u>
<u>Less than 10,000 sf</u>	<u>600 sf</u>	<u>50% of rear yard area</u>	<u>75% of principal building footprint</u>
<u>10,000 sf to 40,000 sf</u>	<u>900 sf</u>	<u>50% of rear yard area</u>	<u>75% of principal building footprint</u>
<u>Greater than 40,000 sf</u>	<u>1,200 sf</u>	<u>50% of rear yard area</u>	<u>75% of principal building footprint</u>

<u>D.2 Height and Setback Standards for Accessory Structures in Residential Districts</u>			
	<u>One-story</u>	<u>One and a half story</u>	<u>Two-story</u>
<u>Max. height (ft)</u>	<u>16</u>	<u>20.5</u>	<u>25</u>
<u>Max. height (stories)</u>	<u>1</u>	<u>1</u>	<u>2</u>
<u>Attics</u>	<u>Not permitted</u>	<u>Permitted</u>	<u>Not permitted</u>
<u>Side/Rear Setback (ft)</u>	<u>10</u>	<u>15</u>	<u>20</u>
<u>Max. wall height (ft.)</u>	<u>12</u>	<u>12</u>	<u>N/A</u>

Section 9. Article 12.2 of the Raleigh Unified Development Ordinance, Defined Terms, is hereby amended to remove any language with strikethrough and insert any language shown with the underlined text.:

Accessory Structure ~~or Use~~

Unless otherwise specifically regulated elsewhere herein, a ~~Any~~ structure with height greater than 4 feet that is ~~or use~~ subordinate in both purpose and size that is incidental to and customarily associated with any principal structure ~~or principal use~~ that is located on the same lot and detached from the principal structure.

Accessory Use

Any use subordinate in both purpose and size that is incidental to and customarily associated with any principal use that is located on the same lot.

Section 10. All laws and clauses of laws in conflict herewith are repealed to the extent of such conflict. Notwithstanding any language in a zoning condition indicating administrative alternates are allowed, this ordinance hereby repeals such language.

Section 11. 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 12. This text change has been reviewed by the Raleigh City Planning Commission.

Section 13. This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

Section 14. This ordinance has been provided to the North Carolina Capital Commission as required by law.

Section 15. 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 16. This ordinance is effective 60 days after adoption.

ADOPTED:

EFFECTIVE:

DISTRIBUTION:

Prepared by the Department of City Planning