



TOWN OF KNIGHTDALE

950 Steeple Square Court
Knightdale, NC 27545
KnightdaleNC.gov

ORDINANCE #17-03-06-001

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE REGARDING MINIMUM DRIVEWAY LENGTHS, FLOOD DAMAGE PREVENTION, AND ACCESS MANAGEMENT

WHEREAS, the Town of Knightdale has received a petition to amend Chapter 2 to require a minimum 35' driveway length for single-family homes in residential zoning districts, amend Chapter 6.6 "Flood Damage Prevention" to clarify that new lots should not be platted within the Special Flood Hazard Area, amend Chapter 9.3, "Conformity to Adopted Plans" to set the threshold as to when a street that is not otherwise identified meets the requirements of a collector or arterial street, amend Chapter 9.7, "Access Management" to clarify when residential lots should have access along collectors, and

WHEREAS, the petition also includes the amendment of other remaining chapters of the Unified Development Ordinance that may be affected by the proposed amendments, such as updating code section references and locations, the use matrix, the ordinance table of contents and index, as well as adding/amending definitions in Chapter 19 for consistency; and

WHEREAS, the Town of Knightdale Unified Development Ordinance Section 15.6(B) establishes uniform procedures for amending the text of the Ordinance, and

WHEREAS, the proposed text amendment is consistent with the Comprehensive Plans' overall goal to provide balance and responsible urban design, planning and development and protection of the Town's historical, cultural, and natural resource, and

WHEREAS, the text amendment is further reasonable as it promotes the overall design district objectives to promote a built environment that blends vernacular form with efficient function and to preserve the natural environment and encourage conscientious development in regards to it.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Knightdale, North Carolina:

SECTION 1: That the Unified Development Ordinance of the Town of Knightdale Code is amended to read as follows *{editing notes in bracketed italics}*:

2.6 General Residential (GR3 and GR8)

- A. **Purpose and Intent:** The General Residential District is intended for Town's existing predominately-residential neighborhoods as well as provide for new primarily-residential development in accordance with a suburban pattern. These Districts are differentiated only by the density of the overall development relative to the planning goals of the Town as set forth in the *2027 Comprehensive Plan*.

B. Specific District Provisions:

1. Maximum Development Density:

GR3: 3 Units/Acre (*Gross Acreage*)

GR8: 8 Units/Acre (*Gross Acreage*)

2. Permitted Building Type Ratio: The maximum number of Townhouse buildings in a GR development shall not exceed 30% of the total number of units.

3. Lot and Building Dimensional Requirements: On infill lots, the minimum lot width, front and side setbacks shall be equal to the median lot width, average as-built front setback and average as-built side setback dimension, respectively, of lots on the same block face and the opposite block face within 300 feet or one block length (*whichever is greater*). In situations where no block face exists (*no houses facing the street*) for purposes of making average calculations, a Special Use Permit shall be required. Otherwise, the dimensional requirements for new developments shall be as follows:

Building Type (CH 5) :	House	Townhouse	Civic & Institutional
Lot Width (a) (Min)	30 ft	n/a	100 ft
Front Setback (g) (Min)	10 ft	0 ft	10 ft
Front Setback (g) (Max)	n/a	25 ft	n/a
Front Yard Encroachment (b)	8 ft	(e)	10 ft
Minimum Driveway Length	35 ft	n/a	n/a
Side Setback (g) (Min)	20% of lot width (d)	10 ft between buildings	15 ft
Rear Setback (g) (Min)	25 ft	n/a	30 ft
Rear Setback from Rear Lane/Alley (c) (Min)	20 ft from centerline	15 ft from centerline	n/a
Accessory Structure Side/Rear Setback (Min)	5 ft	5 ft	5 ft
Maximum Height (f)	3 stories	3 stories	3 stories

Notes:

- (a) For lots less than 80-feet wide, alley/rear lane access to all off-street parking areas is required, except when such lots front onto an approved cul-de-sac, in which case shared driveways shall be required. For in-fill lots less than 80 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 80 feet wide or greater, access to off-street parking is permitted from the fronting street or rear lane/alley.
- (b) Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback (Section 4.4).
- (c) For lots that provide access to off-street parking from a rear lane/alley.
- (d) **For lots 60' in width or greater:** Side setbacks are calculated as an aggregate setback. However, a five (5) foot minimum setback per side shall be maintained;
For lots less than 60' in width: Side setbacks are calculated as an aggregate setback. However, a three (3) foot minimum setback per side shall be maintained. Also, in new developments with zero lot line products, the entire 20% side setback may be allocated to one (1) side provided that the side setback condition is identical for all lots along the same block face. In addition, for zero lot line developments, a minimum of six (6) feet of total building separation is required.
- (e) Upper story balconies may encroach into the right-of-way (over sidewalk only) with permission from the Administrator.
- (f) Refer to Section 4.5 for computation of height.
- (g) For Major Subdivisions receiving Master Plan approval prior to November 16, 2005, recorded plat setbacks for principal buildings shall prevail.

2.7 Urban Residential (UR12)

A. **Purpose and Intent:** The Urban Residential District accommodates neighborhoods close to commercial centers such as the TC, NMX and HB districts and provides for a variety of compatible housing types and a limited mix of uses within a walkable ¼ - ½ mile context.

B. **Specific District Provisions:**

1. **Maximum Development Density:** 12 Units/Acre (*Gross Acreage*)
2. **Mixed-Use Buildings:** Mixed-Use Buildings are permitted in new developments only (not infill lots).
3. **Lot and Building Dimensional Requirements:** On infill lots, the minimum lot width, front and side setbacks shall be equal to the median lot width, average as-built front setback and average as-built side setback dimension, respectively, of lots on the same block face and the opposite block face within 300 feet or one block length (*whichever is greater*). In situations where no block face exists (*no houses facing the street*) for purposes of making average calculations, a Special Use Permit shall be required. Otherwise, the dimensional requirements for new developments shall be as follows:

Building Type (CH 5) :	House	Townhouse	Apartment	Mixed-Use	Civic & Institutional
Lot Width (a) (Min)	30 ft	n/a	n/a	32 ft	50 ft
Front Setback (g) (Min)	10 ft	0 ft	0 ft	0 ft	10 ft
Front Setback (g) (Max)	n/a	25 ft	25 ft	10 ft	n/a
Front Yard Encroachment (b)	8 ft	(e)	(e)	(e)	10 ft
Minimum Driveway Length	35 ft	n/a	n/a	n/a	n/a
Side Setback (g) (Min)	20% of lot width (d)	10 ft between buildings	10 ft between buildings	0 ft within development, otherwise 12 ft	10 ft between buildings
Rear Setback (g) (Min)	25 ft	n/a	n/a	10 ft	30 ft
Rear Setback from Rear Lane/Alley (c) (Min)	20 ft from centerline	15 ft from centerline	15 ft from centerline	5 ft	n/a
Accessory Structure Side/Rear Setback (Min)	5 ft	5 ft	5 ft	0 ft	5 ft
Maximum Height (f)	3 stories	3 stories	3 stories	3 stories	3 stories

Notes:

- (a) For lots less than 80 feet wide, alley/rear lane access to all off-street parking areas is required except when such lots front onto an approved cul-de-sac, in which case shared driveways shall be required. For in-fill lots less than 80 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 80 feet wide or greater, access to off-street parking is permitted from the fronting street or rear lane/alley.
- (b) Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback (Section 4.4).
- (c) For lots that provide access to off-street parking from a rear lane/alley.
- (d) **For lots 60' in width or greater:** Side setbacks are calculated as an aggregate setback. However, a five (5) foot minimum setback per side shall be maintained;
For lots less than 60' in width: Side setbacks are calculated as an aggregate setback. However, a three (3) foot minimum setback per side shall be maintained. Also, in new developments with zero lot line products, the entire 20% side setback may be allocated to one (1) side provided that the side setback condition is identical for all lots along the same block face. In addition, for zero lot line developments, a minimum of six (6) feet of total building separation is required.

- (e) Upper story balconies may encroach into the right-of-way (over sidewalk only) with permission from the Administrator.
- (f) Refer to Section 4.5 for computation of height.
- (g) For Major Subdivisions receiving Master Plan approval prior to November 16, 2005, recorded plat setbacks for principal buildings shall prevail.

2.8 Residential Mixed-Use (RMX)

A. Purpose and Intent: The Residential Mixed-Use District is intended to provide for areas for higher density residential development in close proximity (*within 1/4 - 1/2 mile*) to existing and planned commercial centers such as the TC, NMX and HB districts. The intent is to create higher density residential areas that compliment commercial districts with physical proximity and pedestrian connectivity. Different housing types and lot styles along with a limited mix of neighborhood-friendly uses are encouraged.

B. Specific District Provisions:

1. Maximum Development Density: 18 Units/Acre (Gross Acreage)

2. Lot and Building Dimensional Requirements:

Building Type (CH 5) :	House	Townhouse	Apartment	Mixed-Use	Civic & Institutional
Lot Width (a) (Min)	30 ft	n/a	n/a	32 ft	50 ft
Front Setback (g) (Min)	10 ft	0 ft	0 ft	0 ft	10 ft
Front Setback (g) (Max)	n/a	25 ft	25 ft	10 ft	n/a
Front Yard Encroachment (b)	8 ft	(e)	(e)	(e)	10 ft
Minimum Driveway Length	35 ft	n/a	n/a	n/a	n/a
Side Setback (g) (Min)	20% of lot width (d)	10 ft between buildings	10 ft between buildings	0 ft within development, otherwise 12 ft	10 ft between buildings
Rear Setback (g) (Min)	25 ft	n/a	n/a	10 ft	30 ft
Rear Setback from Rear Lane/Alley (c) (Min)	20 ft from centerline	15 ft from centerline	15 ft from centerline	5 ft	n/a
Accessory Structure Side/Rear Setback (Min)	5 ft	5 ft	5 ft	0 ft	5 ft
Maximum Height (f)	3 stories	3 stories	3 stories	3 stories	3 stories

Notes:

- (a) For lots less than 80 feet wide, alley/rear lane access to all off-street parking areas is required except when such lots front onto an approved cul-de-sac, in which case shared driveways shall be required. For in-fill lots less than 80 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 80 feet wide or greater, access to off-street parking is permitted from the fronting street or rear lane/alley.
- (b) Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback (Section 4.4).
- (c) For lots that provide access to off-street parking from a rear lane/alley.

- (d) **For lots 60' in width or greater:** Side setbacks are calculated as an aggregate setback. However, a five (5) foot minimum setback per side shall be maintained;
For lots less than 60' in width: Side setbacks are calculated as an aggregate setback. However, a three (3) foot minimum setback per side shall be maintained. Also, in new developments with zero lot line products, the entire 20% side setback may be allocated to one (1) side provided that the side setback condition is identical for all lots along the same block face. In addition, for zero lot line developments, a minimum of six (6) feet of total building separation is required.
- (e) Upper story balconies may encroach into the right-of-way (over sidewalk only) with permission from the Administrator.
- (f) Refer to Section 4.5 for computation of height.
- (g) For Major Subdivisions receiving Master Plan approval prior to November 16, 2005, recorded plat setbacks for principal buildings shall prevail.

2.9 Neighborhood Mixed-Use (NMX)

- A. Purpose and Intent:** The Neighborhood Mixed-Use District is intended to provide pedestrian-scaled, higher density residential homes and opportunities for limited scale commercial activities along existing mixed-use corridors, in areas of transition, and at the functional center of new neighborhoods. Development in this district should encourage pedestrian activity through construction of mixed-use buildings and connections to adjacent neighborhoods. Buildings in this district are typically small and detached.
- B. Specific District Provisions:**
1. **Maximum Development Density:** No Maximum
 2. **Lot and Building Dimensional Requirements:**

Building Type (CH 5) :	House	Townhouse	Apartment	Mixed-Use	Commercial	Civic & Institutional
Lot Width (a) (Min)	30 ft	n/a	n/a	n/a	32 ft	50 ft
Front Setback (g) (Min)	10 ft	0 ft	0 ft	0 ft	0 ft	0 ft
Front Setback (g) (Max)	n/a	25 ft	25 ft	10 ft	10 ft	n/a
Front Yard Encroachment (b)	8 ft	(e)	(e)	(e)	(e)	n/a
Minimum Driveway Length	35 ft	n/a	n/a	n/a	n/a	n/a
Side Setback (g) (Min)	20% of lot width (d)	10 ft between buildings	10 ft between buildings	0 ft within development, otherwise 5 ft	0 ft within development, otherwise 5 ft	10 ft between buildings
Rear Setback (g) (Min)	25 ft	n/a	n/a	0 ft	0 ft	30 ft
Rear Setback from Rear Lane/Alley (c) (Min)	20ft from centerline	15 ft from centerline	15 ft from centerline	0 ft	0 ft	n/a
Accessory Structure Side/Rear Setback (Min)	5 ft	5 ft	5 ft	0 ft	0 ft	5 ft
Maximum Height (f)	4 stories	4 stories	4 stories	4 stories	4 stories	4 stories

Notes:

- (a) For lots less than 80 feet wide, alley/rear lane access to all off-street parking areas is required except when such lots front onto an approved cul-de-sac, in which case shared driveways shall be required. For in-fill lots less than 80 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 80 feet wide or greater, access to off-street parking is permitted from the fronting street or rear lane/alley.
- (b) Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback (Section 4.4).
- (c) For lots that provide access to off-street parking from a rear lane/alley.
- (d) **For lots 60' in width or greater:** Side setbacks are calculated as an aggregate setback. However, a five (5) foot minimum setback per side shall be maintained;
For lots less than 60' in width: Side setbacks are calculated as an aggregate setback. However, a three (3) foot minimum setback per side shall be maintained. Also, in new developments with zero lot line products, the entire 20% side setback may be allocated to one (1) side provided that the side setback condition is identical for all lots along the same block face. In addition, for zero lot line developments, a minimum of six (6) feet of total building separation is required.
- (e) Upper story balconies may encroach into the right-of-way (over sidewalk only) with permission from the Administrator.
- (f) Refer to Section 4.5 for computation of height.
- (g) For Major Subdivisions receiving Master Plan approval prior to November 16, 2005, recorded plat setbacks for principal buildings shall prevail.

2.10 Town Center (TC)

A. Purpose and Intent: The Town Center District is intended for the traditional downtown area and the identified new town centers at future commuter rail stations. Individual buildings are encouraged to be multi-story with uses mixed vertically, street level commercial and upper level office and residential. Higher densities of residential development are encouraged. It is the purpose of these regulations to encourage vitality by excluding certain activities which have a negative effect on the public realm through auto-dominated or non-pedestrian oriented design or uses.

B. Specific District Provisions:

4. Maximum Development Density: No Maximum

5. Parking Requirements (per Chapter 10-Vehicle Accommodation Areas): May achieve compliance with parking requirements by making payments to the Town's Fund 70 Capital Reserve account as provided in Section 10.2B.

6. Lot and Building Dimensional Requirements:

Building Type (CH 5) :	House	Townhouse	Apartment	Mixed-Use	Commercial	Civic & Institutional
Lot Width (a) (Min)	n/a	n/a	n/a	n/a	16 ft	50 ft
Front Setback (g) (Min)	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft
Front Setback (g) (Max)	25 ft	25 ft	25 ft	10 ft	10 ft	25 ft
Front Yard Encroachment (b)	(e)	(e)	(e)	(e)	(e)	n/a
Minimum Driveway Length	35 ft	n/a	n/a	n/a	n/a	n/a
Side Setback (g) (Min)	20% of lot width (d)	6 ft between buildings	If no partiwall then 10 ft	If no partiwall then 10 ft	If no partiwall then 10 ft	0 ft
Rear Setback (g) (Min)	n/a	n/a	n/a	0 ft	0 ft	0 ft
Rear Setback from Rear Lane/Alley (c)	20ft from	15 ft from	15 ft from	0 ft	0 ft	0 ft

(Min)	centerline	centerline	centerline			
Accessory Structure Side/Rear Setback (Min)	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft
Maximum Height (f)	5 stories	5 stories	5 stories	5 stories	5 stories	5 stories

Notes:

- (a) For lots less than 80 feet wide, alley/rear lane access to all off-street parking areas is required except when such lots front onto an approved cul-de-sac, in which case shared driveways shall be required. For in-fill lots less than 80 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 80 feet wide or greater, access to off-street parking is permitted from the fronting street or rear lane/alley.
- (b) Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback (Section 4.4).
- (c) For lots that provide access to off-street parking from a rear lane/alley.
- (d) **For lots 60' in width or greater:** Side setbacks are calculated as an aggregate setback. However, a five (5) foot minimum setback per side shall be maintained;
For lots less than 60' in width: Side setbacks are calculated as an aggregate setback. However, a three (3) foot minimum setback per side shall be maintained. Also, in new developments with zero lot line products, the entire 20% side setback may be allocated to one (1) side provided that the side setback condition is identical for all lots along the same block face. In addition, for zero lot line developments, a minimum of six (6) feet of total building separation is required.
- (e) Upper story balconies may encroach into the right-of-way (over sidewalk only) with permission from the Administrator.
- (f) Refer to Section 4.5 for computation of height.
- (g) For Major Subdivisions receiving Master Plan approval prior to November 16, 2005, recorded plat setbacks for principal buildings shall prevail.
 - a. Where allowed (i.e. lots equal to or greater than 80 feet wide), garages with loading bays on the primary facade or side loading bays that front a street shall form a building volume secondary to the House and shall:
 - i. Not exceed 45% of the corresponding façade's total width;
 - ii. Be set back a minimum of 25 feet from the street right-of-way;

6.6 Flood Damage Prevention

The flood prone areas within the jurisdiction of the Town are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood prone areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

In an effort to avoid potential flood losses, Special Flood Hazard Areas (SFHAs) cannot be located on any single-family residential building lot (detached or attached) within a major subdivision as defined in Section 15.4F(6). In general terms SFHAs in major subdivisions must be platted as separate lots where the responsibility of maintaining (in a natural state), said SFHA in perpetuity is typically designated to a homeowners association or non-profit land conservation agency. Lots that have received Construction Document Approval or part of an approved Planned Residential District (PRD) approved prior to March 6, 2017 shall be exempt from this requirement.

Chapter 9.2 “Arterial & Collector Plans”

- C. **Street Design:** New developments that provide new streets that are not identified on the regulating Arterial and Collector plans for the area, but meet any of the following criteria must be built to an appropriate collector street standard.
1. The street intersects directly with an arterial street and provides access to an area with an overall density of ten (10) dwelling units per acre, or provides access to more than 150 dwelling units.
 2. The street by its general configuration, in relationship to the existing development of the area, in effect serves a collector function.
 3. The street extends into an undeveloped area in such a manner as to serve a future collector function.
 4. The street serves as primary access to a significant nonresidential, institutional, or recreational land, as well as, an access to a residential area of 20 or more acres.

9.7 Access Management

A Number of Driveway Access Points

1. Single-Family Residential Lots In General:

Parcel Frontage	Number of Access Points Allowed
≤ 100 ft	1
> 100 ft	2

2. **Along Arterials and Collectors:** Developments should minimize or eliminate curb cuts along arterials and collectors. Single Family dwelling units, attached or detached, shall not have access to a collector or arterial street, unless the collector is designed to the Modified Avenue section to include on-street parking on one-side and a landscaped median divide. In this instance rear loaded alley access is permitted on one side of the street section only. Where possible, vehicular access drives should be shared with the adjacent properties and/or alleys should be utilized for access. All lots, parcels, or any other division of land adjacent to an arterial or collector may be allowed driveways or street connections in accordance with the following.

Parcel Frontage	Number of Access Points Allowed
< 500 ft	1
501 – 1200 ft	2
>1200 ft	3

SECTION 2. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

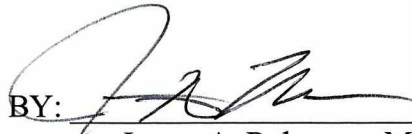
SECTION 3. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.


SECTION 4. That this ordinance has been adopted following a duly advertised public hearing of the Town Council and following review and recommendation by the Land Use Review Board.


SECTION 5. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Knightdale Town Code

SECTION 6. That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 6th of March, 2017

BY: 
James A. Roberson, Mayor

ATTEST: 
Whitney A. Ledford, Town Clerk

APPROVED AS TO FORM:

Clyde Holt, III, Town Attorney