



TOWN OF KNIGHTDALE

PLANNING DEPARTMENT

www.knightdalenc.gov

950 Steeple Square Court
Knightdale, NC 27545
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ORD #11-04-04-002

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE, REGARDING SIDE SETBACKS FOR THE HOUSE BUILDING TYPE IN GR, UR12, RMX, NMX & TC ZONING DISTRICTS

WHEREAS, the Town of Knightdale has received a petition to amend Chapter 2 of the Unified Development Ordinance in regard to clarifying how the side setbacks for the house building type in the GR, UR12, RMX, NMX and TC zoning districts are measured; and

WHEREAS, the Town of Knightdale Unified Development Ordinance Section 15.15 establishes uniform procedures for amending the text of the Ordinance; and

WHEREAS, the proposed zoning text changes comply with the goals of the Town's Comprehensive Plan because they are reasonable in that they advance the stated objective of improving the clarity and consistency of the UDO's language. For the same reasons, it is furthermore consistent with the Comprehensive Plan's stated goal of providing responsible urban design, planning and development;

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 be amended to read as follows (*editing notes in parenthetical italics*):

2.6 GENERAL RESIDENTIAL (GR3 AND GR8)

...

Notes:

- (a) For lots less than 60 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 60 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 60 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) **1. 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;
2. 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.

2.7 URBAN RESIDENTIAL (UR12)

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Notes:

- (a) For lots less than 60 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 60 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 60 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) **1. 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;
2. 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.

2.8 RESIDENTIAL MIXED-USE (RMX)

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Notes:

- (a) For lots less than 60 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 60 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 60 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) **1. 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;
2. 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.

2.9 NEIGHBORHOOD MIXED-USE (NMX)

...

Notes:

- (a) For lots less than 60 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 60 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 60 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) **1. 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;
2. 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.

2.10 TOWN CENTER (TC)

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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 (Min)	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft
Front Setback (Max)	25 ft	25 ft	25 ft	10 ft	10 ft	25 ft
Front Yard Encroachment (b)	(e)	(e)	(e)	(e)	(e)	n/a
Side Setback (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 (Min)	n/a	n/a	n/a	0 ft	0 ft	0 ft
Rear Setback from Rear Lane/Alley (c) (Min)	15 ft from centerline	15 ft from centerline	15 ft from centerline	0 ft	0 ft	0 ft
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

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- (a) For lots less than 60 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 60 feet wide where no alley/rear lane access exists, shared driveways shall be required. For lots 60 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) **1. 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;
2. 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.

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 4th day of April, 2011.

Russell B. Killen, Mayor

ATTEST:

Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

Clyde Holt, III; Town Attorney
