



TOWN OF KNIGHTDALE

PLANNING DEPARTMENT

www.knightdalenc.gov

950 Steeple Square Court
Knightdale, NC 27545
(v) 919.217.2241
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ORD #14-09-17-004

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE
OF THE TOWN OF KNIGHTDALE,
REGARDING THE ADDITION OF REGULATIONS FOR MAIL KIOSKS,
THE CLARIFICATION OF YARD AREA CALCULATIONS FOR ACCESSORY BUILDINGS,
THE APPLICABILITY OF SETBACKS RECORDED ON SUBDIVISION PLATS FOR
FUTURE BUILDING ACTIVITY, AND
THE REMOVAL OF REQUIREMENTS FOR “AFTER HOURS” LIGHTING**

WHEREAS, the Town of Knightdale has received a petition to add regulations for mail kiosks newly required by the United States Postal Service, to amend Chapter 4 to clarify yard area calculations for accessory buildings, to amend Chapter 4 to clarify the applicability of setbacks recorded on subdivision plats to future building activity, and to amend Chapter 11 (“Lighting”) to remove the separate requirements for “after hours” lighting; 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 15.6B establishes uniform procedures for amending the text of the Ordinance; and

WHEREAS, the proposed zoning text amendments are reasonable in that they provide clarification to existing rules where needed and support the objective of promoting site design that encourages decision makers, the development community and town staff to view each proposal in a larger context whether that context be yards on a single lot, neighboring lots along a street or entire subdivisions; and

WHEREAS, for those same reasons, the proposed changes are also consistent with the Comprehensive Plan’s stated goal of providing balanced and responsible urban design, planning and development and protection of the Town’s natural resources;

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 bracketed italics}*:

Section 2.5 Rural Residential (RR1)

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B. Specific District Provisions:

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2. Lot and Building Dimensional Requirements:

Building Type (CH 5):	House	Civic & Institutional
Lot Width (Min)	90 ft	100 ft
Front Setback (c) (Min)	35 ft	40 ft
Front Yard Encroachments (a)	8 ft	8 ft
Side Setback (c) (Min)	10 ft	10 ft
Rear Setback (c) (Min)	30 ft	30 ft
Accessory Structure Side/Rear Setback (Min)	5 ft	5 ft
Maximum Height (b)	35 ft	35 ft

Notes:

- (a) Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback (Section 4.4).
- (b) Refer to Section 4.5 for computation of height.
- (c) For Major Subdivisions receiving Master Plan approval prior to November 16, 2005, recorded plat setbacks for principal buildings shall prevail.

Section 2.6 General Residential (GR3 and GR8)

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B. Specific District Provisions:

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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
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)	15 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 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) **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.

Section 2.7 Urban Residential (UR12)

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B. Specific District Provisions:

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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
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)	15 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 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) **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.

Section 2.8 Residential Mixed Use (RMX)

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B. Specific District Provisions:

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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
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)	15 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 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) **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.

Section 2.9 Neighborhood Mixed Use (NMX)

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B. Specific District Provisions:

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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
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)	15 ft 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 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) **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.

Section 2.10 Town Center (TC)

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B. Specific District Provisions:

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3. 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
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) (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

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) **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.

Section 4.2 Lot and Yard Requirements

- D. Dimensional Standards for Infill Lots:** Front and side yard setbacks for infill lots shall be consistent with or equal to the average setbacks for all principal structures within 300 feet or one (1) block length (*whichever is greater*). If no principal structures exist within 300 feet or one (1) block length (*whichever is greater*) of the infill lot, then the minimum dimensional standards shall be per the district requirements in Chapter 2. In reference to the Old Town Knightdale Plan (*Appendix B of the 2027 Comprehensive Plan*), the term “infill lot” shall include, but not be limited to, any lot zoned GR3, GR8, UR12, RMX or NMX, and having frontage along any of the following streets: Second, Third or Fourth avenues between Smithfield Road and Pine Street; First Avenue between Smithfield Road and Sixth Street; Maple, Main, Oakwood and Pine streets; the segments of Park Avenue, Harper Street or Ridge Street east of Smithfield Road; Sallinger, Hester, Jutson, House and Keith streets; and Robertson Street between First Avenue and Keith Street. (*For Major Subdivisions receiving Master Plan approval prior to November 16, 2005, see applicable base district setback notes in Sections 2.5 thru 2.10*).

Section 4.6 Accessory Buildings

An accessory building is a roofed structure supported by columns or walls; is built, erected and framed of component structural parts; is designed for the housing, shelter, enclosure and/or support of persons, animals or property of any kind; and is subordinate in height and bulk to the principal building located on the same lot.

- A. Principal Building Required:** Except as provided for in Subsection E: Cluster Mailbox Units (CBUs), the construction of an accessory building is not permitted unless a principal building is located on the lot. Accessory and principal buildings may be constructed concurrently.

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- C. General Requirements**

- 1. Maximum Allowance**

- a. Districts Permitting Residential Uses:** Accessory buildings on a single lot in a district permitting a residential use (*Section 2.3C(1)*) shall not:
 - i.** individually exceed a building footprint of 800 square feet;
 - ii.** collectively cover more than 20 percent (20%) of the total combined area of the lot’s rear and side yards; nor
 - iv.** individually exceed the height of the principal building (*Section 4.4*).

- b. **Districts Not Permitting Residential Uses:** Accessory buildings on a single lot in a district not permitting a residential use (*Section 2.3C(1)*) shall not:
 - i. collectively cover more than 30 percent (30%) or the total combined area of the lot's rear and side yards; nor
 - ii. individually exceed the height of the principal building (*Section 4.4*).
- c. **Exceptions:** The following are not subject to the maximum allowance restrictions stated herein:
 - i. Property located in the OSP (Open Space Preservation) or RR-1 (Rural Residential) districts along with certain farmland meeting the exemption requirements of Section 1.5B.
 - ii. CBU Shelters (*Subsection E*).

- 2. **Building Materials:** Accessory buildings shall be constructed of the same materials permitted in Chapter 5 for the principal building on the lot. If no principal building is present (*see Subsection A "Principal Building Required" above*), then the accessory building shall be constructed of the same materials permitted in Chapter 5 for the building types within the development of which it is a part.
- 3. **Location:** Unless otherwise specified, accessory buildings are restricted to the side or rear yards and shall meet the district-specific setback requirements for accessory structures as specified in Chapter 2.
- 4. **Separation:** To ensure proper maintenance of building exteriors, accessory buildings shall be located, if otherwise permitted, a minimum of five (5) feet from any principal building or other accessory building.

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E. Cluster Mailbox Unit Shelters (CBU Shelters): A shelter for any United States Postal Service (USPS)-required CBUs in districts permitting residential units is required and shall meet the following additional requirements:

- 1. **Type and Size:** Be a principal or accessory building (*open-air or enclosed*) that extends shelter to a minimum of five (5) feet beyond the CBUs' collective footprint.
- 2. **Location:** Be located on a lot deeded to a homeowners' association, and be no more than 50 feet from an off-street motorized vehicle parking lot as measured from curb to open-air building footprint or enclosed building entrance.
- 3. **Parking:** In addition to satisfying the minimum and maximum off-street Motorized Vehicle Parking space requirements specified by Section 10.3D for other uses on the lot, the following minimum and maximum off-street short-term (*marked and signed for 10-minute maximum*) motorized vehicle parking space requirements must also be met:

Number of Mailboxes	Minimum Short-Term Parking Spaces	Maximum Short-Term Parking Spaces
48 or fewer	3	3
49 - 304	3 or ½ maximum, whichever is greater	3 plus 1 for each additional 32 mailboxes or portion thereof above 48 mailboxes
305 or more	½ maximum	11 plus 1 for each additional 48 mailboxes or portion thereof above 304 mailboxes

Section 11.5 Additional Outdoor Lighting Standards for Specific Lighting Types

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- D. Vehicular Accommodation Area and General Site Lighting:** General site lighting and lighting for vehicular accommodation areas shall have an average horizontal illumination as specified in the tables in Section 11.6 “Lighting Levels”, and shall meet the following additional standards:
 - 1. BUG Rating:** LED or other BUG-rated fixtures exceeding 7,250 initial delivered lumens or 9,000 source lumens as may apply, shall not exceed a rating of B3, U0, G1.
 - 2. Circumstances Requiring Forward Throw:** Parking area lighting fixtures within 25 feet of any public street right-of-way or a commercial to residential/group care facility property line must be a forward throw fixture (*type IV light distribution as defined by IESNA*).

Section 11.6 Lighting Levels

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C. Open Parking Facilities

For lighted parking lots, the minimum light level shall be no less than 0.2 FC. All light levels are measured at ground level. The light level requirements for individual parking lots vary depending on the activity classification.

The specified minimum FC value above 0.2 FC as outlined in the following table means that the lowest light level point or location in the parking lot must not exceed the minimum stated FC value in the table (*i.e. 0.9 FC for large shopping centers*). An average to minimum uniformity ratio of 4:1 means that the average FC to minimum FC ratio cannot be worse (*higher*) than 4:1. See the following table:

Light Levels for Open Outdoor Parking Facilities*		
Activity	Maintained Footcandles	Uniformity Avg/Min
3. Parking, residential, multi-family <ul style="list-style-type: none"> ▪ Low to medium activity 	0.6 FC Min	4:1
4. Parking, industrial/commercial/institutional/municipal <ul style="list-style-type: none"> ▪ High activity, i.e. large shopping centers/ fast food facilities, major athletic/civic cultural events 	0.9 FC Min	4:1
<ul style="list-style-type: none"> ▪ Medium/low activity, i.e. community shopping, office parks, hospitals, commuter lots, cultural/civic/ recreational events, residential neighborhood shopping, industrial employee parking, schools, churches 	0.6 FC Min	4:1

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 17th day of September, 2014.

Russell B. Killen, Mayor

ATTEST:

Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

Clyde Holt, III; Town Attorney