



TOWN OF KNIGHTDALE

950 Steeple Square Court ● Knightdale, NC 27545
Office (919) 217-2245 ● Fax (919) 217-2249

TOWN OF KNIGHTDALE ORD #07-04-02-002

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE REGARDING TECHNICAL ERRORS AND INFILL DEVELOPMENT

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF KNIGHTDALE, NORTH CAROLINA:

WHEREAS, the Town of Knightdale has received a petition to amend the Unified Development Ordinance in regard to the sections addressing flood damage prevention; 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 Town's regulations for infill development need to be updated to reflect changes in the 2027 Comprehensive Plan as adopted with Appendix B: Old Town Knightdale Plan; and

WHEREAS, the proposed zoning text changes comply with the goals of the Town's Comprehensive Plan because the proposed changes are necessary to more clearly define the general objectives of the Comprehensive Plan as well as to more effectively implement the specific recommendations of the Comprehensive Plan's Appendix B: Old Town Small Area Plan;

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 (*explanatory notations in italics*):

Section 2.6(B)(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:

Section 2.7(B)(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:

Section 2.8(B)(2) 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:

Section 2.9(B)(1) 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:

(Insert New Section) **Section 12.3(G)** All wall or monument signs, if internally lit, must be covered with an opaque acrylic or similarly opaque surface. Exposed neon, argon, LED or similarly sized tube lighting is allowed, but must be recessed within a channel not exceeding four (4) inches in width that fully cuts-off the casting of glare on all sides.

Section 12.7(D)(1) Only buildings set back more than 30 feet from the right-of-way and having street frontage may use a Monument Sign.

Section 12.8(J) Temporary Signs: To prevent the promulgation of temporary signs that are not designed to be long-term additions to the aesthetic environment and which often become unsightly and create visual clutter after exposure to weather and landscape maintenance, all temporary signs including, but not limited to sales banners, real estate signs, political campaign signs, and yard or garage sale signs, shall be subject to the following provisions:

Section 14.4(B) Membership

The Technical Review Committee shall be chaired by the Planning Director and consist of the following members:

- Two (2) Planning Department Representatives
- Two (2) Town Council members as non-voting, ex-officio members
- Fire Chief or Designee OR Fire Marshall or Designee
- One (1) Public Works Department Representative
- One (1) Parks & Recreation Department Representative
- Town Engineer
- Assistant Town Manager

Chapter 19

(New Definition) **Block Face:** One side of a street between two consecutive intersections, having at least one principal building on a lot facing the street. For a corner lot having frontage along more than one street, the block face shall consist of that side of the block that has the more numerous parcels or lots fronting the street. An "opposite block face" is the block face across the street from a given block face.

(New Definition) **Change of Use:** 1) A new, different, or additional use of a structure or land which required or requires a certificate of occupancy. 2) Change of Use includes without limitation any new, different, or additional use within the list of permitted uses for the underlying property, any purported use outside the list of permitted uses. 3) When any prior use of a structure or land has ceased for a period greater than 180 days.

The Land Use Administrator may grant a 180-day extension to part (3) if the property and/or building owner provides sufficient evidence of actively recruiting a use that would not constitute a change of use under either part (1) or (2) above. Thereafter, if any prior use of the structure or land has ceased for a period greater than 360 days, any subsequent use shall be considered a change of use.

Multi-tenant structures shall not be considered a change of use when individual uses change unless the essential character (more than 50% of structure's square footage) of the activity conducted in the entire

structure (e.g. shopping center, professional service office building) has changed as defined in part (1), (2) or (3) above.

Lot, Infill: A parcel of land located within an existing built-up area. 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.

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 2nd day of April, 2007.

Douglas M. Boyd, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney