



TOWN OF KNIGHTDALE

PLANNING DEPARTMENT

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ORD #13-06-19-002
AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE
OF THE TOWN OF KNIGHTDALE,
REGARDING THE CLARIFICATION AND AMENDING OF REGULATORY STANDARDS FOR
ACCESSORY BUILDINGS

WHEREAS, the Town of Knightdale has received a petition to amend Section 4.6 (Accessory Buildings) of the Unified Development Ordinance by further defining what structures are classified as accessory buildings and better defining how much of a rear or side yard may be covered by said buildings; and

WHEREAS, the application includes the amendment of other remaining chapters of the Unified Development Ordinance that may be affected by the proposed amendment to Section 4.6, such as updating code section references and locations, 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 changes are reasonable in that they provide specific regulatory language for the carrying out of two of the stated purposes of the Comprehensive Plan's design guidelines which are to educate property owners about the design characteristics of the Town; and to provide information that property owners may use in making decisions about their buildings by addressing basic principles of design; and

WHEREAS, the proposed zoning text changes are also consistent with the Comprehensive Plan's stated goal of providing balanced and responsible urban design, planning and development by setting reasonable limits on the addition of accessory buildings in residential settings that otherwise increase impervious surface areas and structural crowding on a lot;

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*):

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: 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.

B. Customary Uses (Residential): The following uses are considered customary incidental uses of residential accessory buildings:

- Home Occupations
- Secondary Dwelling
- Leisure Activities
- Artist Studio
- Workshop
- Pool House
- Conservatory
- Storage
- Equipment Enclosure
- Parking
- Animal Shelter

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 any rear or side yard; nor
- iii.** 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 any rear or side yard; nor
- ii.** individually exceed the height of the principal building (*Section 4.4*).

c. Exceptions: 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 are not subject to the maximum allowance restrictions stated herein.

2. Location: 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.

3. 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.

D. Dog House: All dog houses shall be located in the rear yard.

Section 4.7 Swimming Pool Accessory to Single-Family Dwellings: A swimming pool is a leisure activity space that includes all structures, as well as cement, stone or wood walks and patio areas, at or above grade, built for, and used in conjunction with the pool.

A. Location: Swimming pools, as defined above, whether above-ground or in-ground, are restricted to the rear yard and shall meet the district-specific setback requirements for accessory structures as specified in Chapter 2. Any at-grade patio component meeting the opaque fence or wall requirement of Section 4.4B, has no setback requirements from rear and side lot lines.

B. Barrier: Swimming pools, as defined above, shall be enclosed by a barrier meeting the requirements of the North Carolina Building Code. Any fence or wall components of this barrier shall also meet the requirements of Section 4.7.

(Existing Sections 4.7 thru 4.9 re-numbered to 4.8 thru 4.10 respectively.)

Section 19.3 Definitions of Terms

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

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 19th day of June, 2013.

ATTEST:

Russell B. Killen, Mayor

Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

Clyde Holt, III; Town Attorney