



**TOWN OF KNIGHTDALE**  
**P L A N N I N G   D E P A R T M E N T**

[www.knightdalenc.gov](http://www.knightdalenc.gov)

950 Steeple Square Court  
Knightdale, NC 27545  
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**ORD #09-08-03-002**  
**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE**  
**OF THE TOWN OF KNIGHTDALE,**  
**REGARDING FAMILY CARE HOMES AND SIMILAR FACILITIES**

WHEREAS, the Town of Knightdale has received a petition to amend the Unified Development Ordinance in regard to family care homes and similar facilities; 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 influencing and better managing the development of the community by more clearly defining and separating family care homes, group care facilities and housing services for the elderly. It is furthermore consistent with the Comprehensive Plan's stated goal of providing balanced and 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:

**2.3(C) Use Matrices**  
**(3) Office/Service**

...

BASE DISTRICT	OSP	RR	GR	UR	RMX	NMX	TC	HB	MI	MHD	TND
m. Group Care Facility (More than 6 residents)	—	SU	—	—	—	SU	SU	—	—	—	—

...

**3.3(R) Family Care Home (RR, GR, UR, RMX, NMX) (2.3C(1)f)**

1. No family care home shall be located within a one-half (1/2) mile radius of another family care home.

**3.3(T) Group Care Facility (RR\*, NMX\*, TC\*) \* Special Use (2.3C(3)m)**

7. No group care facility shall be located within a one-half (1/2) mile radius of another group care facility.

## Chapter 19

**Family Care Home 2.3C(1)f:** A home with support and supervisory personnel that provides room and board, personal care and habilitation services in a family environment for not more than six (6) resident persons with disabilities. (NCGS 168-21)

**Group Care Facilities 2.3C(3)m:** A facility with support and supervisory personnel that provides room and board, personal care and habilitation services in a group environment to more than six (6) resident persons with disabilities of whom one or more are unrelated. This category includes facilities licensed (in whole or in part) by the North Carolina Department of Health and Human Services. Examples include but are not limited to group dwellings (all ages), halfway houses, nursing homes, resident schools, resident facilities, skilled nursing, adult care homes, and foster or boarding homes. Such facility may also include the care of 6 or fewer persons who are not covered by the NCGS 168-21 definition of a person with disabilities, but excludes housing services for the elderly as defined within this ordinance.

**Housing Services for the Elderly 2.3C(1)h:** Establishments that offer housing services for the aged, not requiring a license from the North Carolina Department of Health and Human Services, such as independent retirement housing, multi-unit assisted housing with services (MAHS) and continuing care retirement centers.

**Person with Disabilities:** A person with a temporary or permanent physical, emotional, or mental disability including but not limited to mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances and orthopedic impairments but not including mentally ill persons who are dangerous to others as defined in NCGS 122C-3(11)b. (NCGS 168-21)

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 3<sup>rd</sup> day of August, 2009.

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Russell B. Killen, Mayor

ATTEST:

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Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

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Clyde Holt, III; Town Attorney