



**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 #14-05-05-001**  
**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE**  
**OF THE TOWN OF KNIGHTDALE,**  
**REMOVING INFILL LOT REQUIREMENTS FROM THE RMX AND NMX ZONING DISTRICTS AND**  
**CLARIFYING THE DEFINITION OF “INFILL LOT”**

WHEREAS, the Town of Knightdale has received an application requesting a Zoning Text Amendment to amend Sections 2.8B2 (Lot and Dimensional Requirements in RMX) and 2.9B2 (Lot and Dimensional Requirements in NMX) of the Unified Development Ordinance by eliminating the language pertaining to Infill Lot setbacks in each respective section; 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 sections 2.8B2 and 2.9B2; such as updating code section references and locations; the ordinance table of contents, index and use matrix; 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 promote the objective of promoting a variety of land uses which are compatible to one another and provide a vibrant and varied local economy, which will attract and support a wide diversity of business opportunities and community services; and

WHEREAS, for the 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 2.8      Residential Mixed-Use (RMX)**

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**B.      Specific District Provisions:**

...

**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 (Min)	10 ft	0 ft	0 ft	0 ft	10 ft
Front Setback (Max)	n/a	25 ft	25 ft	10 ft	n/a
Front Yard Encroachment (b)	8 ft	(e)	(e)	(e)	10 ft
Side Setback (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 (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.

**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 (Min)	10 ft	0 ft	0 ft	0 ft	0 ft	0 ft
Front Setback (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 (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 (Min)	25 ft	n/a	n/a	0 ft	0 ft	30 ft

<b>Rear Setback from Rear Lane/Alley (c)</b> <i>(Min)</i>	15 ft from centerline	15 ft from centerline	15 ft from centerline	0 ft	0 ft	n/a
<b>Accessory Structure Side/Rear Setback</b> <i>(Min)</i>	5 ft	5 ft	5 ft	0 ft	0 ft	5 ft
<b>Maximum Height (f)</b>	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.

**Section 4.2 Lot and Yard Requirements**

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**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. The term “infill lot” shall include, but not be limited to, any lot zoned GR3, GR8 or UR12 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 19.4 Definitions**

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**Lot, Infill:** Any lot located within a GR3, GR8 or UR12, district where all of the following conditions are present:

- The lot area is one (1) acre or less;
- At least 50% of the length of the side and rear property lines are coincident with adjacent lots containing a principal structure (*in the case of a corner lot, the side street right-of-way shall be collapsed as if it were not present*); and
- The final plat creating the lot must have been recorded prior to August 14, 1995.

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 5<sup>th</sup> day of May, 2014.

ATTEST:

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Russell B. Killen, Mayor

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Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

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Clyde Holt, III; Town Attorney