



## TOWN OF KNIGHTDALE

950 Steeple Square Court  
Knightdale, NC 27545  
KnightdaleNC.gov

### ORDINANCE #24-07-17-003

#### ORDINANCE TO AMEND THE TOWN OF KNIGHTDALE UNIFIED DEVELOPMENT ORDINANCE REGARDING DRIVEWAYS AND NEUSE NUTRIENT MANAGEMENT STRATEGY

#### ZTA-4-24: Driveway & Stormwater Updates

**WHEREAS**, the Town of Knightdale has initiated a text amendment to amend Unified Development Ordinance Chapter 7.2.B “Location of Driveway Access Points” to reduce the required driveway setback to 2 feet; 9.4.A.4 “Applicability and Jurisdiction” to define applicable exemptions to the section; 12.3.H “Final Plat Requirements” to require individual lot Built Upon Area maximums on all final plats; and 12.3.I.5 “Stormwater Management Plan” to require proof of offsite nutrient credit purchase before construction authorization; 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 15 for consistency; and

**WHEREAS**, the Town of Knightdale Unified Development Ordinance Section 12.2.F.2 establishes uniform procedures for amending the text of the Ordinance; and

**WHEREAS**, the zoning text amendment is consistent with the KnightdaleNext 2035 Comprehensive Plan’s goal of determining effective public policy that provides an ongoing framework for informed and directed public investment and private development, and

**WHEREAS**, the amendment is reasonable and in the public interest as it aligns the Town’s Unified Development Ordinance with the North Carolina General Statutes and clarifies environmental development regulations and community design standards for property owners and developers.

**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 is amended to read as follows:

#### **7.2.B Location of Driveway Access Points**

**1. In General.** Except for shared drives, all driveways shall be a minimum of two (2) ~~three-and-a-half (3½)~~ feet from the property line.

#### 9.4.A.4 Applicability and Jurisdiction

##### b. Exemptions.

~~i. Single-family detached, duplex, and manufactured home dwellings and recreational development and redevelopment that cumulatively disturbs less than one (1) acre and are not part of a larger common plan of development or sale are exempt from the provisions of this article, unless deemed otherwise by the Stormwater Administrator.~~

~~ii. Development and redevelopment that disturbs less than the above threshold, is not exempt if such activities are part of a larger common plan of development or sale and the larger common plan exceeds the relevant threshold, even though multiple, separate, or distinct activities take place at different times on different schedules.~~

- i. Projects disturbing less than:
  - a. one acre for single family and duplex residential property and recreational facilities; and
  - b. one-half acre for commercial, industrial, institutional, multifamily residential, or local government land uses with the following exception: projects below one half acre that would replace or expand existing structures on a parcel, resulting in a cumulative built-upon area for the parcel exceeding twenty-four percent, shall be subject to the provisions of this article.
- ii. Development of an individual single-family or duplex residential lot that:
  - a. is not part of a larger common plan of development or sale where multiple separate and distinct development activities may be taking place at different times on different schedules but governed by a single development plan regardless of ownership of the parcels.
  - b. does not result in greater than five percent built upon area on the lot;

#### 12.3.H Final Plat Requirements

**13. Built Upon Area Limits.** All Final Plats subject to BUA restrictions related to the Neuse Nutrient Management Strategy shall indicate maximum BUA limits for each lot.

#### 12.3.I.5.d Establishment of Plan Requirements and Fees

v. **Offsite Nutrient Credits.** Pursuant to Section 9.4 (G)(6), documentation and proof of purchase for offset credit options is required prior to construction.

**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 17<sup>th</sup> day of July, 2024.

BY: \_\_\_\_\_  
Jessica Day, Mayor

ATTEST: \_\_\_\_\_  
Heather M. Smith, Town Clerk