



TOWN OF KNIGHTDALE

PLANNING DEPARTMENT

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ORD #09-01-21-001

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE, REGARDING DIGITAL SUBMITTALS, RADIO TOWERS AND TECHNICAL AMENDMENTS

WHEREAS, the Town of Knightdale has received a petition to amend the Unified Development Ordinance in regard to digital submittals, radio towers and technical amendments; 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 managing the development of the community by establishing protections for neighboring properties from radio towers that may be too tall for their specific location and assisting planning staff in better record retention and management; as well as being 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:

3.3(KK)(1) Stealth (GR, UR, RMX, NMX, TC, HB, MI, MHD, TND) (2.3C(8)c)

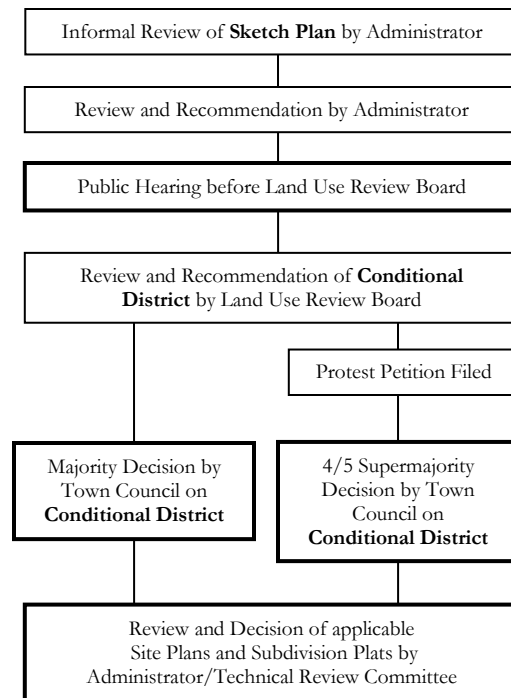
a. All facilities shall be mounted in a manner such that the personal wireless service facilities do not extend beyond the top of the building or structure on which they are being mounted except as noted for amateur radio antennas in subsection (c) that follows.

b. Such facilities shall be designed to blend in with the existing structure or buildings with similar colors or other techniques as appropriate.

c. For amateur radio antennas and their supporting structures, the height of the antenna together with the supporting structure may not exceed 90 feet under any circumstances. Furthermore, for the safety of the general public, the height of the antenna and any supporting structure shall be further restricted to no more than the distance from the base of the structure to the nearest property line which may be a public right-of-way or an adjacent property with structures that might otherwise be damaged in the event of an antenna failure and collapse.

15.17(E) Procedure:

APPLICATION	REVIEWING AUTHORITY	ACTION TO BE TAKEN	APPEAL PROCESS
Sketch Plan (16.4) w/ Environmental Survey (16.2)	Administrator	For Non-Binding Review Only	n/a
Re-zoning w/ Master Plan (16.5)	Administrator	Review submittal procedures and requirements Review for completeness & Ordinance compliance Issue Staff Report	n/a
	Land Use Review Board	Public hearing	n/a
	Land Use Review Board	Review and recommendation of Conditional District application	n/a
	Town Council	Grant Conditional District -or- Denial and Request for Re-hearing	Superior Court



16.4 Sketch Plan Requirement

Prior to submitting a Sketch Plan for Administrative review, the applicant shall schedule a pre-application submittal meeting with the Administrator. This pre-submittal meeting shall take place at the discretion of the Administrator at a time convenient to both parties and in some cases may be held in conjunction with submittal of the Sketch Plan.

In addition to information on the Environmental Survey, the Sketch Plan shall show in simple sketch form the proposed layout of streets, lots, buildings, public open spaces and other features in relation to existing conditions based upon the size of the tract proposed for

development. All plans shall be submitted as a scale not less than 1 inch = 50 feet unless otherwise authorized by the Administrator. It shall also include the following information: ...

16.5 Master Plan Requirements

The Master Plan shall be drawn to the following specifications and must contain or be accompanied by the information listed below. All plans shall be submitted at a scale not less than 1 inch = 50 feet unless otherwise authorized by the Administrator. In addition, a copy of all plan pages must be submitted at the same time using the open Portable Document Format (pdf) standard on a Compact Disc (CD) or Digital Versatile Disc (DVD). No processing or review of a Master Plan will proceed without all of the following information:

16.6 Construction Drawings/Preliminary Plat Requirements

The construction Drawings for Site Plans and Preliminary Plats for Major Subdivisions shall be submitted in accordance with the specifications of this Section except where specifically noted. The size and number of complete application submittal copies required shall be set by the Administrator.

Construction Drawings/Preliminary Plats must be drawn to the following specifications and must contain or be accompanied by the applicable information listed below. All plans shall be submitted at a scale of not less than one (1) inch = 60 feet unless otherwise authorized by the Administrator. In addition, a copy of all plan pages must be submitted at the same time using the open Portable Document Format (pdf) standard on a Compact Disc (CD) or Digital Versatile Disc (DVD).

16.6(A)(4) For Construction Documents for Site Plans, as-built drawings of all water, sewer and stormwater management facilities illustrating their layouts and connections to existing systems. Such plans shall show all easements and rights-of-way to demonstrate that the facilities are properly placed and shall indicate the locations of all fire hydrants, blow-off valves, manholes, pumps, force mains and gate valves. They shall also show the field location, size, depth and planted vegetation of all stormwater measures, controls and devices. A copy of all as-built pages must be submitted at the same time using the open Portable Document Format (pdf) standard on a Compact Disc (CD) or Digital Versatile Disc (DVD). This information is not part of the Construction Documents, but must be submitted upon completion of the project and before a certificate of occupancy shall be granted.

16.6(B) Certification Statements: The following certifications must appear on the **cover sheet** for Construction Drawings for Site Plans and Preliminary Plats for Major Subdivisions:

1. Town Approved Standards Shall Control. In the event of a conflict or inconsistency between these construction drawings and the Town of Knightdale's Approved Standards for this project, the Approved Standards shall control. Town of Knightdale Approved Standards shall mean all development documents necessary for approval for the Property including, but not limited to, any special use permit, subdivision plan, site plan, subdivision plat(s), phasing schedule, Development Agreement, Utility Allocation Agreement, Annexation Agreement, the Town of Knightdale Standard Specification and Details Manual and applicable provisions of the North Carolina State Building Code.

(All certifications that follow shall be re-numbered).

16.7 Final Plat Requirements

The final plat shall be prepared by a registered land surveyor, licensed to practice in the State of North Carolina and must be drawn to a scale of not more than 1 inch = 60 feet unless otherwise authorized by the Administrator, and shall meet the requirements of the Wake County Register of Deeds Office. In addition, a copy of all plan pages must be submitted at the same time using the open Portable Document Format (pdf) standard on a Compact Disc (CD) or Digital Versatile Disc (DVD). The final plat shall constitute all portions of the preliminary plat site, which the subdivider proposes to record, and develop at the time. The size and number of completed applications shall be set by the Technical Review Committee.

No Final Plat shall be approved unless and until the subdivider has installed in the patted area all improvements required by this Ordinance or has posted Improvement Guarantees in accordance with Chapter 17. The Final Plat shall be drawn in black ink or mylar and shall contain the following: ...

Chapter 19, Dwelling-Multifamily (less than 4 units/building) 2.3C(1)c: A dwelling unit that is part of a structure containing more than one (1) but less than four (4) units. Each unit has a separate entrance from the outside or through a common vestibule. Multi-family dwellings may include duplexes and triplexes (buildings under one ownership with two or three dwelling units in the same structure), as well as a condominium complex containing only three or four units. *(LBCS S1121 and S1140)*

Chapter 19, Dwelling-Multifamily (more than 4 units/building) 2.3C(1)d: A dwelling unit that is part of a structure containing more than four units. Each unit has a separate entrance from the outside or through a common vestibule. These structures may include quadplexes (buildings under one ownership with four dwelling units in the same structure); apartments (five or more units under one ownership in a single building); and a condominium complex containing five or more units. *(LBCS S1121 and S1140)*

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 21st day of January, 2009.

Russell B. Killen, Mayor

ATTEST:

Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

Clyde Holt, III; Town Attorney