



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

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ORD #14-02-19-001
AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE
OF THE TOWN OF KNIGHTDALE,
REGARDING OLD TOWN OVERSIGHT COMMITTEE UPDATES, THE ESTABLISHMENT OF
DEFAULT SPEED LIMITS BY STREET TYPE, WIRELESS FACILITY UPDATES AND CERTAIN
BUILDING MATERIAL CLARIFICATIONS

WHEREAS, the Town of Knightdale has received a petition to amend Section 14.4B (Old Town Oversight Committee [OTOC]) of the Unified Development Ordinance by eliminating term limits, establishing a specific number of committee members and changing the committee name to Old Town Advisory Committee along with other clarifications; to amend Section 17.3A (Street Classification & Design) to specify default maximum speed limits for different street types unless otherwise established by Town Council at the time of street acceptance; to amend Section 3.3 (Additional Standards by Use) by editing the additional standards for wireless telecommunication facilities to bring them into compliance with recent changes in state law; and to amend Section 5.5 (Building Type: CIVIC) to clarify that metal buildings are not permitted; 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 14.4B, 17.3A, 3.3 and 5.5; 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, despite this collection of proposed zoning text amendments does not directly advance a specific objective or goal of the Comprehensive Plan, the proposed zoning text changes are reasonable in that they either reflect evolving conditions within the Town of Knightdale brought about by changes in local or state policy and law, or correct errors and omissions within the Unified Development Ordinance;

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 3.3 Additional Standards

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YY. Wireless Telecommunication Facility – Stealth/Camouflage (GR, UR, RMX, NMX, TC, HB, MI, MHD, TND) (2.3C(8)c)

1. All antennas and related mechanical equipment placed on structures other than towers (*a stealth/camouflage facility*) shall be concealed. Antennas located on top of buildings or other structures

shall not exceed 30% of the building height. In no event shall an antenna extend beyond the structure in any direction greater than 25 feet.

2. Stealth facilities, including antenna and supporting electrical and mechanical equipment, shall be designed to blend in with the existing structure or buildings with similar colors or other techniques as appropriate so as to make the antenna and related equipment as visually unobtrusive as possible.
3. Applications for co-locations on existing towers shall be classified as “stealth” so long as they do not constitute a substantial modification as defined by N.C.G.S. 160A-400.51 (7a).

Section 5.5 Building Type: CIVIC

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- C. **Specific Requirements:** Because of the unique characteristics of the Civic Building, it is generally exempt from the standards imposed on other buildings in this Chapter, including Section 5.4, with the following exceptions:
 1. A Civic Building should be built so that they terminate a street vista whenever possible;
 2. They should be of sufficient design to create an easily recognizable visual anchor for the community;
 3. They must adhere to the Type of Construction prohibitions of Section 5.4I;
 4. They must adhere to the Wall Material requirements of Section 5.4F; and
 5. They must adhere to the Rooftop Equipment requirements of Section 5.4K.

Section 14.4B Old Town Advisory Committee (OTAC)

1. **Appointment and Terms**
 - a. **Number and Qualifications:** There shall be an Old Town Advisory Committee consisting of seven (7) members. All members shall be appointed by the Town Council and shall reside or own land within the Wil-Ros Subdivision or the Old Town Knightdale Study Area as defined in the *Old Town Knightdale Plan (January, 2007)*.
 - b. **Staggered Terms:** OTAC members shall be appointed for 2-year staggered terms. Members may continue to serve until their successors have been appointed.
 - c. **Attendance:** Members of the OTAC may be removed by the Town Council at any time for failure to attend three (3) consecutive meetings or for failure to attend 75 percent (75%) or more of the meetings within any 12-month period or for any other good cause related to performance of duties.
 - d. **Relocation:** If a member moves outside the eligible area as specified in subsection “a” above or no longer owns property within the eligible area as specified in subsection “a” above, that shall constitute a resignation from the committee.
2. **Officers**
 - a. **Elections and Terms:** At the first regularly scheduled meeting following the annual appointment of members, the OTAC shall select from among its members a Chair and Vice-Chair. Officers shall serve for a period of not more than two (2) consecutive 1-year terms in the same capacity.
 - b. **Responsibilities and Duties:** The Chair shall preside over the OTAC as a non-voting member (except in the case of breaking a tie), decide all points of order or procedure using

the latest edition of “*Robert’s Rules of Order*”, and transmit reports and recommendations of the OTOC to the Town Council. The Chair and Vice-Chair may take part in all deliberations.

- c. **Committee Secretary Assigned:** The secretary to the OTAC shall be a Town staff member assigned by the Administrator.

3. Meetings

- a. **Schedule:** The OTAC shall establish a regular meeting schedule and shall meet frequently enough, at least quarterly if necessary, so as to take action as expeditiously as possible on the items of business.
- b. **Open Meetings:** All OTAC meetings shall be open to the public, and whenever feasible, the agenda for each meeting shall be made available in advance of the meeting.
- c. **Records:** A record of all meeting minutes and attendance shall be kept by the Committee secretary.

4. Responsibilities and Duties: Generally, the OTAC shall be responsible for the following:

- a. Directing the attention of appropriate Town officials to needed enforcement of any ordinance; and
- b. Interfacing with Town staff to discuss hearings and cases affecting the Old Town area and formulate advisory statements for conveyance by the chairperson or other designated committee member to the governing board as appropriate.

Subject to authorization, referral or budget appropriation by the Town Council the OTAC shall also have the following legislative responsibilities and duties related to public improvements, economic development and planning within the Old Town area:

- c. Initiating, promoting and assisting in the implementation of programs for public improvements; and
- d. Initiating, promoting and assisting in the implementation of community involvement activities, financial incentives and technical assistance programs that would benefit residents, entrepreneurs and property owners.

5. Quorum and Voting

- a. A quorum shall be the simple majority of the OTAC membership excluding vacant seats. A quorum is necessary to take official action.
- b. All OTAC members shall serve as voting members, except for the Chair who shall only vote in the case of a tie.

{Insert New Section and Re-Number Those Following}

Section 17.3E Posted Speeds: Unless otherwise established by the Town Council, the posted speeds for Town-maintained streets within the Town of Knightdale shall be as follows:

- 1. **Alleys:** 10 miles per hour
- 2. **Local Streets:** 25 miles per hour
- 3. **Main Streets:** 25 miles per hour
- 4. **Avenues:** 35 miles per hour
- 5. **Urban Avenues:** 25 miles per hour

6. **Boulevards:** 45 miles per hour
7. **Urban Boulevards:** 35 miles per hour

Section 19.3 Definitions

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Wireless Telecommunication Facility: Equipment constructed in accordance with Section 332(c)(7) of the Communications Act at a single location by a private business user, governmental user, or commercial wireless service provider to transmit, receive, or relay electromagnetic signals (*including microwave*). Such facilities includes antennas or antenna arrays, wireless telecommunication towers, support structures, transmitters, receivers, base stations, combiners, amplifiers, repeaters, filters, or other electronic equipment; together with all associated cabling, wiring, guy anchors, equipment enclosures, and other improvements.

Stealth/Camouflage 2.3C(8)c: Antenna and related telecommunication equipment designed as an integral part of a permitted existing structure and unobtrusive in its appearance. Such existing structures may include, but are not limited to: flagpoles, buildings, silos, water tanks, signs, lighting standards, steeples, and electric transmission towers. This use also includes co-located facilities on a permitted existing tower not meeting the definition of “substantial modification” as defined in N.C.G.S. 160A-400.51 (7a).

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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 February, 2014.

ATTEST:

Russell B. Killen, Mayor

Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

Clyde Holt, III; Town Attorney