



TOWN OF KNIGHTDALE

PLANNING DEPARTMENT

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ORD #11-07-20-001

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE, REGARDING TECHNICAL EDITS AND CLARIFICATIONS OF INTENT FOR CHAPTERS 5 AND 6

WHEREAS, the Town of Knightdale has received a petition to amend Chapters 5 and 6 of the Unified Development Ordinance with technical edits for consistency of language and referencing, clarifications of intent and interpretation, further definition of broad terms, addition of exemplary graphics and photos, and the removal of redundant text, as well as the amendment of other remaining chapters of the Unified Development Ordinance affected by the proposed amendments to chapters 5 and 6, such as updating code section references and locations as well as adding/amending definitions (Chapter 19) for consistency; 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 objectives of promoting a built environment that blends vernacular form with efficient function and preserving the natural environment and encouraging conscientious development in regards to it by improving the clarity and consistency of the UDO's language and formatting in these relevant chapters, as well as being furthermore consistent with the Comprehensive Plan's stated goal of providing 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 parenthetical italics*):

(See Attachments for Chapters 5 & 6)

Section 3.3CC Manufactured Housing (RR, GR, MHD) (2.3C(1)j)

1. Unless located in a mobile home park (Section 2.13A(3)b), manufactured housing shall meet the architectural standards of Section 5.7.
2. Unless located in a mobile home park (Section 2.13A(3)b), the minimum width (the width being the narrower of the two [2] overall dimensions) of the main body of the manufactured home shall be at least 22 feet for a distance extending along the length (the length being

the longer of the two [2] overall dimensions) of at least 40 feet. In general terms, this only permits double-wide or multi-section manufactured housing.

3. Unless located in a mobile home park (Section 2.13A(3)b), a continuous, permanent brick, stone or stucco foundation, constructed in accordance with standards of the North Carolina Residential Building Code, shall be installed under the perimeter of the manufactured home. The foundation shall be un-pierced except for required ventilation and access.
4. Unless located in a mobile home park (Section 2.13A(3)b), windows shall be set to the inside wall face.
5. Unless located in a mobile home park (Section 2.13A(3)b), a covered front porch or covered front stoop shall be provided at the entrance and should project from the primary façade a minimum of four (4) feet and be no less than four (4) feet in width.
6. The manufactured home shall front on a street such that the principal entrance is aligned to the street.
7. All towing apparatus, wheels, axles, and transporting lights shall be removed.
8. Manufactured homes may be used for residential purposes and home occupation uses only.
9. A manufactured home must bear a seal certifying that it was built to the standards adopted on July 1, 1976 that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of construction.
10. In the RR and GR districts, the minimum lot width for manufactured homes shall be 100 feet.
11. In the RR and GR districts, the minimum lot size for manufactured homes shall be one (1) acre.

Section 10.3B(3) Exceeding Parking Ratio Maximums: To minimize the impacts of stormwater runoff and urban heat created by excess parking surfaces, stated maximums may only be exceeded according to the following provisions:

- a. If the stated maximum number of spaces is exceeded by no more than 15 percent, the exceeding spaces (those above the stated maximum in the preceding table) must be no more than 30 feet from the base of a large shade tree as opposed to the 60 foot requirement specified in Section 8.10(B).
- b. If the stated maximum number of spaces is exceeded by more than 15 percent, one must:
 - i. meet the tree requirement as stated in the preceding subsection "a"; and either
 - ii. construct the exceeding spaces (those above the stated maximum in the preceding table) of a porous material approved by the TRC; or
 - iii. adjust the stormwater retention system to provide a minimum 30 percent reduction in total nitrogen loading for the entire site (see Section 6.4F(7)).

Section 15.4 Floodplain Development Permits

- A. Applicability:** A Floodplain Development Permit with an accompanying Elevation Certificate shall be submitted for any proposed development within 100 feet of a flood hazard area. Floodplain Development Permits shall be approved by the Administrator.

No structure or land shall be located, extended, converted or structurally altered without full compliance with the term of this Chapter and Section 6.6. In addition to those federal, state and local government agency approvals, the applicant must also be in compliance with the Wake County Soil Erosion and Sedimentation Control Ordinance, as amended.

Any activity which differs from that authorized by the Floodplain Development Permit shall be deemed a violation of this Ordinance and shall be subject to civil penalties as specified in Chapter 18.

Section 16.3A

A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:

1. The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, the location of utility systems, proposed grading/pavement areas, fill materials, storage areas, drainage facilities, and other proposed development;
2. The boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Section 6.6C(1) or a statement that the entire lot is within the Special Flood Hazard Area;
3. Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Section 6.6C(1);
4. The boundary of the floodway(s) or non-encroachment area(s) as determined in Section 6.6C(1);
5. The Base Flood Elevation (BFE) where provided as set forth in Section 6.6C(1); or 6.6E,- subsections 3e, 4, and 5;
6. The old and new location of any watercourse that will be altered or relocated as a result of proposed development; and
7. Preparation of the plot plan for the original development of property by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. Additions to an existing structure such as a deck are exempt.

Section 16.3D If flood proofing, a flood proofing certificate and back-up plans from a registered professional engineer or architect certifying that the non-residential flood-proofed development will meet the flood-proofing criteria in 6.6E, Subsection 3b and Subsection 5.

Section 16.3E A Foundation Plan drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:

1. Proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/piers); and
2. Should solid foundation perimeter walls be used in floodplains, details of sufficient openings to facilitate the unimpeded movements of floodwaters in accordance with 6.6E, Subsection 3d.

Section 16.3G If floodplain development permit is issued for placement of Recreational Vehicles and/or Temporary Structures, documentation to ensure Section 6.6E(3)f and Section 6.6E(3)g of this code is met.

Section 19.3 Definitions of Terms

Eaves: That part of a roof that projects beyond the exterior wall; usually the lower edge of a sloped roof.

Pilaster: Decorative feature that imitates engaged piers but are not supporting structures. May be a rectangular or semi-circular projection of at least 12 inches in width and a minimum 1:4 projection to width ratio, and typically contains a base, shaft and capital.

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 20th day of July, 2011.

Russell B. Killen, Mayor

ATTEST:

Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

Clyde Holt, III; Town Attorney