



Town of Knightdale

Staff Report

Title: ZTA-1-23: Quarterly Updates

Staff: Donna Goodman, Senior Planner

Date: March 15, 2023

Director Signature: JB

Asst. Town Manager Signature: DT

Town Manager Signature: WRS

BACKGROUND INFORMATION: The Town regularly updates the Unified Development Ordinance to remain current with standards and best practices.

APPLICABLE REGULATIONS:

1. UDO Ch. 5.7.G - "Storage - Warehouse, Indoor Storage"
2. UDO Ch. 7.2 - "Driveways"
3. UDO Ch. 8.6.A & 8.6.C.6 - "Permanent Suspended Shingle Post Signs"
4. UDO Ch. 3.1.C.9 & 5.10.G - "Solar Energy Collection"
5. UDO Ch. 5.5 - "Retail / Restaurant Use Standards" for Vape, Tobacco, & CBD Stores
6. UDO Ch. 3.1.C & 5.5 - "Medical Cannabis Center"
7. UDO Ch. 7.6.A, B, C - "Fences and Walls"
8. UDO Ch. 15 - "Definitions"

STAFF ANALYSIS: ZTA-1-23 includes various amendments to several chapters. The major changes are summarized below. The UDO text revisions follow this staff report.

- **UDO Ch. 5.7.G - "Storage - Warehouse, Indoor Storage"** - This section incorrectly references zoning districts where the use is not permitted. The section states that Storage - Warehouse, Indoor Storage uses shall be limited to 5,000 square feet in the Town Center and Rural Residential zoning districts and that specific screening is required in the RR district. However, since Storage - Warehouse, Indoor Storage is only permitted in the Manufacturing & Industrial zoning district, the additional standards referencing TC and RR need to be removed.
- **UDO Ch. 7.2 - "Driveways"** - Currently the UDO and Standard Specifications & Construction Details Manual limits non-residential driveways to a maximum width of 36 ft. With the design and planning of several new fire stations, it has become apparent that wider driveways are necessary to accommodate fire apparatus and emergency vehicles. An exemption for "Public Safety Facilities" will be added to Section 7.2 and the Standard Driveway Apron detail will be revised during the current Construction Details Manual update.
- **UDO Ch. 8.5, 8.6.A & 8.6.C.6 - "Permanent Suspended Shingle Post Signs"** - Currently the UDO allows a Suspended Shingle Post sign to be substituted for a Monument Sign. They are also allowed either temporarily for real estate or permanently for home occupations. To encourage a variety of



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permanent signage, staff recommends continuing to allow Suspended Shingle Posts permanently for non-residential uses but increasing the current height and size limitations and requiring a masonry base.

- **UDO Ch. 3.1.C.9 & 5.10.G – “Solar Energy Collection”** – Ground and roof or building mounted solar energy collectors are not currently permitted in the Town Center, Highway Business, Business Office, Manufacturing & Industrial, or Mining & Quarrying zoning districts. Additionally, the UDO currently prohibits placement of roof-mounted solar energy collection systems on roof surfaces that slope downward toward an area that is open to common or public access. In order to support the transition to clean energy and further the goals of the Sustainability Committee, staff proposes allowing solar energy collectors in all zoning districts and on all roof surfaces.
- **UDO Ch. 5.5 – “Retail / Restaurant Use Standards” for Vape, Tobacco, & CBD Stores** – The UDO does not currently have regulations specific to vape/tobacco/CBD stores. The use falls under the general retail category, typically under “Neighborhood Retail/Restaurant – 2,000 sf or less” or “General Retail – 10,000 sf or less” depending on the store’s size and/or zoning district. In an effort to help curb youth access to vape and tobacco products, staff recommends adding a use specific standard that would prohibit their location within a 1,000 ft. radius of another vape/tobacco store, public or private school, or park.
- **UDO Ch. 3.1.C & 5.5 – “Medical Cannabis Center”** - The UDO does not currently have regulations specific to medical cannabis centers. However, the Compassionate Care Act (Senate Bill 3), which proposes to decriminalize medical marijuana, has been reintroduced in the State legislature. It is staff’s recommendation to get in front of this emerging issue and proactively establish zoning regulations for medical cannabis centers. This involves defining the use, designating permitted zoning districts, and creating use specific standards. If passed, the bill will include some state-wide restrictions, but staff proposes limiting the permitted zoning districts to Highway Business and Manufacturing & Industrial and prohibiting their location within a 1,000 ft. radius of another medical cannabis center, religious institution, public or private school, or childcare facility.
- **UDO 7.6 – “Fences and Walls”** – Many upcoming developments include pickleball courts in their open space amenities. Chain link is not currently a permitted fence material, except in the MI zoning district. Since vinyl wrapped chain link is the typical fence material for various sports, staff recommends adding an exemption to allow vinyl wrapped chain link to be used in ball fields and sport courts, up to 10 ft. in height.
- **UDO Ch. 15: “Definitions”** – In order to include use-specific standards for Vape, Tobacco, & CBD Stores and Medical Cannabis Centers, the uses need to be defined. Solar Energy Collection has also been defined to better distinguish between solar panel collectors as an accessory use and solar farms.

PUBLIC HEARING SUMMARY:

A joint public hearing with the Town Council and Land Use Review Board was held on February 16, 2023. No comments were received during the public hearing comment period, and Town Council did not provide any



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feedback that warranted changes. The amendment was referred to the Land Use Review Board for review, recommendation, and advisory statement.

LAND USE REVIEW BOARD SUMMARY:

The Land Use Review Board met Monday, March 13, 2023 to consider this case. An update of that meeting and the Board recommended action will be presented at the Town Council meeting on March 15, 2023.

COMPREHENSIVE PLAN CONSISTENCY:

North Carolina General Statute §160D-604 requires that **prior to** adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with the adopted Comprehensive Plan and why the Board considers the action to be reasonable and in the public interest.

It is staff's opinion that the proposed text amendment is consistent with the KnightdaleNext 2035 Comprehensive Plan.

STAFF RECOMMENDED WRITTEN ADVISORY STATEMENT:

"The proposed 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. Further, it is reasonable and in the public interest as it aids in establishing a unique community design and clarifies development regulations for property owners, businesses, and developers."

RECOMMENDED ACTION: Approve ZTA-1-23: Quarterly Updates with the forwarded statement of plan consistency, and adopt Ordinance #23-03-15-005.