



# Town of Knightdale

## Staff Report

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Title: ZTA-3-22: Quarterly Updates

Staff: Donna Goodman, Senior Planner

Date: August 18, 2022

Director Signature: JB

Asst. Town Manager Signature: DT

Town Manager Signature: WRS

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

### APPLICABLE REGULATIONS:

1. UDO Ch. 4.3.A - “Manufactured Housing”
2. UDO Ch. 5.2.E - “Manufactured Housing”
3. UDO Ch. 5.4.L - “Vehicle Services –Maintenance / Repair / Body Work”
4. UDO Ch. 5.10.A - “Accessory Building / Structure”
5. UDO Ch. 9.4.C - “Stormwater Management”
6. UDO Ch. 10.4.A - “Street Classification and Design”
7. UDO Ch. 11.3.E – “Vehicular Connectivity”
8. UDO Ch. 15 - “Definitions”

**STAFF ANALYSIS:** ZTA-3-22 includes various amendments to several chapters. The major changes are summarized below:

- **UDO Ch. 4.3.A: “Manufactured Housing”**- Currently the UDO requires manufactured housing within a *Manufactured Home Overlay District* to have a continuous, permanent brick, or stone foundation; however, NCGS §160D-910 states a local government may not require a masonry curtain wall or masonry skirting for manufactured homes located on land leased to the homeowner. The section will be amended to become compliant with state statute.
- **UDO Ch. 5.2.E: “Manufactured Housing”** - Currently the UDO requires manufactured housing on a *single lot within the RT or RR zoning district* to be mounted on and anchored to a permanent, continuous masonry (brick) foundation; however, NCGS §160D-910 states a local government may not require a masonry curtain wall or masonry skirting for manufactured homes located on land leased to the homeowner. The section will be amended to become compliant with state statute.
- **UDO Ch. 5.4.L: “Vehicle Services – Maintenance / Repair / Body Work”** – This section incorrectly references a zoning district where the use is not permitted. The section states that Vehicle Services (maintenance, repair, and/or body work) uses shall be located in the Mixed-Use Building Type within the TC District. However, since Vehicles Services is only permitted in HB (via CD) and MI, the reference to TC needs to be removed. It should read that Vehicle Services must be in a mixed use building regardless of zoning district.



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- **UDO Ch. 5.10.A: “Accessory Building / Structure”** – When the UDO was revised, this section was unintentionally modified, resulting in more restrictions to accessory building locations than what was previously allowed. Instead of the current requirement to limit accessory buildings/structures to the rear setback or the building envelope, staff recommends allowing them in the side or rear yards so long as they are a minimum of five (5) feet from side and rear property lines.
- **UDO Ch. 9.4.C: “Stormwater Management”** – The Public Works/Stormwater Department has requested that stormwater as-built submittals specifically include the requirement for GIS files. Receiving these files will greatly aid in keeping the Town’s stormwater map accurate and up to date. The specific GIS file requirements will be detailed in the forthcoming Stormwater Manual, not the UDO.
- **UDO Ch. 10.4.A: “Street Classification and Design”** – When the UDO was revised, a reference in this section was inadvertently left out. After working with the Fire Department, this section will clearly state that drive aisles with medians need to be at least 18 feet wide.
- **UDO Ch. 11.3.E: “Vehicular Connectivity”** – The Fire Department has requested that a reference to the Fire Code be added to the cul-de-sac section. Also, changes are proposed to the required points of access for multi-family development so that the UDO and Fire Code are aligned. These references will aid in plan review and will ensure requirements are clear to developers and engineers.
- **UDO Ch. 15: “Definitions”** – The UDO currently groups Bar/Tavern/Nightclub into one definition; however, their zoning district allowances differ. Bars, taverns, and microbreweries are permitted by right in the NMX, TC, and HB zoning districts, but a nightclub requires a conditional district in those same zoning districts. Microbrewery is included with bars and taverns but is not defined. To more easily distinguish between the uses, staff recommends defining each one separately as follows:
  - a. **Bar/Tavern** – “A business where alcoholic beverages are sold for on-site consumption, which are not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include not more than three (3) non-server based, non-internet connected sweepstakes center games. (LBCS F2540).”
  - b. **Microbrewery** – “A facility that produces less than 25,000 barrels of beer per year and sells the majority of the beer it produces for off-site resale and consumption. The development may include other uses such as a standard restaurant or bar as otherwise permitted in the zoning district.”
  - c. **Nightclub** – “A business that operates primarily in the evening hours that principally provides entertainment such as live music, and/or dancing, comedy, etc.”
  - d. **Tasting Room** – “A principal use which serves and sells products solely produced by an off-site brewery, winery, or distillery under the same ownership”

**RECOMMENDED ACTION:** After receiving public comment, close the public hearing, and refer to the September 12, 2022 Land Use Review Board Meeting for advisory statement and recommendation.