



TOWN OF KNIGHTDALE

PLANNING DEPARTMENT

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ORD #14-11-19-001

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE, REGARDING THE ADDITION OF A NEW MINING AND QUARRYING (MQ) BASE DISTRICT AND ASSOCIATED REGULATIONS

WHEREAS, the Town of Knightdale has received a petition to add amend Chapter 2 of the Knightdale Unified Development Ordinance to add a new Mining and Quarrying (MQ) base zoning district, including permitted uses and required district standards; and

WHEREAS, the petition also includes the amendment of other remaining chapters of the Unified Development Ordinance that may be affected by the proposed amendments, such as updating code section references and locations, the use matrix, the ordinance table of contents and index, 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, the proposed zoning text amendments are reasonable in that they provide the necessary parameters for protecting the general welfare of the community to the greatest extent practical within a new base district devoted to a unique and special use inside the Knightdale planning jurisdiction; and

WHEREAS, for those same reasons, the proposed changes are also consistent with the Comprehensive Plan's general goal of minimizing conflict between land uses and with the special use design guidelines for establishing a natural or vegetated buffer commensurate in size (width) with the intensity of the specific impacts along the perimeter of site and ensuring structures and uses are screened from off-site view along any public street;

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 2.1 General Intent and Establishment of Districts

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B. Base Districts

In accordance with N.C.G.S. §160A-382 that sets forth the establishment of zoning regulation by district, the Town of Knightdale, as indicated on the Official Zoning Map (*Appendix D*), is hereby divided into various districts that set forth uniform regulations for the development of land within each district.

The purpose of these district regulations is to provide a comprehensive plan for the use of land and buildings in conditions of good health and safety and in conditions of orderly community development. These regulations shall apply to all land and structures within the respective zoning district. The base districts are listed as follows:

Transect Districts

- Open Space Preserve (OSP)
- Rural Residential (RR1)
- General Residential (GR3 and GR8)
- Urban Residential (UR12)
- Residential Mixed-Use (RMX)
- Neighborhood Mixed-Use (NMX)
- Town Center (TC)

Assigned Districts

- Highway Business (HB)
- Manufacturing and Industrial (MI)
- Mining and Quarrying (MQ)

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Section 2.2 Form-Based Standards by Zoning District

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Base District	OSP (§2.4)	RR1 (§2.5)	GR3 (§2.6) GR8 (§2.6)	UR12 (§2.7) RMX (§2.8)	NMX (§2.9)	TC (§2.10)	HB (§2.11) MI (§2.12) MQ (§2.13)	
	CD (§2.18)						→	
Development District		MHD (§2.14)	TND (§2.15)			→		
Building Type (CH 2 & 5)	Civic	Institutional House				→		
			Townhouse				→	
				Apartment Mixed-Use				→
		Commercial					→	
								→
Max. Density (Units/Acre)	Not Applicable	RR - 1	GR3 – 3 GR8 – 8	UR12 – 12 RMX – 18	No Maximum	No Maximum	Not Applicable	
Open Space Dedication (CH 7)	Not Applicable	Yes ¹	Yes ¹	Yes ¹	Yes ¹	Yes ¹	Not Applicable	
On-Street Parking (CH 10)	Not Applicable	Occasional	Occasional	Marked	Marked	Marked	Marked ⁵	
Curb (CH 10 & 17)	Not Required	Not Required	Yes ²	Yes ²	Yes ²	Yes ²	Yes ³	
Drainage (CH 6 & 17)	Open Swale	Open Swale	Closed	Closed	Closed	Closed	Closed ⁴	
Street Trees (CH 8 & 17)	Not Required	Not Required	40 ft average spacing in planting strip	40 ft average spacing in planting strip	40 ft average spacing in planting strip or tree wells	40 ft average spacing in tree wells	40 ft average spacing in planting strip or tree wells ³	
Sidewalk (CH 9 & 17)	Not Required	Multi-Use Path (6 ft min)	5 feet both sides	5 feet both sides	5-16 feet both sides	8-16 feet both sides	5-16 feet both sides (HB), one side (MI) ³	

¹ Except for residential structures.

² Standard curb and gutter not required on “park” side of a parkway style street.

³ Not Applicable or Not Required in MQ District.

⁴ Open Swale in MQ District.

Section 2.3 Use Matrix

BASE DISTRICT	HB	MI	MQ	MHD	TND
(1) Residential					
a. Dwelling-Single Family	—	—	—	P	P
b. Dwelling-Duplex	—	—	—	P	P
c. Dwelling-Multifamily 4 units/bldg or less	—	—	—	P	P
d. Dwelling-Multifamily more than 4 units/bldg	—	—	—	—	P
e. Dwelling-Secondary	—	—	—	—	SU
f. Family Care Home (6 or Less residents)	—	—	—	PS	PS
g. Home Occupation	—	—	—	PS	PS
h. Housing Service for the Elderly	—	—	—	—	----
i. Live-Work Units	—	—	—	—	PS
j. Manufactured Housing	—	—	—	PS	—
(2) Lodging					
a. Bed and Breakfast Inns	P	—	—	—	PS
b. Hotels/Motels/Inns	P	—	—	—	CD
c. Rooming or Boarding House	—	—	—	—	PS
(3) Office/Service					
a. Animal Services	PS	P	—	—	----
b. ATM	P	P	—	—	PS
c. Banks, Credit Unions, Financial Services	P	P	—	—	P
d. Business Support Services	P	P	—	—	P
e. Child/Adult Day Care Home (Fewer than 6 people)	—	—	—	—	PS
f. Child/Adult Day Care Center (6 or more people)	—	—	—	—	P
g. Community Service Organization	P	—	—	—	P
h. Cremation Facilities	P	—	—	—	—
i. Drive Thru Service	PS	PS	—	—	—
j. Equipment Rental	PS	P	—	—	—
k. Funeral Homes	P	—	—	—	—
l. Government Services	P	P	—	—	P
m. Group Care Facility (More than 6 residents)	—	—	—	—	—
n. Medical Services	P	P	—	—	P
o. Outdoor Animal Boarding/Equestrian Facilities	—	SU	—	—	—
p. Personal Services	PS	PS	—	—	PS
q. Post Office	—	P	—	—	P
r. Professional Services	P	P	—	—	P
s. Studio – Art, dance, martial arts, music	P	P	—	—	P
t. Tattoo Shop	PS	PS	—	—	—
u. Vehicle Services – Maintenance/Body Work/Repair	PS	PS	—	—	—
(4) Retail/Restaurants					
a. Auto Parts Sales	P	P	—	—	—
b. Bar/Tavern/Night Club	P	—	—	—	PS
c. Drive-Thru Retail/Restaurants	PS	—	—	—	----
d. Gas Station with Convenience Store	PS	—	—	—	—
e. Neighborhood Retail/Restaurant – 2,000 sf or less	P	—	—	—	P
f. General Retail – 10,000 sf or less	P	—	—	—	P
g. General Retail – 10,001 sf – 50,000 sf	P	—	—	—	P
h. General Retail – Greater than 50,000 sf	CD	—	—	—	CD
i. Restaurant	P	----	—	—	P
j. Shopping Center – Community Center	CD	CD	—	—	—
k. Shopping Center – Neighborhood Center	CD	—	—	—	CD
l. Sweepstakes Center	—	SU	—	—	—
m. Vehicle/Heavy Equipment Sales	PS	PS	—	—	----
(5) Entertainment/Recreation					
a. Adult Establishment	—	SU	—	—	—
b. Amusements, Indoor – 5,000 sf or less	P	P	—	—	—
c. Amusements, Indoor – 5,001 sf – 20,000 sf	P	P	—	—	—
d. Amusements, Indoor – Greater than 20,000 sf	P	P	—	—	—
e. Amusements, Outdoor	PS	PS	—	—	PS
f. Cultural or Community Facility	P	P	—	—	P
g. Meeting Facilities	—	—	—	—	—
h. Recreation Facilities, Indoor	P	P	—	—	P
i. Recreation Facilities, Outdoor	P	P	—	P	P
j. Theater, Live Performance	CD	CD	—	—	CD
k. Theater, Movie	CD	CD	—	—	CD
(6) Manufacturing/Wholesale/Storage					

BASE DISTRICT	HB	MI	MQ	MHD	TND
a. Agribusiness	—	PS	—	—	—
b. Laboratory - medical, analytical, research & development	P	P	—	—	—
c. Laundry, dry cleaning plant	P	P	—	—	—
d. Manufacturing, Light	PS	P	—	—	—
e. Manufacturing, Neighborhood	P	P	—	—	P
f. Manufacturing, Heavy	—	P	—	—	—
g. Media Production	P	P	—	—	—
h. Metal Products Fabrication, machine or welding shop	---	P	—	—	—
i. Mini-Warehouses	PS	PS	—	—	—
j. Quarrying and Stone Cutting	—	SU	P	—	—
k. Research and Development	PS	P	—	—	—
l. Storage - Outdoor storage yard as a primary use	---	PS	—	—	—
m. Storage - Warehouse, indoor storage	PS	PS	—	—	—
n. Wholesaling and Distribution	SU	PS	—	—	—
(7) Civic/Institutional					
a. Campground	P	P	—	P	P
b. Cemeteries	PS	—	—	—	—
c. Colleges/Universities	—	—	—	—	—
d. Hospital	CD	CD	—	—	—
e. Public Safety Facility	P	P	—	P	P
f. Religious Institutions	P	—	—	P	P
g. Schools – Elementary & Secondary	—	—	—	—	P
h. Schools – Vocational/Technical	P	P	—	P	P
(8) Infrastructure					
a. Airport	—	SU	—	—	—
b. Transit, Road & Ground Passenger Services	PS	PS	—	—	PS
c. Wireless Telecommunication Facility-Stealth	PS	PS	—	PS	PS
d. Wireless Telecommunication Facility-Tower	---	PS	—	—	—
e. Utilities-Class 1 & 2	P	P	—	P	P
f. Utilities-Class 3	SU	P	—	—	—

...
{insert new section and re-number successive sections}

Section 2.13 Mining and Quarrying (MQ)

- A. Purpose and Intent:** The Mining and Quarrying District is intended to recognize the unique characteristics and predominant extractive nature of mines and quarries which do not fit the application of most development standards promulgated in a UDO. Due to this unique nature, however, it is important to establish specific provisions for the protection of the general welfare of adjacent properties and the community at large. As such, development within the MQ District is exempt from the provisions of Chapters 4 through 12 subject to the specific regulations outlined in Subsection B which follows.
- B. Specific District Provisions:**
1. **Buffer Yard:** Apart from adjacent parcels and tracts of land used for mine or quarry administrative services, a buffer yard meeting the following specifications shall be maintained around the perimeter of the MQ District to screen mines and quarries against public rights-of-way and private property in surrounding districts:
 - a. **Minimum Yard Width:** 100 feet
 - b. **Performance Standard:** A planted buffer which is 50 feet in width and contains screening materials which at maturity provides opacity from the ground to a height of 30 feet. Vegetative screening materials within opaque areas shall contain no horizontal openings upon the plants' maturity.
 2. **Permitted Buffer Yard Encroachments:**
 - a. **Access Drives:** Access drives are permitted so long as any break in the buffer for said drives does not exceed 60 feet in width.

- b. **Lighting:** Lighting associated with access drives and meeting the standards of Chapter 11 is permitted within the buffer yard.
- c. **Signs:** Subject to the standards of Chapter 12, signs are permitted to be located within the buffer yard.

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 November, 2014.

ATTEST:

Russell B. Killen, Mayor

Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

Clyde Holt, III; Town Attorney