



TOWN OF KNIGHTDALE

950 Steeple Square Court
Knightdale, NC 27545
KnightdaleNC.gov

ORDINANCE #18-06-20-003

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE REGARDING SMALL WIRELESS FACILITIES

WHEREAS, the Town of Knightdale has received a petition to amend Chapter 2.3(C) “Use Table to add a use for Small Cell Wireless Telecommunication Facilities, Chapter 3 “Additional Use Standards” to establish additional standards for small cell wireless telecommunication facilities; 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 15.6(B) establishes uniform procedures for amending the text of the Ordinance; and

WHEREAS, the zoning text amendment is consistent with the adopted comprehensive plan. The amendment is consistent with the Overall Design District Objective of providing balanced and responsible urban design, planning and development, and protection of the Town’s historical, cultural, and natural resources; and

WHEREAS, it is further reasonable and in the public interest as it is consistent with changes in the North Carolina General Statutes and permits for the deployment of next generation cellular technology;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Knightdale, North Carolina:

SECTION 1: That Chapter 2.3(C) of the Unified Development Ordinance of the Town of Knightdale Code is amended to read as follows:

	T1	T2	T3	T4	T5	T6	Assigned Districts			Planned Districts		
BASE DISTRICT	OS P	RR	GR	UR	RM X	NM X	TC	HB	MI	MQ	MH D	TN D
(6) Manufacturing/Wholesale/Storage (continued)												
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	PS	—	—	—
n. Wholesaling and Distribution	—	—	—	—	—	—	—	SU	PS	—	—	—
(7) Civic/Institutional												
a. Campground	SU	SU	SU	—	—	—	—	P	P	—	P	P
b. Cemeteries	PS	—	—	—	—	PS	PS	PS	—	—	—	—
c. Colleges/Universities	—	—	—	—	CD	CD	CD	—	—	—	—	—
d. Hospital	—	—	—	—	—	—	CD	CD	CD	—	—	—
e. Public Safety Facility	P	P	P	P	P	P	P	P	P	—	P	P
f. Religious Institutions	—	P	P	P	P	P	P	P	—	—	P	P
g. Schools – Elementary & Secondary	—	SU	SU	CD	CD	CD	CD	—	—	—	—	P
h. Schools – Vocational/Technical	—	—	—	—	P	P	P	P	—	—	—	P
(8) Infrastructure												
a. Airport	—	SU	—	—	—	—	—	—	SU	—	—	—
b. Transit, Road & Ground Passenger Services	—	—	—	—	—	—	PS	PS	PS	—	—	PS
c. Wireless Telecommunication Facility-Stealth	—	—	PS	PS	PS	PS	PS	PS	PS	—	PS	PS
d. Wireless Telecommunication Facility-Tower	—	SU	—	—	—	—	—	—	PS	—	—	—
e. Wireless Telecommunication Facility – Small Wireless Facilities inside Right-of-Way		PS	PS	PS	PS	PS	PS	PS	PS			
f. Wireless Telecommunication Facility – Small Wireless Facilities outside Right-of-Way						PS	PS	PS	PS			
g. Utilities-Class 1 & 2	P	P	P	P	P	P	P	P	P	—	P	P
h. Utilities-Class 3	—	SU	—	—	—	—	—	SU	P	—	—	—

SECTION 2. That Chapter 3.3 of the Unified Development Ordinance of the Town of Knightdale Code is amended to read as follows:

AAA. Wireless Telecommunication Facility – Small Wireless Facilities inside Right-of-Way (RR, GR, RMX, NM, X, TC, HB, MI) (2.3(C)(8)(e))

In recognition of NCGS Chapter 160A, Part 3E and particularly NCGS §160A-400.54 “Collocation of small wireless facilities”, the following regulations are created in order to minimize the impacts of small wireless facilities, encourage the co-location on existing structures to minimize new visual, aesthetic, and public safety impacts, and to reduce the need for additional antenna supporting structures. Further, the Town recognizes the need for small wireless facilities and encourages the practical location of co-located facilities, while minimizing the need for additional antenna supporting structures.

1. The placement of new poles is prohibited by the Town’s undergrounding requirements in UDO Chapter 17.2.
2. Co-location on existing utility poles or light poles is permitted with the issuance of a Zoning Compliance Permit.
3. All antenna and accessory equipment must be shrouded or otherwise concealed.
4. Any cost for pole modification shall be the responsibility of the applicant.

5. Any pole modification or replacement shall not exceed 50' above ground level in non-residential areas and 40' above ground level in residential areas.
6. Co-location on existing poles is preferred over modification or replacement and the applicant is required to prove that co-location is not reasonably feasible prior to the issuance of a permit for replacement or modification.
7. The applicant is required to provide plans that include any siting, electrical, elevations and other pertinent information including proving that access by other utilities is not impeded by the installation or co-location of small wireless facilities.

BBB. Wireless Telecommunication Facility – Small Wireless Facilities outside the Right-of-Way (NMX, TC HB, MI) (2.3(C)(8)(f))

In recognition of NCGS Chapter 160A, Part 3E and particularly NCGS §160A-400.54 “Collocation of small wireless facilities”, the following regulations are created in order to minimize the impacts of small wireless facilities, encourage the co-location on existing structures to minimize new visual, aesthetic, and public safety impacts, and to reduce the need for additional antenna supporting structures. Further, the Town recognizes the need for small wireless facilities and encourages the practical location of co-located facilities, while minimizing the need for additional antenna supporting structures.

1. The placement of new poles is prohibited by the Town’s undergrounding requirements in UDO Chapter 17.2.
2. Any new small wireless facility shall be co-located on an existing utility pole or wireless support structures.
3. A new small wireless facility shall not extend more than 10 feet above the utility pole or wireless support structure on which it is collocated.
4. All antenna and accessory equipment must be shrouded or otherwise concealed.

SECTION 3. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.


SECTION 4. 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 5. 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 6. That this ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided for in the Knightdale Town Code.

SECTION 7. That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 20th of June, 2018

BY: 
James A. Roberson, Mayor

ATTEST: 
Whitney A. Ledford, Town Clerk

APPROVED AS TO FORM:

Roger Knight, Town Attorney