STAFF REPORT
Town of Knightdale

To:	Mayor and Town Council	Budget Amendment - #BA
From:	Jeff Triezenberg, Planner II; Tim Guffey, Fire Commander	Planning Director Signature -- MSF
Subject:	ZTA-3-08, Exterior Building Material Amendment (ORD# 08-05-05-001)	Town Manager Signature –
Date:	May 5, 2008	

REPORT

SEE ATTACHED

REPORT RECOMMENDED ACTION

Motion to adopt statement of plan consistency and reasonableness of action, followed by motion to approve ZTA-3-08 as amended and adopt ORD# 08-05-05-001.

TOWN OF KNIGHTDALE
PLANNING DEPARTMENT
www.ci.knightdale.nc.us
950 Steeple Square Court
Knightdale, NC 27545
(v) 919.217.2245
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ZONING TEXT AMENDMENT ZTA-3-08

Exterior Building Material Amendment

REPORT TO THE TOWN COUNCIL
PUBLIC HEARING: March 3, 2008
LURB MEETING: March 10, 2008
LURB MEETING: April 14, 2008
COUNCIL MEETING: May 5, 2008

Prepared by the Knightdale Planning Department

I. REQUEST AND BACKGROUND

Application requesting a Zoning Text Amendment to amend the exterior building materials for apartment and townhouse style structures. The applicant is identified as BRC Knightdale, LLC. The specific text amendments as applied for are as follows:

Applicants Original Proposal:

Section 5.8(D)(1)
Residential building walls shall be wood clapboard, cementious fiber board, wood shingle, wood drop siding, wood board and batten, brick, stone or stucco. Residential building walls, including facia and trim details, but excluding soffits, may be vinyl, provided the vinyl is at least nine (9) feet above the ground level of the applicable building and the building contains a fire protection (sprinkler) system in accordance with the North Carolina State Building Code and the North Carolina State Fire Code. The residential building walls of an interior breezeway may be vinyl, provided such walls are of a one hour rated construction and the breezeway is protected by an approved fire protection (sprinkler) system.

Section 5.9(D)(1)
Residential building walls shall be wood clapboard, cementious fiber board, wood shingle, wood drop siding, wood board and batten, brick, stone or stucco. Residential building walls, including facia and trim details, but excluding soffits, may be vinyl, provided the vinyl is at least nine (9) feet above the ground level of the applicable building and the building contains a fire protection (sprinkler) system in accordance with the North Carolina State Building Code and the North Carolina State Fire Code. The residential building walls of an interior breezeway may be vinyl, provided such walls are of a one hour rated construction and the breezeway is protected by an approved fire protection (sprinkler) system.

Staff Revised Proposal:

Section 5.8(D)(1)

Residential building walls shall be wood clapboard, cementious fiber board, wood shingle, wood drop siding, wood board and batten, brick, stone or stucco. Residential building walls~~, including fascia~~ and trim details, but excluding soffits and fascia, may be vinyl, provided:

- **a.** the vinyl is at least nine (9) feet above the ground level of the applicable building; and
- **b.** commercial density sprinkler heads shall be provided and thereafter maintained on all balcony and breezeway corridors; and
- **c.** the ceiling material for all breezeways and balconies shall achieve a two (2) hour fire rating; ~~a double layer of 5/8" fire rated sheetrock shall be installed as the ceiling material for all breezeways and all balconies;~~ and
- **d.** all fire/draft stops within attic areas shall be constructed to achieve a two (2) hour fire rating; ~~a double layer of 5/8" fire rated drywall shall be installed in the construction of fire/draft stops within attic areas;~~ and
- **e.** all soffits shall be constructed of a non-combustible material.

Section 5.9(D)(1)

Residential building walls shall be wood clapboard, cementious fiber board, wood shingle, wood drop siding, wood board and batten, brick, stone or stucco. Residential building walls~~, including fascia~~ and trim details, but excluding soffits and fascia, may be vinyl, provided:

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- **b.** commercial density sprinkler heads shall be provided and thereafter maintained on all balcony and breezeway corridors; and
- **c.** the ceiling material for all breezeways and balconies shall achieve a two (2) hour fire rating; ~~a double layer of 5/8" fire rated sheetrock shall be installed as the ceiling material for all breezeways and all balconies;~~ and
- **d.** all fire/draft stops within attic areas shall be constructed to achieve a two (2) hour fire rating; ~~a double layer of 5/8" fire rated drywall shall be installed in the construction of fire/draft stops within attic areas;~~ and
- **e.** all soffits shall be constructed of a non-combustible material.

II. JUSTIFICATION

Petitioner contends the Amendment requested complies with the goals and objectives of adopted town plans and policies. Staff contends that with the revised amendment, the original aesthetic and safety goals of the original vinyl prohibition are met while still allowing vinyl siding and trim to be used in certain areas.

III. LURB WRITTEN STATEMENT REGARDING PLAN CONSISTENCY AND RECOMMENDATION

North Carolina General Statute 160A-383 requires the planning board to provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board.

The LURB unanimously recommended approval of ZTA-6-08 to the Town Council based on the following advisory statement:

The proposed zoning text changes advance the stated objective of influencing and managing the development of the community. It is furthermore consistent with the Comprehensive Plan's stated goals of providing balanced and responsible urban design, planning and development, and protection of the Town's historical, cultural and natural resources; and providing safe, dynamic and sustainable neighborhoods, which offer employment opportunities, high quality education, adequate and affordable shelter, health care, and recreational amenities.

IV. CONSISTENCY WITH THE COMPREHENSIVE PLAN

North Carolina General Statute 160A-383 requires that **prior to** adoption or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action to be reasonable and in the public interest.

PROPOSED STATEMENT REGARDING PLAN CONSISTENCY AND REASONABLENESS OF ACTION:
The proposed zoning text changes are reasonable in that they advance the stated objective of influencing and managing the development of the community. It is furthermore consistent with the Comprehensive Plan's stated goals of providing balanced and responsible urban design, planning and development, and protection of the Town's historical, cultural and natural resources; and providing safe, dynamic and sustainable neighborhoods, which offer employment opportunities, high quality education, adequate and affordable shelter, health care, and recreational amenities.

V. PLANNING DEPARTMENT RECOMMENDATION

The Planning Department recommends that the Town Council adopt the preceding statement identified in Section IV of this report, approve ZMA-3-08 as amended by the LURB, and adopt ORD# 08-05-05-001.

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ORD #08-05-05-001
AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE, REGARDING EXTERIOR BUILDING MATERIALS FOR TOWNHOUSES AND APARTMENTS

WHEREAS, the Town of Knightdale has received a petition to amend the Unified Development Ordinance in regard to specific regulations related to the exterior building materials that are allowed for townhouses and apartments; 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 objective of influencing and managing the development of the community; as well as being consistent with the stated goals of providing balanced and responsible urban design, planning and development, and protection of the Town's historical, cultural and natural resources; and providing safe, dynamic and sustainable neighborhoods, which offer employment opportunities, high quality education, adequate and affordable shelter, health care, and recreational amenities;

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:

Section 5.8(D)(1)
Residential building walls shall be wood clapboard, cementious fiber board, wood shingle, wood drop siding, wood board and batten, brick, stone or stucco. Residential building walls and trim details, but excluding soffits and fascia, may be vinyl, provided:

- **a.** the vinyl is at least nine (9) feet above the ground level of the applicable building; and
- **b.** commercial density sprinkler heads shall be provided and thereafter maintained on all balcony and breezeway corridors; and
- **c.** the ceiling material for all breezeways and balconies shall achieve a two (2) hour fire rating; and
- **d.** all fire/draft stops within attic areas shall be constructed to achieve a two (2) hour fire rating; and
- **e.** all soffits shall be constructed of a non-combustible material.

Section 5.9(D)(1)
Residential building walls shall be wood clapboard, cementious fiber board, wood shingle, wood drop siding, wood board and batten, brick, stone or stucco. Residential building walls and trim details, but excluding soffits and fascia, may be vinyl, provided:

- **a.** the vinyl is at least nine (9) feet above the ground level of the applicable building; and
- **b.** commercial density sprinkler heads shall be provided and thereafter maintained on all balcony and breezeway corridors; and
- **c.** the ceiling material for all breezeways and balconies shall achieve a two (2) hour fire rating; and
- **d.** all fire/draft stops within attic areas shall be constructed to achieve a two (2) hour fire rating; and
- **e.** all soffits shall be constructed of a non-combustible material.

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 5th day of May, 2008.

_____
Russell B. Killen, Mayor

ATTEST:

_____
Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

_____
Clyde Holt, III; Town Attorney