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## **Article 2. Rules of Construction, Abbreviations, & Definitions**

- 2.1 RULES OF CONSTRUCTION**
- 2.2 GENERAL ABBREVIATIONS**
- 2.3 GENERAL DEFINITIONS**

### **2.1 RULES OF CONSTRUCTION**

For the purposes of these regulations, the following rules of construction shall apply:

#### **A. Conflicts**

In the event of any conflict in standards applying to an individual use or structure, the more stringent or restrictive provision shall apply.

#### **B. Illustrations, Diagrams, and Flowcharts**

Illustrations, diagrams, and flowcharts are included in this Ordinance to illustrate the intent and requirements of the text. In the case of a conflict between the text and any illustration, diagram, or flowchart, the text shall control.

#### **C. Tables and Matrices**

Unless otherwise specifically indicated, a cell within a table or matrix that is blank and shaded denotes that the standard does not apply.

#### **D. Days**

Unless otherwise specifically indicated in this Ordinance, days are calculated as follows:

1. When a period of time is specified in days, such period of time shall be computed in calendar days.
2. In computing any specified period of time from a specified event, the day on which the event happens is deemed the day from which an act is authorized or required to be done.
3. If the period is of two days, Saturday, Sunday, or a public holiday is excluded if it is an intervening day between the day when an act is authorized or required to be done and the last day of the period.

#### **E. Fractions**

Any fraction of a half or more shall be rounded up to nearest whole number, and a fraction of less than a half will be rounded down to the nearest whole number, unless how such fraction is treated is specifically indicated in an Ordinance regulation.:

#### **F. Mandatory, Permissive, and Prohibiting Terms**

1. The terms “shall,” “must,” and “will” are mandatory, indicating an obligation to comply with the particular provision.
2. The terms “may,” “should,” “encouraged,” and “can” are permissive, indicating that compliance with a particular provision is not mandatory but allowed.
3. The terms “shall not,” “must not,” “will not,” “cannot,” and “may not” are prohibiting, indicating an action or other provision is prohibited.

#### **G. Lists**

Unless otherwise expressly indicated, lists of items or examples that use “including,” “such as,” or similar terms are intended to provide examples only and shall not be construed as being limited to the items or examples listed.

#### **H. Conjunctions**

1. “And” indicates that all connected words or provisions apply.
2. “Or” indicates that the connected words or provisions may apply singly or in any combination.
3. “Either [...] or” indicates that the connected words or provisions apply singly, but not in combination, referring to a choice between options.

## I. General Construction

1. The present tense includes the past and future tenses, and the future tense includes the present.
2. The singular includes the plural and vice versa.
3. Words denoting one gender apply to all genders.

## J. Terms Not Defined

Whenever a defined word or term appears in the text of this Ordinance, its meaning shall be construed as set forth in the definition. Words not defined shall be interpreted in accordance with the definitions considered to be normal dictionary usage.

## 2.2 GENERAL ABBREVIATIONS

The following abbreviations may be used within this Ordinance. Additional abbreviations may be used throughout this Ordinance.

**BTZ** is an abbreviation for “build-to zone.”

**GFA** is an abbreviation for “gross floor area.”

**ft** is an abbreviation for “feet.”

**N/A** is an abbreviation for “not applicable.”

**NR** is an abbreviation for “nonresidential.”

**sf (lowercase)** is an abbreviation for “square feet.”

**ETJ** is an abbreviation for “extraterritorial jurisdiction.”

**SF (capitalized)** is an abbreviation for “single-family.”

**MF** is an abbreviation for “multi-family.”

**MF-A** is an abbreviation for “multi-family attached.”

**MF-S** is an abbreviation for “multi-family stacked.”

## 2.3 GENERAL DEFINITIONS

The terms used in this Ordinance are defined as follows, unless otherwise specifically indicated in this Ordinance. Article-specific definitions include: 1) definitions of uses listed within the Global Use Matrix in Article 15, found in Section 15.3; and 2) article-specific definitions are found within select articles in Part IX, Stormwater. In the case of a conflict between a term defined in this section, and that within Article 15 or an article in Part IX, Stormwater, the definition within those specific articles control.

**Abutting.** Having common property boundaries or lot lines which are not separated by a street.

**Accelerated Erosion.** Any increase over the rate of natural erosion as a result of land disturbing activity.

**Access Management.** Strategies associated with driveway plan approval that seek to link operational and access characteristics of each site to the public street system, by aligning access type, the number of driveways, and driveway spacing to land use, the site's geography, and street type.

**Access Restrictions.** Any restrictions to less than full vehicular movement at an access point, often as a condition of a driveway plan approval.

**Accessibility Ramp.** A ramp or similar structure that provides access to a building for wheelchairs and other mobility aids.

**Accessory Structure.** A structure located on the same lot as the principal building that is incidental and subordinate to the function of the principal building.

**Active Use.** A use listed in the Residential Uses category of the Use Matrix and nonresidential uses listed in the Commercial Uses category, the Industrial Uses category, and/or the Institutional and Governmental Uses category of the Use Matrix in Article 15.

**Adequate Erosion Control Measures, Structures, or Devices.** Measures, structures, or devices that control the soil material within the land area under responsible control of the person conducting the land disturbing activity.

**Adjacent.** Having common property boundaries or lot lines, or located directly across a street, alley, railroad, other transportation corridor, or body of water 100 feet or less in width.

**Adjoining.** See “Adjacent.”

**Administrative Decision.** Decisions made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in the development regulations.

**Affiliate.** A person that directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control of another person.

**Alley.** A private or public right-of-way or easement and runs between two or more lots or located on a single lot, affording primary or secondary vehicular access to the properties which abut it, but not including a street, utility easement, or railroad right-of-way.

**Alteration (of a Structure).** A change, addition, or modification in construction, other than cosmetic or decorative, or any change in the structural members of buildings such as bearing walls, columns, beams, or girders.

**Alteration (of a Watercourse).** A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification associated with development which may increase the FEMA or Community Base Flood Elevations.

**Amateur (ham) Radio Equipment.** An amateur (ham) radio station licensed by the Federal Communications Commission (FCC), including equipment such as, but not limited to, a tower or building-mounted structure supporting a radiating antenna platform and other equipment.

**Amenitized Tree Area.** An area that serves to meet green area requirements and includes planted trees and amenities, such as irrigation, landscaping, grass, seating, pathways, lighting, or other items, as approved by the Chief Urban Forester.

**Amenity Zone.** Hardscaped area located between the back of curb and the sidewalk or shared use path. Amenity zones include, but are not limited to, perimeter trees, landscaping, and street furnishings.

**Appeal.** An appeal is a process where parties request a higher authority to review an administrative decision or quasi-judicial decision in order to modify or reverse the decision.

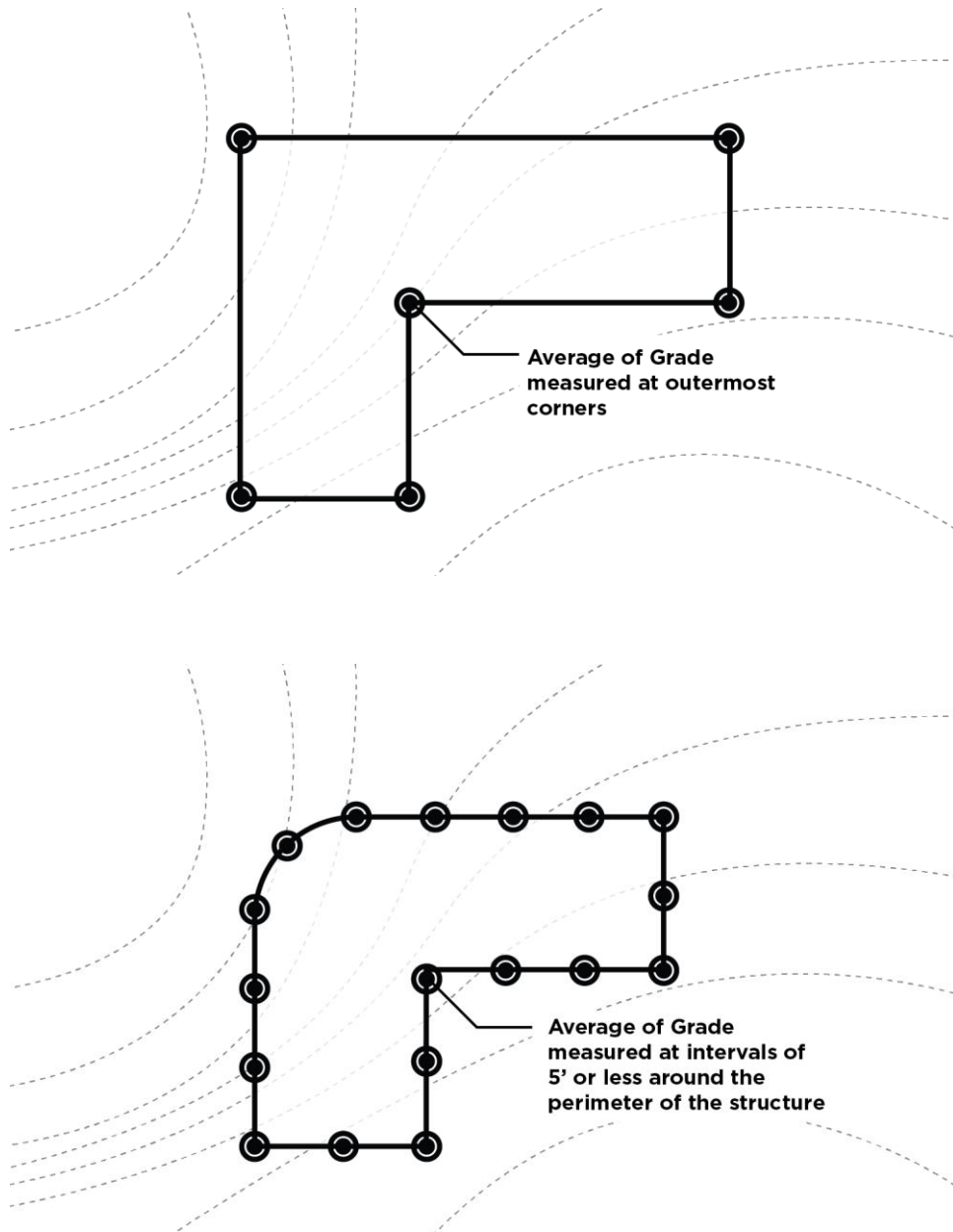
**Arcade.** A succession of contiguous arches, each supported by columns or piers, designed to provide a sheltered walkway for pedestrians.

**Architectural Feature.** A part or projection of a structure that contributes to the overall aesthetics of the building, excluding signs, that is not necessary for the structural integrity of the structure or to make the structure habitable.

**Area Median Income (AMI).** The midpoint of a region's income distribution with half of the households earning more than the AMI and half earning less. Household income is calculated by its gross income.

**Average Grade.** The average grade is determined by measuring the grade at the outermost corners of each elevation of the structure and calculating the average. Alternatively, average grade may be determined by measuring the grade at intervals of five feet or less around the perimeter of the structure and calculating the average.

## AVERAGE GRADE



**Awning.** A roof like structure typically made of cloth, metal, or other material attached to a frame that extends from and is supported by a building. Awnings are typically erected over a window, doorway, or building front, and may be raised or retracted to a position adjacent to the building.

**Balcony.** A roofed or unroofed platform that projects from the exterior wall of a structure, above grade, which is exposed to the open air, has direct access to the interior of the building, is surrounded by a parapet, railing, or balustrade, and is not supported by posts or columns extending to the ground.

**Banner.** A temporary sign printed upon flexible material mounted with or without rigid frames.

**Bay Window.** A window that projects outward from the structure, which does not rest on the building foundation or on the ground.

**Belt Course.** A continuous row or layer of stones or brick set in a wall that makes the horizontal line of the sills visually more prominent. A belt course is also called a string course or sill course.

**Berm.** An earthen mound designed to provide visual interest on a site, fully or partially screen undesirable views, reduce noise, and/or fulfill other similar purposes.

**Bicycle Facilities.** Any infrastructure and/or physical provisions to accommodate or encourage bicycling, including, but not limited to, parking and storage facilities, on-street facilities such as bicycle lanes, variously configured buffered/separated bicycle lanes, shared-use paths along streets, and shared off-street public paths.

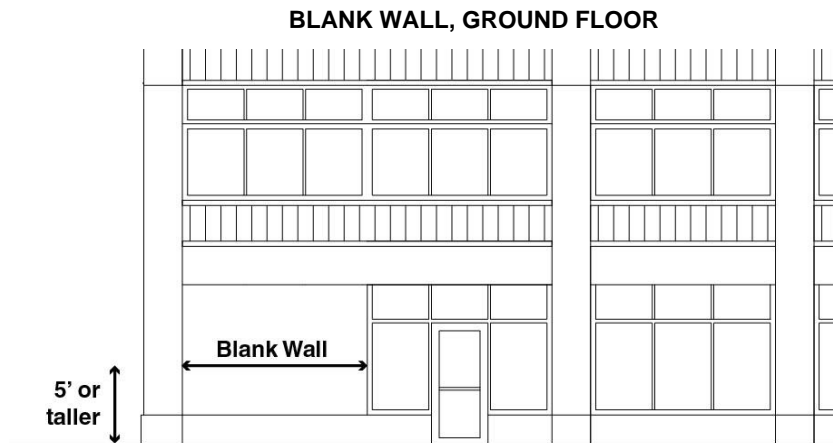
**Bicycle Parking Space.** An area occupied by a bicycle when using a bicycle parking device as designed.

1. **Bicycle Parking Spaces, Long-Term.** Bicycle parking spaces where bicycles will be stored for longer periods of time within a weatherproof storage area.

2. **Bicycle Parking Spaces, Short-Term.** Bicycle parking spaces available to visitors to the site where bicycles are stored for short stops, requiring a high degree of convenient access.

**Billboard.** See “Outdoor Advertising Sign” under “Off-Premise Advertising.”

**Blank Wall, Ground Floor.** The horizontal linear dimension of contiguous building wall that does not contain windows, doors, or decorative elements such as banding, medallions, artwork such as murals and mosaics, change in wall plane of at least three inches, or other architectural or material embellishment. Any wall less than five feet in height is not considered to be a blank wall.

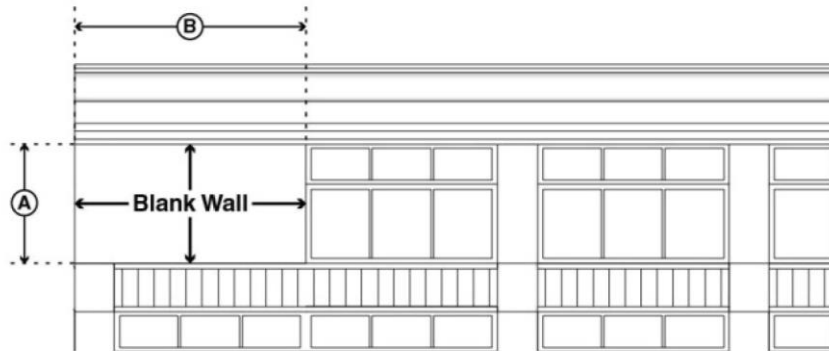




**Blank Wall, Upper Floor.** The horizontal or vertical linear dimension of contiguous building wall that does not contain windows, doors, or decorative elements such as banding, medallions, artwork such as murals and mosaics, change in wall plane of at least three inches, or other architectural or material embellishment. A wall does not count as a blank wall as long as one of the dimensions of the wall area is less than the maximum blank wall area standard of the district.

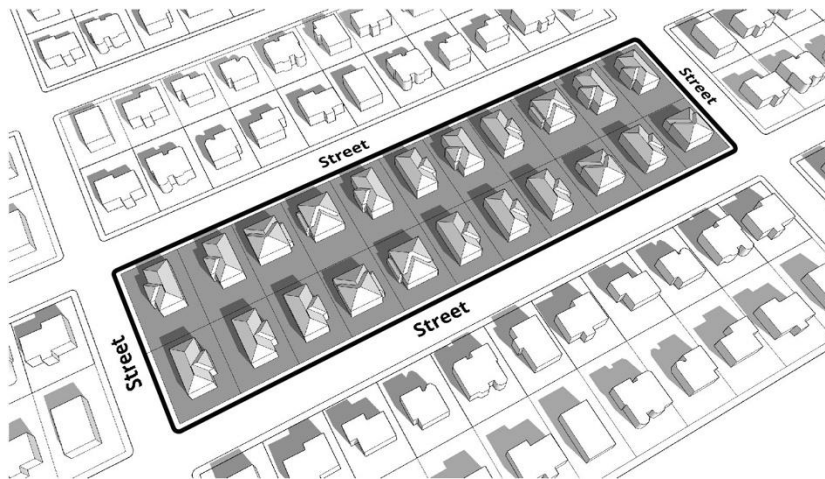
**BLANK WALL, UPPER FLOOR**

If A, B, or both are less than the maximum blank wall dimension of the district, such area is not considered a blank wall.

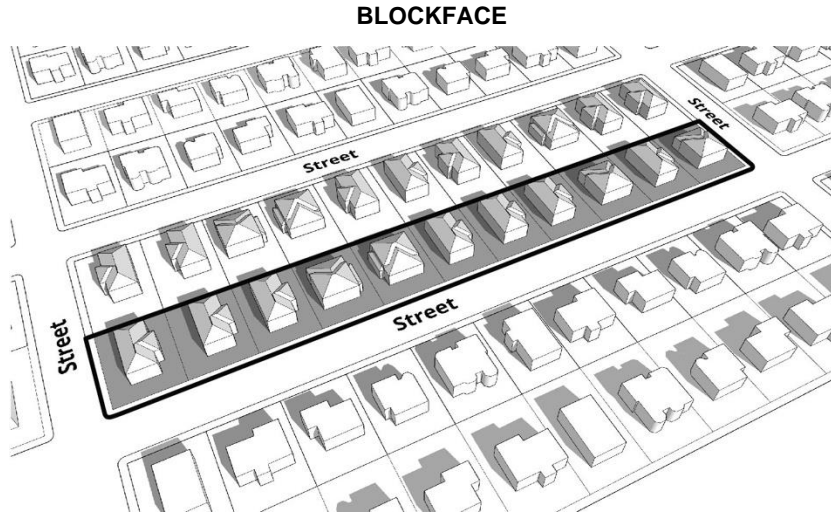


**Block.** A tract of land bounded by streets, or a combination of streets (network-required and public) and railroad rights-of-way or municipal boundary lines.

**BLOCK**



**Blockface.** Blockface is measured as that portion of a block or tract of land facing the same side of a single street and lying between the closest intersecting streets, railroad rights-of-way, or municipal boundary lines.



**Block Length.** The distance along a block between two adjacent intersections, measured from centerline to centerline.

**Board of Adjustment, UDO.** The UDO Board of Adjustment is an appointed, quasi-judicial citizen board that primarily considers appeals, variances, and requests for interpretation of the Unified Development Ordinance.

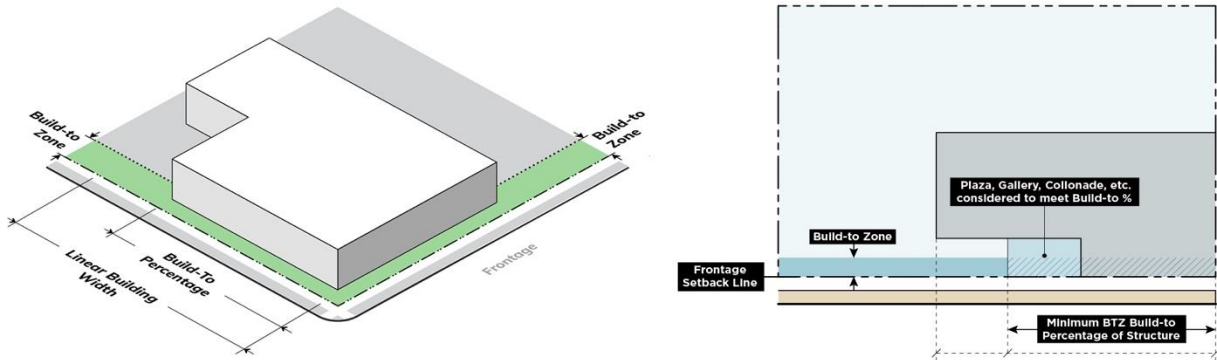
**Borrow.** Fill material that is required for on-site construction and is obtained from other locations.

**Breezeway.** A roofed outdoor passage connecting two buildings, such as a dwelling and garage, or halves of a building.

**Build-To Percentage.** The percentage of the building facade that shall be located within the build-to zone (BTZ), calculated by building facade, not lot width. Build-to percentage is further defined as:

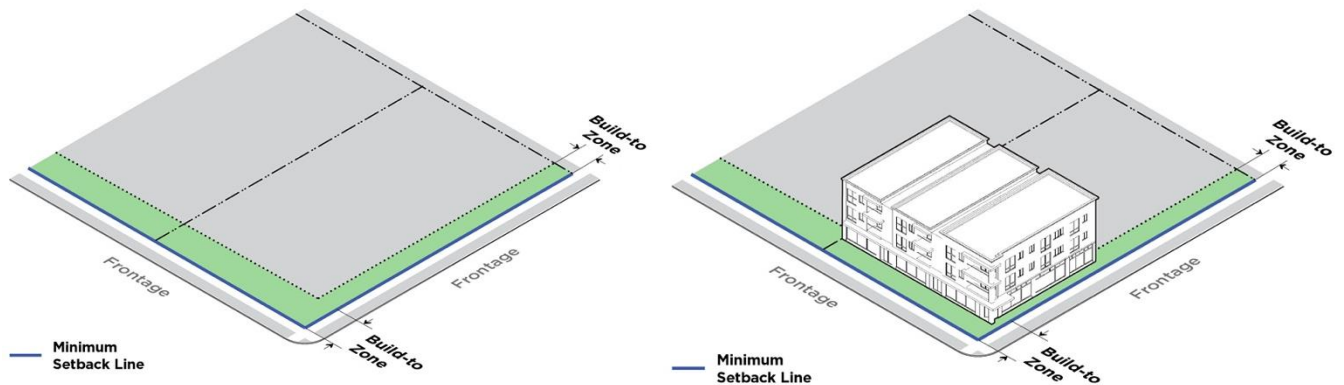
1. Facade articulation elements, such as window or wall recesses and projections, shall be considered to meet any required build-to percentage.
2. Public open spaces and outdoor dining areas that are between a building facade and the street and are no more than an average of 24 inches above or below grade of adjacent sidewalk are counted as meeting the build-to percentage.
3. Common or private open spaces of residential development bounded on three sides by a building and no more than an average of 24 inches above or below grade of adjacent sidewalk are counted as meeting the build-to percentage.

## BUILD-TO PERCENTAGE



**Build-To Zone (BTZ).** A build-to zone (BTZ) is the area on a lot, measured parallel from the required frontage setback line, where the minimum build-to percentage of a structure shall be located. A build-to zone sets a minimum and maximum dimension within which the building facade line shall be located per the requirements of the minimum build-to percentage.

## BUILD-TO-ZONE (BTZ)



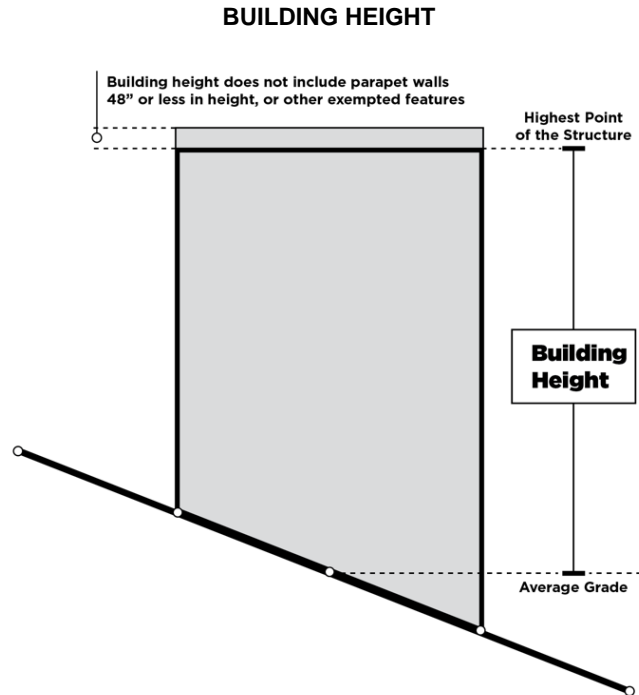
**Building.** Any structure having a roof supported by columns or walls used or intended for supporting or sheltering any use or occupancy.

**Building Coverage.** The portion(s) of a lot developed with principal buildings and accessory buildings.

**Building Façade.** The exterior wall of a building

**Building Height.** Building height is the vertical distance between the average grade at the base of the structure and the highest point of the structure. The following shall not be included in the measurement of building height:

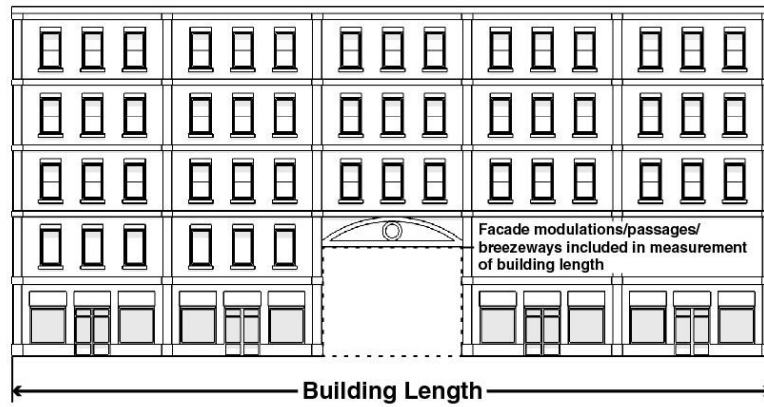
1. Any structures integral to the operation of the use, such as smokestacks, chimneys, cooling towers, water towers, elevator houses, mechanical stacks, and similar features.
2. Firewalls, chimneys, sky lights, and roof structures for elevators, stairways, tanks, heating, ventilation and air-conditioning equipment, or similar equipment for the operation and maintenance of a building and any device no more than five feet in height used to screen around a roof top structure or equipment.
3. Parapet walls of five feet in height or less are not included in the maximum building height calculation. When parapet walls exceed five feet in height, the parapet wall is included in the maximum building height calculation.



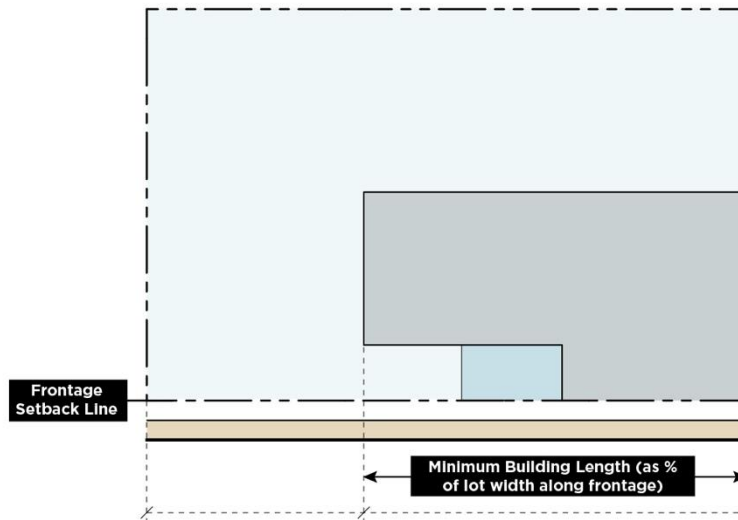
**Building Length.** Building length is measured as the length of the facade abutting a frontage. Passageways, breezeways, ground floor passages and similar building connections are included in the calculation of total building length.

1. **Building Length, Maximum.** The maximum length of a building allowed along a frontage, established either by a set amount of linear feet or a percentage of lot width
2. **Building Length, Minimum.** The minimum length a building shall be along a frontage, established either by a set amount of linear feet or a percentage of lot width.

## BUILDING LENGTH

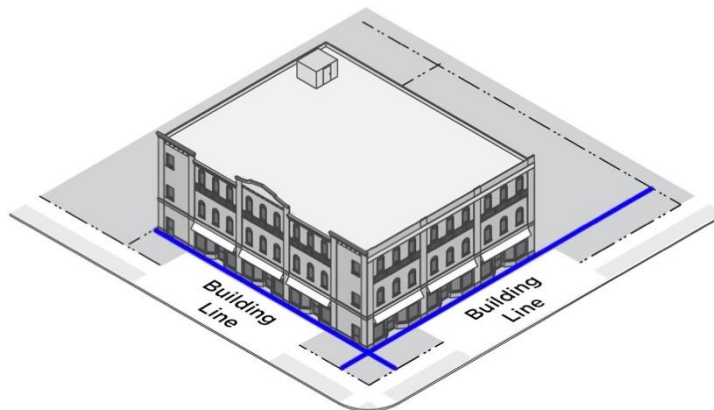


## MINIMUM BUILDING LENGTH



**Building Line.** A line that is tangent to the building's facade that is parallel to the front, side, and/or rear lot lines.

## BUILDING LINE



**Building Site.** An area of land or property where development is undertaken.

**Built-Upon Area (BUA).** That portion of a property that is covered by impervious or partially impervious surface including, but not limited to: buildings; pavement and gravel areas; and recreation facilities such as tennis courts (activity fields that have been designed to enhance displacement of runoff, such as compaction and grading or installation of sodded turf, and underground drainage systems for public parks and schools will be considered built-upon area.) Built-upon area does not include a wooden slatted deck or the water area of a swimming pool.

**Built-Upon Area (BUA) Density.** The total built-upon area divided by the total project area as further defined in the Stormwater Control Measure (SCM) Design Manual.

**Bus Route/Bus Transit Route.** Specifically labeled or numbered travel routes over which a Charlotte Area Transit Service (CATS) bus operates for the purpose of picking up or dropping off passengers at regularly scheduled stops and intervals.

**Caliper.** The diameter measurement of the trunk taken six inches above ground level for trees up to and including four-inch caliper size. Measurement shall be taken 12 inches above the ground level for larger trees.

**Canopy.** A canopy is a roof-like cover designed for protection from the weather or as a decorative embellishment affixed to a building or freestanding, with supports that extend to the ground.

**Carport.** An open-sided roofed vehicle shelter, typically formed by extension of the roof from the side of a building, but may also be freestanding.

**Certificate of Occupancy.** A document issued by Mecklenburg County Code Enforcement, a division of the Mecklenburg County Land Use and Environmental Services Agency, to provide official verification that the declared scope of work permitted is in compliance with current building and land development regulations, and the building is suitable for occupancy.

**Certiorari.** Certiorari is a form of judicial review where a superior court is asked to hear an appeal of a quasi-judicial decision of a decision-making board, such as the UDO Board of Adjustment.

**Chamfered.** Building design where the corner or right-angled edge is cut away to make a sloping symmetrical edge.

**Change of Use.** A change of use is the change of the use of a structure or lot from one major land use category to another, such as commercial to residential use. Major land use categories are established in the Use Matrix in Article 15.

**Changeable Copy.** That portion of a sign that allows for a message to be changed.

**Charging Station.** A parking space intended for electric vehicles and served by vehicle battery charging equipment.

**Charlotte Area Transit System Director (CATS Director).** The Charlotte Area Transit System (CATS) Director, which may include their designee, in administration of the Ordinance.

**Charlotte Department of Transportation Director (CDOT Director).** The Charlotte Department of Transportation (CDOT) Director, which may include their designee, in administration of the Ordinance.

**Charlotte Streets Map.** The Charlotte Streets Map shows Charlotte's collector and arterial street network, and limited access roads. It also shows any local streets that include the Cross Charlotte Trail (XCLT) or other Urban Trail. The Charlotte Streets Map describes the expected future cross-section for each arterial street in the network.

**City Attorney.** The City Attorney or their designee.

**City Tree.** All planted trees in the street right-of-way and any naturally occurring trees three inches diameter in breast height (DBH) or greater in street right-of-way as specified in Section 4.1 of the UDO Zoning Administration Manual. For the purposes of this term, street right-of-way includes all segments of City-accepted and/or City Landscape Management-maintained public street rights-of-way (Charlotte Department of Transportation (CDOT))

or North Carolina Department of Transportation (NCDOT)) in Charlotte's corporate city limits. Landscape Management maintains trees on NCDOT street right-of-way in the city limits except for road segments identified in Section 4.1 of the UDO Zoning Administration Manual.

**Civil Judicial Remedies.** The means with which a civil court of law imposes a penalty or makes another court order to address a specific case involving a violation.

**Colonnade.** A sequence of columns either freestanding or part of a building, typically as pairs or multiple pairs of columns, that frames a walkway or open space, which may be covered or open to the air.

**Commercial Vehicles, Large.** Any vehicle designed or used for business purposes that has a gross vehicle weight rating (GVWR) of 13,000 pounds or more. Large vehicles also include commercial vehicles with a GVWR of less than 13,000 pounds if the height of the vehicle exceeds 9.5 feet, including any installed accessories such as ladder racks, cranes, compressors, hose reels, welders, etc., or the length of the cargo area/work platform exceeds 14 feet, not to include step bumpers less than 18 inches in length.

**Commercial Vehicles, Light.** Any vehicle designed or used for business purposes that has a gross vehicle weight rating (GVWR) of less than 13,000 pounds and a cargo area/work platform, including any installed accessories such as ladder racks, cranes, compressors, hose reels, welders, etc., that does not exceed the height of the cab of the vehicle. Cargo area/work platforms separate from the cab shall not exceed nine feet in length not to include step bumpers less than 18 inches in length. A pickup truck, sport utility vehicle, van, or similar vehicle may be considered a passenger vehicle if it is less than 13,000 pounds GVWR and has only the original showroom stock body/bed. A camper shell, toolbox within the bed, or similar accessory equipment will not disqualify the vehicle as a passenger vehicle. However, ladder racks, cranes, compressors, hose reels, welders, and similar equipment make the vehicle a commercial vehicle.

**Commercial Vehicles, Medium.** Any vehicle designed or used for business purposes that has a gross vehicle weight rating (GVWR) of less than 13,000 pounds and does not exceed 9.5 feet in height, including any installed accessories such as ladder racks, cranes, compressors, hose reels, welders, etc. Cargo area/work platform shall not exceed 14 feet in length, not to include step bumpers less than 18 inches in length.

**Completion of Construction or Development.** No further land disturbing activity is required on a phase of a project except that which is necessary for establishing a permanent groundcover.

**Comprehensive Plan.** The Comprehensive Plan that has been officially adopted by the City pursuant to N.C.G.S. § 160D-501.

**Comprehensive Transportation Review (CTR).** An analysis that measures the multimodal transportation impacts created by a development and proposes transportation mitigations necessary to support the proposed development.

**Connectivity.** Street or subdivision design which provides for public access, ingress, and egress within a development and with adjoining developments by one or more of the following: interconnecting streets, bike paths, and walkways. Connectivity facilitates vehicular, bicycle, and pedestrian transportation.

**Conservation Agreement Area.** An area that is subject to a conservation agreement that places a restriction, reservation, easement, covenant, or condition, in any deed, will, or other instrument executed by or on behalf of Mecklenburg County, the City of Charlotte, or a conservation group as approved by the Chief Urban Forester, pursuant to the Section 4.1 of the UDO Zoning Administration Manual. Such agreement shall be appropriate to retain land or water areas predominantly in their natural, scenic, or open condition. This term includes County designated nature preserves, Tree Canopy Preservation Program (TCPP) properties, or conservation easements held by approved land conservation groups.

**Contractor Conducting the Land Disturbing Activity.** Any person who participates in the land disturbing activity, including, but not limited to, the general contractor and subcontractors with the responsibility for supervising the work on the tract for the changing of the natural cover or topography of the tract or any part thereof

**Cornice.** A horizontal decorative molding that crowns a building.

**Cottage Court Residential Development.** Small lot residential development of various dwelling types organized around a common open space, designed as a cohesive whole and maintained in shared stewardship by residents.

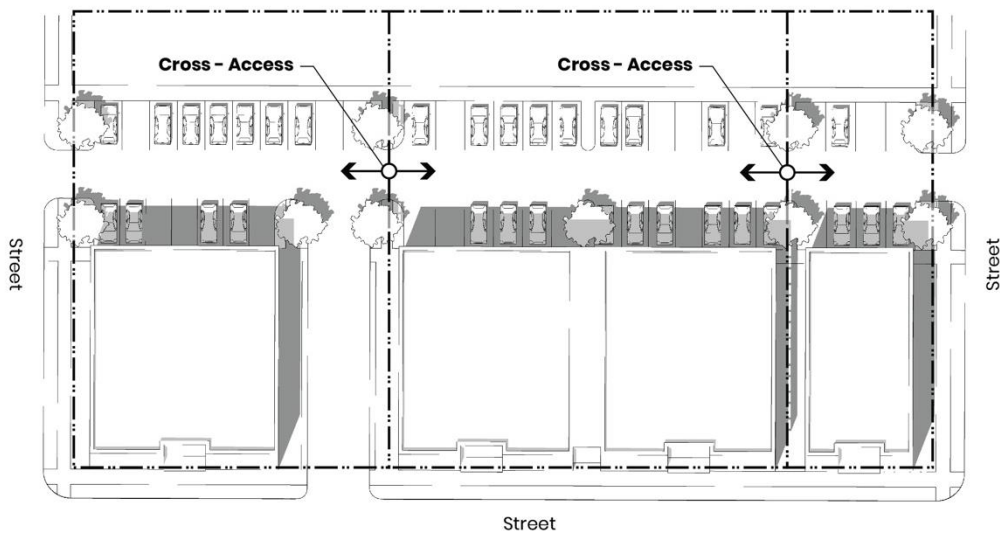
**Courtyard.** Open space, other than a required setback, unoccupied except by obstructions permitted in setbacks, on the same lot with a building, which is bounded on two or more sides by the walls of such building.

**Critical Area.** The area adjacent to a water supply intake or reservoir where risk associated with pollution is greater than from the remaining portions of the watershed.

**Critical Root Zone.** The area of soil around the tree where roots that provide stability and uptake of water and minerals are located, the main structural and functional part of the root system. It is a protected circular area around a tree with a radius equal to one foot per inch of tree diameter at breast height (DBH) with the tree trunk at the center of the circle.

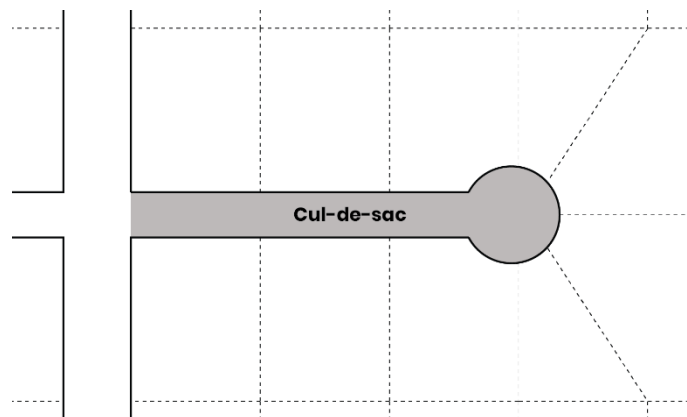
**Cross-Access.** A means of providing vehicular and pedestrian access between two or more properties, or between two or more sites located on one property. Cross-access may be provided by easement, drive aisle, alley, or service drive, and is separate from the public street system.

**CROSS-ACCESS**



**Cul-De-Sac.** A street designed with a turnaround, such as but not limited to, a bulb or hammerhead design.

**CUL-DE-SAC (BULB DESIGN)**





**Daily Vehicular Trips.** The total number of ingress and egress vehicle trips generated within a 24-hour weekday period by a land use or private development, per latest ITE Trip Generation Manual.

**DBH (Diameter at Breast Height).** The diameter of a tree 4.5 feet above the average ground level

**Deck.** A roofless outdoor space built as an above ground platform projecting from the wall of a structure and connected by structural supports at grade and/or by the structure.

**Dedication.** Dedication is the conveyance of private land, either in fee simple or as an easement, for public use.

**Density.** The number of dwelling units per gross acres.

**Determination.** A written, final, and binding order, requirement, or determination regarding an administrative decision.

**Developer.** A person, including a governmental agency or redevelopment authority, who undertakes any development and who is the property owner of land to be developed or who has been authorized by the property owner to undertake development on that property.

**Development.** Any of the following: a) the construction, erection, alteration, enlargement, renovation, substantial repair, or movement to another site, or demolition of any structure; b) the excavation, grading, filling, clearing, or alteration of land; or c) the subdivision of land as defined in N.C.G.S. § 160D-802.

**1. Development, Accessory.** Development as defined above of a land use listed in the Accessory Uses category of the Use Matrix in Article 15.

**2. Development, Campus.** Development as defined above of a land use listed in the Campus Uses category of the Use Matrix in Article 15.

**3. Development, Commercial.** Development as defined above of a land use listed in the Commercial Uses category of the Use Matrix in Article 15.

**4. Development, Industrial.** Development as defined above of a land use listed in the Industrial Uses category of the Use Matrix in Article 15.

**5. Development, Infrastructure.** Development as defined above of a land use listed in the Infrastructure category of the Use Matrix in Article 15.

**6. Development, Institutional and Governmental.** Development as defined above of a land use listed in the Institutional and Governmental Uses category of the Use Matrix in Article 15.

**7. Development, Mixed-Use.** Development as defined above of a project with a residential component listed in the Residential Uses category and a nonresidential component listed in another principal use category of the Use Matrix in Article 15.

**8. Development, Open Space, Recreation, and Agricultural.** Development as defined above of a land use listed in the Open Space, Recreation, and Agricultural Uses category of the Use Matrix in Article 15.

**9. Development, Public Health and Social Service.** Development as defined above of a land use listed in the Public Health and Social Service Uses category of the Use Matrix in Article 15.

**10. Development, Residential.** Development as defined above of a land use listed in the Residential Uses category of the Use Matrix in Article 15.

**11. Development, Temporary.** Development as defined above of a land use listed in the Temporary Uses category of the Use Matrix in Article 15.

**12. Development, Transportation.** Development as defined above of a land use listed in the Transportation Uses category of the Use Matrix in Article 15.

**Development Approval.** An administrative or quasi-judicial approval that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to, zoning permits, site plan approvals, variances, and certificates of appropriateness. The term also includes all other regulatory approvals required by regulations in the Ordinance, including subdivision plat approvals, permits issued, development agreements entered into, and building permits issued.

**Development Regulation.** A Unified Development Ordinance, zoning regulation, subdivision regulation, soil erosion and sedimentation control regulation, floodplain regulations, post-construction control regulation, water supply watershed regulation, drainage regulation, surface water improvement and management buffer regulations, tree regulations, historic district regulations, or any other regulation in the Ordinance that regulates land use and development.

**Director of Stormwater Services.** The Director of Stormwater Services or their duly authorized representatives.

**Discharge.** The addition of any man induced waste effluent either directly or indirectly to North Carolina surface waters.

**Discharge Point.** That point at which concentrated flow of discharge leaves a tract of land.

**Disturbance.** Any use of the land by any person or entity which results in a change in the natural cover or topography of the land.

**Dock.** A fixed or floating structure, including moorings, used for the purpose of berthing buoyant vessels.

**Down-Zoning.** To reclassify a parcel of land through a zoning map amendment process by decreasing the intensity of the development of the land to be less intense than was allowed under the previous zoning district category, or reducing the permitted uses of the land to fewer uses than were allowed under its previous usage.

**Donation Box.** An unmanned receptacle designed with a door, slot, or similar opening intended to accept and store donated clothes and household items.

**Drainage Area.** That area of land that drains to a common point on a project site.

**Drainage Basin.** The area of land which drains to a given point on a body of water.

**Drip Line.** A vertical line running through the outermost portions of the tree crown extending to the ground.

**Drive-Through Lane.** An on-site driveway approach to a building opening, including windows or mechanical devices, where customers initiate and complete their transaction.

**Dwelling.** A structure, or portion thereof, designed or used for human habitation.

**Dwelling Unit.** A single unit providing complete, independent living facilities for no more than one family, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

**Easement.** Authorization by an owner for the use, by others for a specific purpose, of a designated part of their property.

**Eave.** The projecting lower edges of a roof overhanging the wall of a structure.

**Electric Vehicle (EV) Charging Stations.** Electric vehicle (EV) charging stations are defined as follows:

1. **EV-Capable:** Reservation of space in the electrical room for a panel to serve the future EV chargers and continuous raceway from the reserved panel space to the future EV parking space.
2. **EV-Ready:** Installation of electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt outlet accessible to parking space.
3. **EVSE-Installed:** EV charging stations capable of providing a minimum of 32amp 7.2 kW.

**Energy Dissipater.** A structure or a shaped channel section with mechanical armoring placed at the outlet of pipes or conduits to receive and break down the energy from high velocity flow.

**Erosion.** The wearing away of land surface by the action of wind, water, gravity, or any combination thereof.

**Establishment.** A place of business.

**Evidentiary Hearing.** A hearing to gather competent, material, and substantial evidence in order to make findings for a quasi-judicial decision required by a development regulation.

**Existing Tree Canopy.** Tree canopy that has existed for at least two years prior to development as evidenced by City or County aerial photographs, or a tree survey of trees one-inch caliper and larger.

**Expansion (of a Building).** An increase in the floor area of a building. This may also be referred to as an addition to an existing building

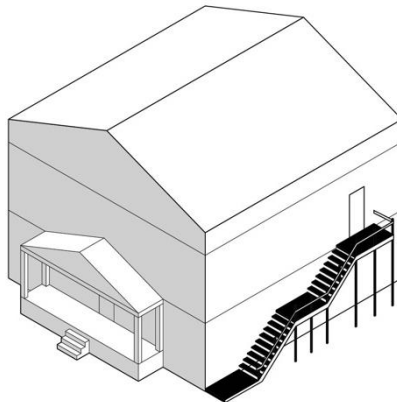
**Expansion (of a Use).** An increase in the area dedicated to the use.

**Expansion (of a Structure).** An increase in the size of a structure.

**Exterior Lighting.** The illumination of an outside area or object by any man-made device that produces light by any means.

**Exterior Stairway.** One or more flights of stairs, and the necessary landings and platforms connecting them, to an entryway on another floor or level in a structure located on the exterior of a principal building.

#### EXTERIOR STAIRWAY



**Extraterritorial Jurisdiction (ETJ).** The authority of the City to apply its zoning regulations outside of the City boundaries.

**Façade.** The exterior wall of a building.

**Façade Modulation.** Variations in the plane of a building facade that break up the mass and bulk of a building. The modulation is the recessed or projected portion, of the building facade and/or architectural feature as distinguished from the building facade line.

**Familial Relationship.** A close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

**Family.** An individual or two or more persons related by blood, marriage, domestic partnership, adoption, foster child relationship, or legal guardianship together as a single housekeeping unit. Family also includes a group of not more than six persons not related by blood, marriage, domestic partnership, adoption, foster child relationship, or legal guardianship, living together as a single housekeeping unit.

**Feather Flag.** A freestanding attention-getting device typically constructed of cloth held taut by a single post. Also known as a sail.

**Fence.** A structure used as a boundary, screen, separation, means of privacy, protection, or confinement.

1. **Fence, Solid.** A fence that has, over its entirety, no distributed openings. A shadowbox design fence is considered a solid fence. A chain link fence with slats is not considered a solid fence.

**Flag.** Fabric containing an emblem or message designed to be flown from a flagpole which may be either freestanding or a mast arm flagpole that extends at an angle from a building.

1. **Flag, Commercial.** Flags designed to direct attention to or promote a business, product, service, event, or activity occurring on the site, which are flown from a mast arm flagpole.

2. **Flag, Noncommercial.** Flags that do not function to direct attention to or promote a business, product, service, event, or activity.

**Flag Lot.** See "Lot."

**Flashing Lighting.** Lighting that changes from a static intensity of illumination, through fading, pulsing, and/or other method, at a frequency of more than once every thirty seconds.

**Floodlight/Spotlight.** A powerful light or a grouping of several lights used to illuminate the exterior of a building or sign.

**Floodplain.** The land subject to inundation by the community base flood and is encompassed by the community special flood hazard area.

**Floor.** See "Story."

**Footcandle.** A unit of illuminance or illumination, equivalent to the illumination produced by a source of one candle at a distance of one foot and equal to one lumen incident per square foot.

**Forest Practice Guidelines.** The written directions related to water quality prepared by the North Carolina Department of Agriculture and Consumer Services Division of Forest Resources and the United States Forest Service, including, but not limited to, the Forestry Best Management Practices Manual prepared by the North Carolina Department of Agriculture and Consumer Services.

**Frontage.** A frontage is that part of the lot and/or building façade that faces either: 1) an existing or Ordinance required public or network-required private street; 2) a street designated on the Charlotte Streets Map; 3) a platted right-of-way offered for dedication and at least 30 feet in width; or 4) a public space, such as a publicly owned open space, public path, or transit corridor.

1. **Frontage, 2-3 Lane Avenue.** Frontage that includes the following street classifications: 2 lane avenue, 2+ lane avenue, or 3 lane avenue, as defined by the associated Avenue street classification definition.
2. **Frontage, 4-5 Lane Avenue/Boulevard.** Frontage that includes the following street classifications: 4 lane avenue, 4+ lane avenue, 5 lane avenue, 5+ lane avenue, 4+ lane boulevard, 5+ lane boulevard, as defined by the associated Avenue or Boulevard street classification definitions.
3. **Frontage, 6 Lane Avenue/Boulevard.** Frontage that includes the following street classifications: 6 lane avenue, 6+ lane avenue, 6+ lane boulevard, 6+ or more lane boulevard, as defined by the associated Avenue or Boulevard street classification definition.
4. **Frontage, Main Street.** Frontage for property fronting on a Main Street, as defined by the Main Street classification definition.
5. **Frontage, Other-Primary.** Frontage for property fronting on a collector street, a transit station, a public or network-required private local street abutting a Neighborhood 1 Place Type, or a public park or other publicly owned open space, or an off-street public path.

**6. Frontage, Secondary.** A frontage that is not designated in items 1 through 5 above or items 7 through 12 below, and includes public and network-required private local streets.

**7. Frontage, Parkway.** Frontage for property fronting on a Parkway, as defined by the Parkway street classification definition.

**8. Frontage, Limited Access.** Frontage for property fronting on a Limited Access Road, as defined by the Limited Access Road street classification definition.

**9. Frontage, Uptown Signature Street.** Frontage for a property fronting an Uptown Signature Street, as defined by the Uptown Signature Street classification definition.

**10. Frontage, Uptown Primary Street.** Frontage for a property fronting an Uptown Primary Street, as defined by the Uptown Primary Street classification definition.

**11. Frontage, Uptown Secondary Street.** Frontage for a property fronting an Uptown Secondary Street, as defined by the Uptown Secondary Street classification definition.

**12. Frontage, Linear Park.** Frontage for a property fronting Linear Park, as defined by the Linear Park Street classification definition.

**Freight Rail.** A railroad corridor or railroad right-of-way used to transport freight. Such corridor or right-of-way may also be used by intercity passenger railroad service. Freight rail does not include local rapid transit rail service.

**Full Pond Elevation.** Elevation at which water begins to flow over the dam or spillway for the lake, referenced to mean sea level as determined by the United States Geological Survey (U.S.G.S.) Datum. The applicable full pond elevations are as follows: Mountain Island Lake at 647.5 feet and Lake Wylie and Lower Lake Wylie at 569.4.

**Future Back of Curb.** The future back of curb shall be based on the Charlotte Streets Map for Main Streets, Avenues, Boulevards, and Uptown streets as well as local and collector streets with shared-use paths. The future back of curb location for all other local and collector streets is the location of the existing back of curb, unless otherwise specified by this Ordinance. For streets not indicated on the Charlotte Streets Map that also have a ditch or swale instead of curb and gutter, the top of backslope is considered future back of curb.

**Garage.** An accessory building or portion of a principal building designed to be used for the storage of motor vehicles and other household items of the occupants of the premises.

**Gallery.** A platform which projects from the exterior wall of a building, is exposed to the open air, and remains unenclosed, that has direct access to the interior of the building. A gallery is supported from the ground by columns or poles, and is surrounded by a parapet, railing, or balustrade.

**Grading.** Excavation or fill of material, including the resulting conditions thereof.

**Green Area.** An area and all affiliated vegetation, whether on-site or off-site, which is set aside, conserved, or dedicated, pursuant to the requirements of Section 20.15.

**Green Roof.** A vegetated area of a roof of a structure that is designed and planted to be covered at maturity by plants. Green roofs shall be subject to the specifications and standards of specific articles of the Ordinance when it is proposed to meet the requirements of those articles.

**Green Terrace.** A vegetated area on a horizontal surface of a structure that is lower in elevation than the roof and is designed and planted to be covered at maturity by plants.

**Green Wall.** A wall covered with live plants, which includes a growing medium, such as soil, water, or a substrate. A green wall is also called a living wall or vertical garden.

**Green Zone.** The space lying between the sidewalk and back of curb, or edge of pavement where no curb-and-gutter is present (typically a planting strip or landscaped amenity zone) which serves as a buffer between pedestrians and vehicles. The green zone typically includes street trees and landscaping, and often includes street furnishings and utilities.

**Greenway.** A corridor of predominantly vegetated land preserved for bicycle and pedestrian travel and recreational use, including multi-use trails, such as the Cross Charlotte Trail. A designated greenway is one that is designated in the Mecklenburg County Greenways and Trails Master Plan. Greenways are not considered a public park (as the use is defined in Article 15).

**Gross Floor Area (GFA).** The gross floor area (GFA) of a structure is the sum of the gross horizontal areas of all floors of the structure as measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. GFA does not include any areas used exclusively for surface parking lots or parking structures, or for building or equipment access, such as stairs, elevator shafts, and maintenance crawlspace. Active use space within a parking structure counts toward GFA.

**Groundcover.** Any low-growing plants that protect topsoil from erosion and drought conditions, and help to conceal bare earth and prevent weed growth.

**Ground Floor.** The floor of a building along a frontage that is nearest the level of the ground. Where a change in elevation results in a new floor corresponding to the ground level along a frontage, such new portion of the building is also considered a ground floor.

**Ground Floor Activation.** A ground floor is considered activated when uses from the following use categories of the Use Matrix in Article 15 are located on the ground floor adjacent to pedestrian accessible pathways and vehicle roadways: Residential Uses category, Commercial Uses category, the Industrial Uses category, and/or the Institutional and Governmental Uses category.

**Guard Station.** A structure used to house personnel and security equipment, typically located at an entryway to a development.

**Half Street.** See "Partial Street".

**Hazardous Material.** Any substance listed as such in: 40 CFR 302, Extremely Hazardous Substances, CERCLA Hazardous Substances, or Section 311 of CWA (oil and hazardous substances).

**Hazardous Tree.** A tree that presents a situation or condition that may result in personal injury, property damage, or disruption of human activities. Also:

1. In tree management, a tree or tree part that has a high likelihood of failure and causing damage or injury; and
2. In tree care or forestry operations, the presence of a condition or situation that may cause harm or injury to workers or others.

**Hedge Row.** A row of closely planted shrubs, bushes, or any kind of plant forming a boundary.

**Heritage Tree.** Any tree native to North Carolina per the US Department of Agriculture Natural Resource Conservation Service Plants Database with a DBH of 30 inches or greater.

**I-277 Loop.** The area of the city situated inside the boundaries of interstate highways 277 and 77.

**Illumination, External Sign.** Lighting of a sign from a light source external to the body of the sign, so that light is directed on to the face of the sign or directed in a manner so as to create silhouettes of letters or symbols that are placed in front of the light.

**Illumination, Internal Sign.** Lighting of a sign from internal sources, such as a light source within the framework of a sign cabinet and behind the face of the sign so that light is transmitted through the face of the sign.

**Impervious Surface.** Any structure or material that prevents, impedes, or slows infiltration or absorption of water directly into the ground. This includes, but not limited to, buildings; pavement and gravel areas such as roads, parking lots, and paths; and recreation facilities such as tennis courts (activity fields that have been designed to enhance displacement of runoff, such as compaction and grading or installation of sodded turf, and underground drainage systems for public parks and schools will be considered built-upon area). Impervious surface does not include a wooden slatted deck or the water area of a swimming pool.

**Impervious Surface Coverage.** Impervious surface coverage is a measure of intensity of land use that represents the portion of a site that is occupied by impervious surfaces. Maximum impervious surface of a lot is calculated as the percentage of all impervious surface area against the total area of the lot.

**Inert Debris.** Solid waste consisting solely of material that is virtually inert, that is likely to retain its physical and chemical structure under expected conditions of disposal, and that will not pose a threat to groundwater standards. Inert debris includes material such as concrete, brick, concrete block, uncontaminated soil, rock, and gravel.

**Infill.** The development of vacant or under-used parcels within areas that are already largely developed.

**Internal Planting Area.** A planting area located on private property outside the public right-of-way.

**Invasive Plant Species.** Any shall be any species listed in the North Carolina Invasive Plant Council list of invasive species.

**Land Conservation Group.** A nonprofit land trust or similar organization approved by the City as listed in Section 4.1 of the UDO Zoning Administration Manual that permanently protects land, water, trees and wildlife habitat to enhance quality of life in Charlotte and Mecklenburg County.

**Land Development Approval.** Final approval of development projects submitted to the City, including, but not limited to: 1) commercial, subdivision, and/or urban-zoned projects; or 2) plats, both singularly or related to the aforementioned projects.

**Land Disturbing Activity.** Any use of the land by any person in residential, governmental, industrial, educational, institutional, or commercial development, highway and road construction and maintenance that results in a change in the groundcover or topography and that may cause or contribute to sedimentation.

**Landscape Yard.** Land area with landscape plantings and other components used to separate one use or development from another and/or to shield or block noise, lights, or other nuisances.

**Large Maturing Shade Tree.** Any tree the height of which is 35 feet or greater at maturity and has a limb spread of 30 feet or more at maturity.

**Large Waste Container.** A dumpster, compactor, open-top container, and detachable container that is used for collecting, storing, or transporting residential solid waste. A large waste container has a minimum capacity of two cubic yards and picked up by a specially equipped truck for transporting the waste materials to the disposal site.

**Larger Common Plan of Development or Sale.** Any contiguous area where multiple separate and distinct construction or land disturbing activities will occur under one plan. A plan is any announcement or piece of documentation including, but not limited to, public notice or hearing, drawing, permit application, zoning request, or site design or physical demarcation, including but not limited to, boundary signs, lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.

**Legislative Decision.** A decision by the City Council after a legislative hearing regarding the adoption, amendment, or repeal of an Ordinance regulation or a zoning map amendment.

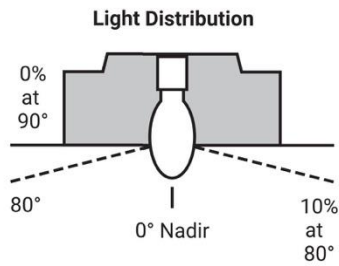
**Legislative Hearing.** A public hearing to solicit public comment on a proposed legislative decision.

**Light Pole Banner.** Banners mounted on and with arms installed perpendicular to a light pole.

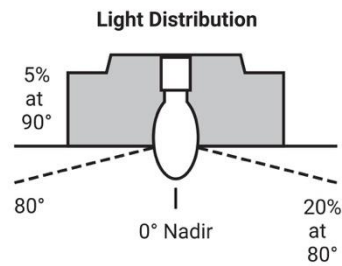
**Lighting, Full Cut Off.** A light distribution where the candela value is zero at or above horizontal (90°above nadir) and does not exceed 10% at or above a vertical angle of 80°above nadir.

**Lighting, Semi Cut Off.** A light distribution where the candela value does not exceed 5% of the maximum intensity at or above horizontal (90°above nadir) and 20% at or above a vertical angle of 80°above nadir.

### LIGHTING, FULL CUT OFF



### LIGHTING, SEMI CUT OFF

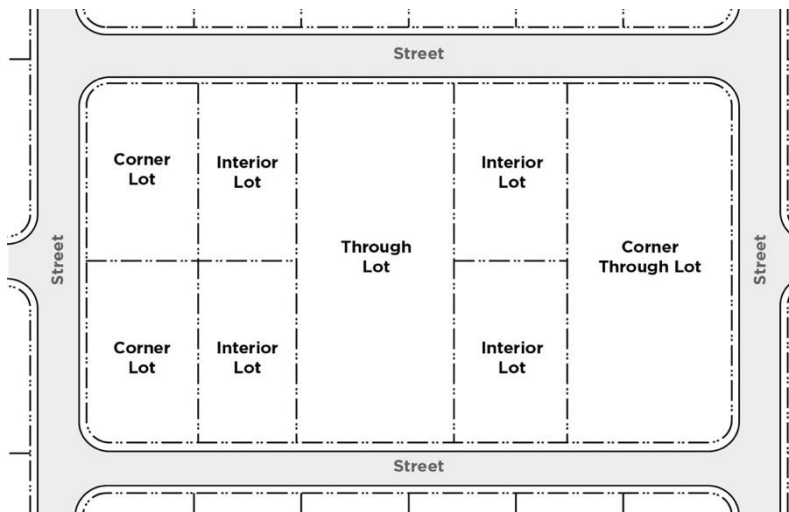


**Loading Space.** An unobstructed area, not located within the public right-of-way, maintained for the temporary parking of trucks and other delivery vehicles for the purpose of loading and unloading goods, wares, materials, and merchandise.

**Lot.** Any quantity of land and/or water capable of being described in definitive terms with respect to its location and boundaries, which have been established through some legal instrument such as a recorded deed or map. A lot may be established as distinct from other lots which are designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit. Lots are also referred to as parcels. The following defines the types of lot configurations:

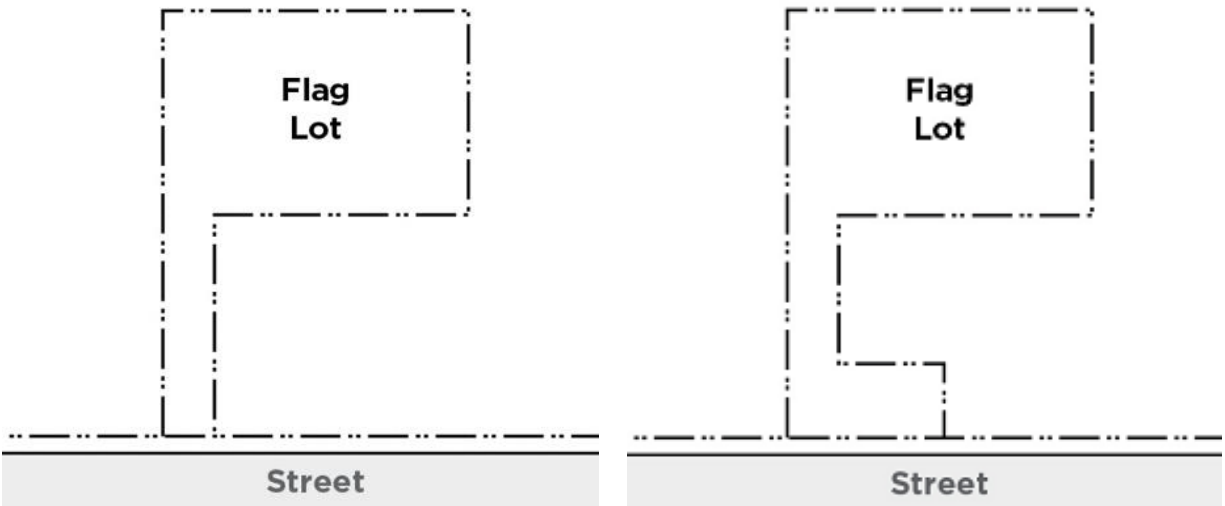
1. **Interior Lot.** A lot other than a corner or through lot, bounded by two interior side lot lines.
2. **Corner Lot.** A lot situated at the junction of, and abutting on, two or more intersecting streets.
3. **Through Lot.** A lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot. A through lot is also called a double frontage lot or reverse frontage lot.
4. **Corner Through Lot.** A lot which fronts upon three streets of which two streets do not intersect at the boundaries of the lot.
5. **Flag Lot.** A lot which meets minimum lot width requirements, but which contains a main building site area (the “flag”) separated from the frontage by an access strip (the “pole”). Any lot which narrows to a dimension of less than 50% of the lot width at any point between a street and the front building line shall be considered a flag lot.

### LOT TYPES





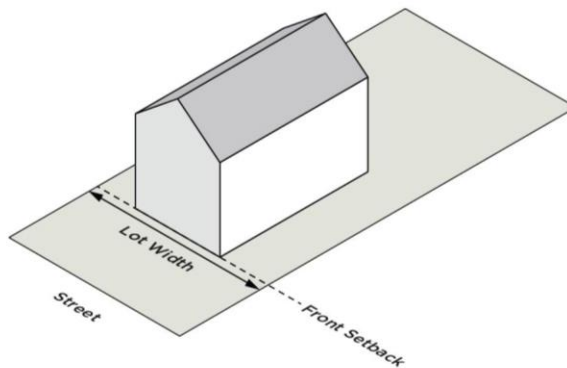
## FLAG LOT



**Lot Area.** The total area within the boundaries of a lot, excluding any street or railroad right-of-way, usually defined in square footage. For lots located on an existing publicly maintained street that do not have any record of right-of-way dedication, the lot area is the total area within the boundaries of the lot minus the area within the maintained street.

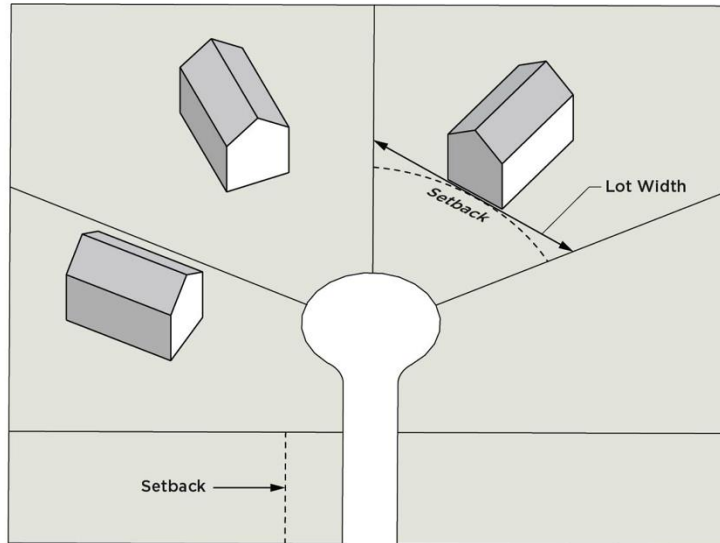
**Lot Width.** The distance between the side lot lines measured along the front setback line as established by this Ordinance, unless one of the following conditions apply:

## LOT WIDTH



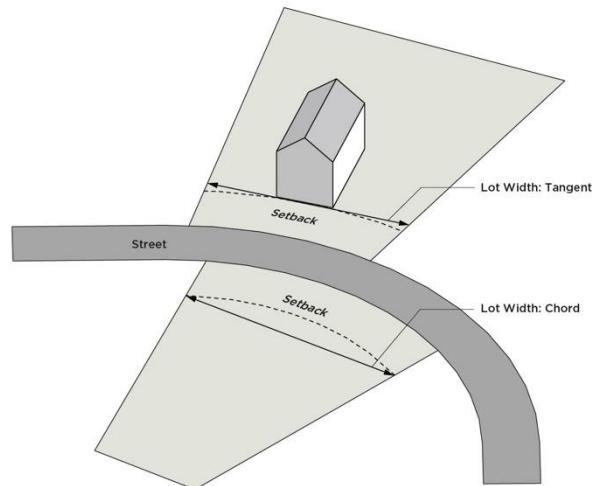
1. For cul-de-sac lots, along the turnaround portion of a cul-de-sac street, the distance between the side lot lines measured along a setback line shown on a duly recorded plat when the setback line on the plat is greater than the setback required by this Ordinance; or

**LOT WIDTH ALTERNATIVE (ITEM 1)**



2. On lots located on the outside curve of a street, the lot width shall be measured along a line tangent to the midpoint of the setback projected to the side lot lines. On lots located on the inside curve of a street, the lot width shall be measured along the chord of the setback arc where it intersects the side lot lines.

**LOT WIDTH ALTERNATIVE (ITEM 2)**



**Lot Line.** A line dividing one lot from another lot or from a street or alley.

**Low Impact Development (LID).** The integration of site ecology and environmental goals and requirements into all phases of urban planning and design from the individual residential lot level to the entire watershed.

**Luminaire.** A complete lighting unit for the purpose of generating usable and controllable light that is comprised of one or more lamps, parts designed to distribute the light, parts used to position and protect the light source, and a means to connect the light source(s) to an electrical supply.

**Manufactured Home Stand.** The area of a manufactured home site that has been reserved for the placement of a manufactured home.

**Marquee.** A permanent roof-like structure constructed of permanent building materials that extends from the wall of a structure with no supports extending to the ground providing protection from the elements.

**Mass.** The size or physical bulk of a building.

**Master Plan.** A long-term plan that provides a conceptual layout to guide future growth and development.

**Mean Sea Level.** The National Geodetic Vertical Datum (NGVD) of 1929, or other datum, to which base flood elevations shown on the Flood Insurance Rate Maps for Mecklenburg County are referenced.

**Mechanical Equipment.** Equipment related to the operation of a structure, such as, but not limited to, heating, ventilation, and air conditioning (HVAC) equipment, personal electrical generators, and swimming pool pumps and filters. Mechanical equipment does not include accessory utility equipment.

**Mixed-Use Building.** A building that contains both nonresidential and residential uses.

**Modular Home.** A method of construction for residential dwellings. Modular homes are built in multiple sections, called modules, at a facility and then delivered to the site where the modules are set onto the building's foundation and joined together to make a single building. Modular buildings and modular homes shall conform to all zoning requirements for the dwelling type and shall meet all local and state residential building code requirements.

**Mullion.** A vertical or horizontal element that forms a division between units of a window or screen or is used decoratively. When dividing adjacent window units, its primary purpose is a rigid support to the glazing of the window.

**Multi-Tenant Nonresidential Development.** A development under unified control that contains multiple separate businesses, offices, light manufacturing facilities, and research uses, and may include accessory and supporting uses, that is designed, planned, and constructed on an integrated and coordinated basis. Examples include, but are not limited to, research parks, office parks, industrial parks, or a combination of such uses.

**Multi-Use Development.** A development site of more than one building that contains a mix of nonresidential and residential buildings, some or all of which may be mixed-use buildings as well.

**Multi-Use Path.** A pathway serving both pedestrians and bicyclists located in an independent off-street alignment.

**Nadir (Lighting).** The angle pointing directly downward from the luminaire.

**NCDOT.** North Carolina Department of Transportation.

**Nit.** A unit of measurement of the intensity of visible light, where one nit is equal to one candela per square meter.

**Noncommercial Message.** Messages and emblems that do not function to direct attention to or promote a business, product, service, event, or activity, either on-site or off-site. Examples of noncommercial messages include, but are not limited to, signs advocating a public issue, recommending a candidate for office, and personal messages.

**Nonconforming Lot.** Any lawfully existing lot on the effective date (June 1, 2023) of these regulations, or any subsequent amendment thereto, which does not meet the minimum area or width requirements established by these regulations.

**Nonconforming Sign.** Any lawfully existing sign on the effective date (June 1, 2023) of these regulations, or any subsequent amendment thereto, which does not comply with the Ordinance regulations.

**Nonconforming Structure.** Any lawfully existing structure on the effective date (June 1, 2023) of these regulations, or any subsequent amendment thereto, which does not comply with the Ordinance regulations.

**Nonconforming Use.** Any lawfully existing use of a building, structure, or land on the effective date (June 1, 2023) of these regulations, or any subsequent amendment thereto, which does not comply with the Ordinance regulations.

**Non-Point Source (NPS) Pollution.** Forms of pollution caused by sediment, nutrients, organic and toxic substances originating from land use activities and carried to lakes and streams by surface runoff.

**Nonresidential Development.** All development other than residential development, agriculture, and silviculture.

**Off-Street Public Path.** A pathway typically shared by pedestrians and bicyclists which is located outside of the street right-of-way, but within a public right-of-way or easement, including, as applied in this Ordinance, greenways, transit trails, off-street trail connections, and bicycle and pedestrian connections.

**Off-Street Trail Connections.** A publicly accessible trail connection from a public or network-required private street to a park or off-street public path.

**Open Space.** Land and water areas designed and reserved for use as active or passive recreation areas. Pedestrian connections and passages are not considered open space unless they are an integral part of an open space area.

1. **Open Space, Common.** Open space maintained for the shared use of the residents and/or tenants of the development.
2. **Open Space, Public.** Open space maintained for the use of the general public. Public open space may include parks, plazas, and public seating areas.
3. **Open Space, Private.** Open space reserved for the sole use of the resident of the associated dwelling unit and/or tenant of the associated tenant space.

**Paper Street.** A right-of-way, no less than 30 feet in width, for a street offered for dedication on a final recorded plat which has not been constructed or accepted by the city for maintenance.

**Parapet.** The extension of the main wall or walls of a building above the roof level. Also called a parapet wall.

**Parcel.** See "Lot."

**Parkway.** Streets with the primary function of moving large volumes of motor vehicles efficiently from one part of the city to another. They are designed to serve high traffic volumes at relatively high speeds and typically have very limited direct access to land uses.

**Partial Street.** A street that lies along a property line between two properties and is partially improved on only one of the properties at a time.

**Patio.** A hard surface that adjoins a principal structure designed and intended for dining or recreation and not used as a parking space. Patios are constructed such that its finished walking surface is laid or poured directly on finished grade.

**Passenger Vehicle.** Any vehicle designed to transport passengers that does not otherwise meet the definitions of Large Commercial Vehicle, Light Commercial Vehicle, or Medium Commercial Vehicle of this ordinance.

**Pedestrian.** Anyone who travels on foot as well as those with disabilities who require assistive devices.

**Pedestrian and Bicycle Connection.** A paved shared-use facility connecting a cul-de-sac to a street, off-street public path, or park.

**Pedestrian Facilities.** Sidewalks, shared use paths, and similar facilities intended for pedestrian mobility.

**Pennant.** Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind. Streamers are considered pennants.

**Permanent Enclosed Area.** An area that is structurally enclosed by a solid floor constructed of subfloor and foundation, ceiling, and solid walls, which may have partitions and/or windows.

**Person(s).** An individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, interstate body, the State of North Carolina and its agencies and political subdivisions, or other legal entity.

**Phase of Grading.** One of two types of grading: rough or fine.

**Place Types.** Place Types are a classification system that provides guidance on the land uses, transportation characteristics, and building form that is appropriate for an area, as set forth in the Comprehensive Plan. The Policy Map assigns a Place Type designation to each property in the City's jurisdiction.

**Planning Commission.** The Charlotte-Mecklenburg Planning Commission, including any duly appointed committee of that body provided for and authorized to act for the whole Planning Commission by the Interlocal Cooperation Agreement of July 2, 1984, as may be amended.

**Planning Director.** The Director of Charlotte Planning, Design, and Development Department, which may include their designee in administration of the Ordinance.

**Planting Area.** Ground surface free of built upon area and/or paved material which is reserved for required tree planting.

**Planting Strip.** Ground surface free of built upon area and/or paved material, located between the back of curb and the sidewalk or shared use path. Planting strips typically include perimeter trees and other plantings.

**Policy Map.** An adopted map that assigns a Place Type designation to each property in the City's jurisdiction.

**Porch.** An architectural feature that projects from the exterior wall of a structure and is covered by a roof or eaves.

1. **Porch, Enclosed.** A porch enclosed by walls, screens, lattice, or other material. A screened-in porch is an enclosed porch.
2. **Porch, Unenclosed.** A porch that is open on all sides excluding those sides that abut a principal building wall.

**Portable Sign Structure.** A sign structure that is intended, by design and construction, to rest upon and/or be supported by the ground and can be moved and reused. Portable sign structures include, but are not limited to, signs mounted upon a trailer, wheeled carrier, or other non-motorized mobile structure, with wheels or without wheels. Portable sign structures do not include A-frame or temporary off-premises advertising signs.

**Porte Cochere.** A permanent structure built over a driveway or entry drive that provides shelter to persons exiting a vehicle.

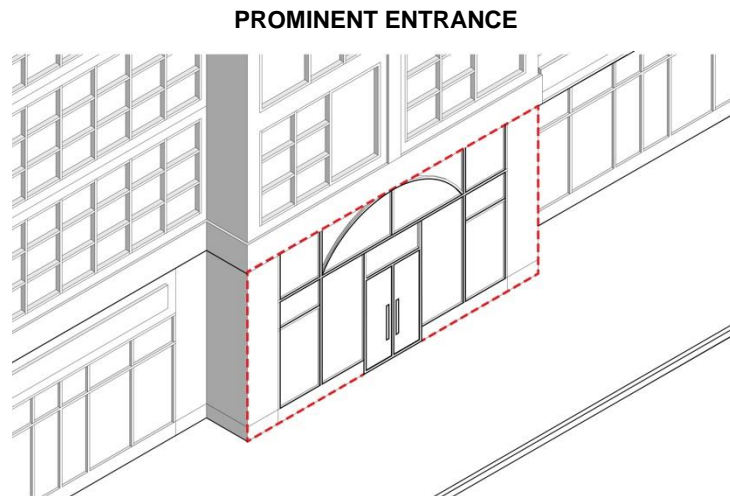
**Prescribed Conditions.** Standards for a principal, accessory, or temporary use, typically used to mitigate impacts of such use on adjacent areas.

**Principal Building or Structure.** A building or structure containing the primary use of the lot.

**Primary Pedestrian Entrance.** The main public entrance to a building for commercial, industrial, mixed-use, public, and institutional uses. For residential buildings, the primary pedestrian entrance is the front door. For multi-family buildings in which each unit does not have its own exterior entrance, the primary pedestrian entrance may be a lobby, courtyard, etc.

**Prominent Entrance.** A building entrance that is visually distinctive from the remaining portions of the facade where it is located and is parallel and directly connected to adjacent pedestrian facilities. A prominent entrance must be a pedestrian-only entrance. Emergency egress doors and doors to mechanical rooms or stairwells are not considered a prominent entrance.

1. For nonresidential, mixed-use, and multi-family stacked units, entrances that contain at least three of the following are considered a prominent entrance: decorative pedestrian lighting/sconces; architectural details carried through to upper stories; covered porches, canopies, awnings, or sunshades; archways; transom or sidelight windows; terraced or raised planters; common outdoor seating enhanced with specialty details, paving, landscaping, or water features; double doors; stoops or stairs.
2. For multi-family attached units, entrances that contain one or more of the following features are considered a prominent entrance: porches, raised steps and stoops with or without roof overhangs, decorative railings.



**Property.** All real property subject to land-use regulation by the City and County. The term includes any improvements or structures customarily regarded as a part of real property.

**Property Owner, Landowner, or Owner.** The holder of the title in fee simple. Absent evidence to the contrary, a local government may rely on the Mecklenburg County tax abstract to determine who is a property owner.

**Protected Area.** The area adjoining and upstream of the Critical Areas of water supply watersheds where risk of water quality degradation from pollution, while still greater than non-watershed designated areas, is less than in the Critical Areas.

**Public Path.** A constructed pathway used for recreation and pedestrian and/or bicycle traffic. A public path includes a transit trail, a shared used path, and a greenway trail.

**Pump Island.** The elevated concrete platform on which fuel dispensing pumps are located.

**Quasi-Judicial Decision.** A decision involving the finding of facts regarding a specific application of a development regulation and that requires the exercise of discretion when applying the standards of the regulation.

**Rapid Transit Corridor.** A typically linear area that is reserved for rapid transit infrastructure.

**Rapid Transit Station.** The designated stations where passengers embark and disembark along a rapid rail line or a bus rapid transit stop.

**Recycling Station.** The area designated for the collection and temporary storage of recyclables.

**Reservation.** The process of reserving land for the potential use by the City, County, or other agency for streets, transit lines, greenways, or other public facilities.

**Retail and Shipping Service Lockers.** A secure, self-service kiosk, not regulated by the USPS, for customers to receive packages.

**Retail Center.** A commercial development under unified control consisting of three or more separate retail goods establishments, personal service establishments, restaurants/bars, offices, and amusement facilities, that is designed, planned, and constructed on an integrated and coordinated basis. Also called a shopping center.

**Reuse.** The occupancy of a pre-existing structure for an active use. Reuse may include the rehabilitation or modification of an existing structure to serve the needs of a new use.

**Right-of-Way.** The area on, below, and above an existing or proposed public roadway, highway, street, bicycle lane, sidewalk, or similar facility, and associated adjacent land that is dedicated or otherwise legally established for public use.

**Roofline.** The highest point of a flat roof and mansard roof, and the lowest point of a pitched roof, excluding any cupolas, chimneys, or other minor projections.

**Satellite Dish.** A dish antenna designed for transmitting signals to a receiver or receiving station or for receiving television, radio, data, communication, or other signals from other antennas, satellites, or other services.

**Screening.** A fence, wall, hedge, landscaping, earth berm, buffer area or any combination of these provided to create a visual and/or physical separation between certain land uses. Screening may be located on the property line or elsewhere on the site.

**Searchlight.** An attention-getting device where an artificial light of high intensity is shined upward in a focused beam and can turn in any direction to attract attention to a location. Also known as sky-beams or sky spotlights

**Security Gate(s).** Gates located at the entry to a lot or development, where access is controlled by automatic gate openers, a manned guard station, or similar means.

**Sediment.** Solid particulate matter, both mineral and organic, that has been or is being transported by water, air, gravity, or ice from its site of origin.

**Sedimentation.** The process by which sediment resulting from accelerated erosion has been or is being transported off the site of the land disturbing activity or into a wetland, lake, or watercourse.

**Separation.** When principal uses are required to be measured a certain distance from another use or district, the distance measured, in a straight line, from the nearest point of the lot line on which such principal use is proposed to be located to the nearest point on the lot line where the other use or district is located, unless otherwise specifically required to be measured differently by this Ordinance.

**Septic System.** A ground absorption sewage disposal system consisting of a holding or settling tank and a ground absorption field.

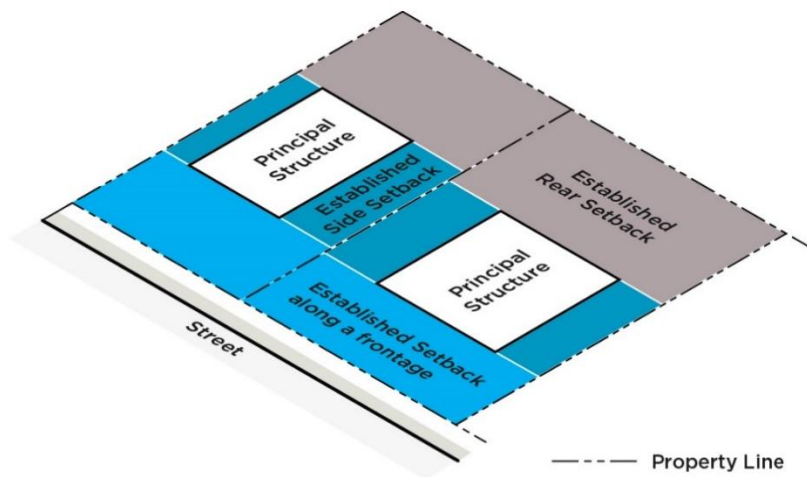
**Setback.** The minimum dimension a structure may be located as measured from a curb line, lot line, right-of-way line, or other point set by the Ordinance, along frontages and side and rear lot lines. A setback shall be located at or behind the required pedestrian/bicycle facilities and planting strip/amenity zone.

1. A front setback is a required setback located along the shortest lot line dividing the lot from the right-of-way.
  - a. For flag lots, the front setback is measured from the rear lot line of the lot that separates the flag portion of the lot from the street.
2. A rear setback is a required setback located opposite and/or farthest from a front setback along the rear lot line dividing the lot from another lot.
  - a. A rear setback may be measured as a radius from the furthest property corner from the frontage in either of the following conditions:

- i. The lot is an interior lot that is triangular.
  - ii. One side of the lot has an interior angle of at least 135 degrees and acts as an extension of the side setback.
- 3. A side setback is a required setback located along an interior side lot line(s) that divides the lot from another lot.
- 4. A corner side setback is a required setback located along the longest lot line dividing the lot from the right-of-way.
- 5. On a through lot, where required setbacks are not established by a frontage, both setbacks along a street shall be considered front setbacks.
- 6. On a corner through lot, where required setbacks are not established by a frontage, the front setback requirement for the district shall be applied to the two opposing street fronts and the third street front shall be considered a corner side setback.
- 7. Measurement of setbacks shall be as follows:
  - a. The setback on frontages is measured from the future back of curb at the outermost point from the centerline, right-of-way line, or as otherwise specified by this Ordinance.
  - b. The setback on non-street frontages (transit stations, off-street public paths, public parks, and other publicly-owned open spaces) shall be measured from a property line or right-of-way line.
  - c. If the frontages on a corner lot are the same length, the Zoning Administrator may determine the front and corner side setback.

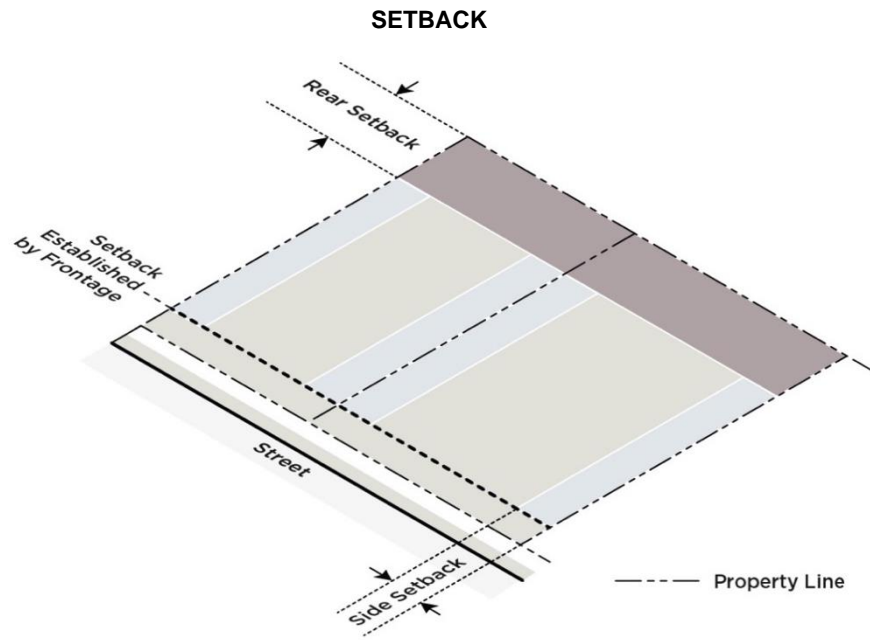
**Setback, Established.** An established setback is the area between the curb line, lot line, or other point set by the Ordinance and the building line of a principal building or structure.

#### ESTABLISHED SETBACK

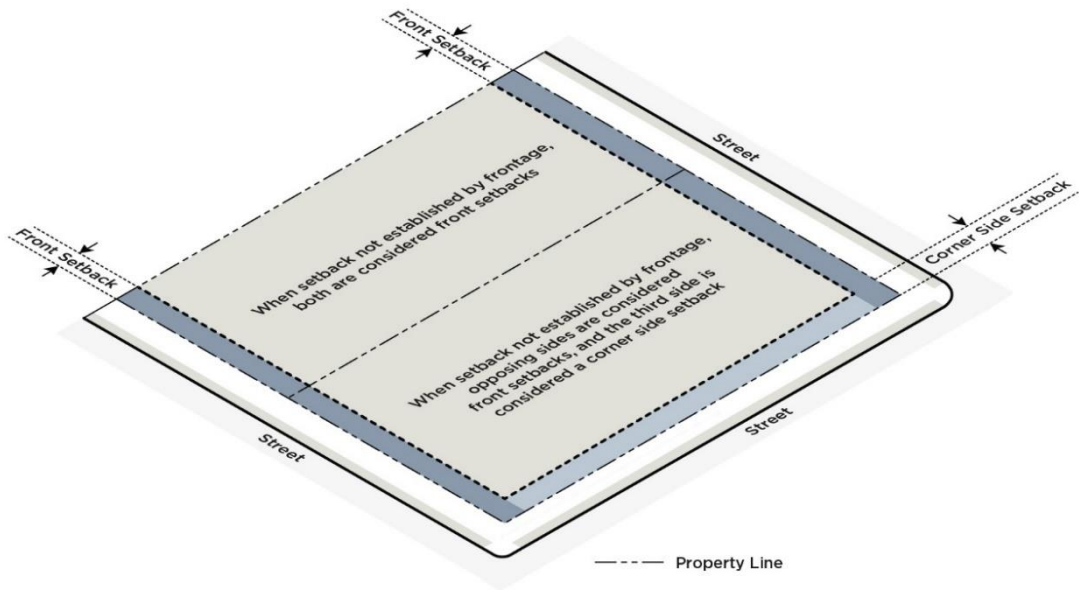




Setback, Required. See "Setback."



### SETBACK - THROUGH LOT



**Setback Line.** See “Setback.”

**Service Area.** Those areas on a site reserved for building services, such as solid waste and recycling storage and collection areas and loading docks.

**Shadowbox.** Shadowbox design within display windows, where the window display is designed with a background enclosure against which signs are mounted to block views into the establishment, is considered a window sign and the entire area of the shadowbox is subject to the maximum sign area limitation.

**Shared-Use Path.** A pathway serving both pedestrians and bicyclists located along a street, between the curb and adjacent development.

**Sidewall.** A wall that forms the side of a structure. Sidewalls are measured from the finished floor elevation of the main floor to the eave or, if no eave is present on the structure, to the bottom of the finished roof plane.

**Sidewalk.** An improved pedestrian facility located within public right of way, an easement, or on private property. Public sidewalks located along a street are typically separated from the street by a planting strip or amenity zone.

**Sight Distance.** The length of street visible to the driver who is traveling along the street or waiting to enter or cross the street.

**Sign.** A structure, device, or object using words, letters, figures, designs, emblems, symbols, fixtures, colors, illumination, and/or projected images. The terms below are types of signs referenced in the sign regulations.

1. **Sign, A-Frame.** A temporary sign ordinarily in the shape of the letter “A” or some variation thereof, which is displayed on the ground, not permanently attached to the ground, and usually two-sided, generally connected at the top and separated at the bottom.
2. **Sign, Accessory Use.** A sign for a use which is customarily or typically subordinate to and serving a principal use.
3. **Sign, Animated.** A sign that uses moving or changing lights to depict action, movement, or the optical illusion of movement of part of the sign structure, sign, or pictorial segment, or including the movement of any illumination or the flashing or varying of light intensity to create a special effect or scene.
4. **Sign, Awning.** A sign printed or displayed upon an awning.
5. **Sign, Balloon.** A sign or advertising device designed to be airborne or inflated and tethered to the ground or other structure. This includes any air-inflated signs and any signs that inflate and move via air inflation.
6. **Sign, Canopy.** A sign printed or displayed upon a canopy.
7. **Sign, Decorative.** A pictorial representation, including illustrations, words, numbers, or decorations; emblem; flag; banner; pennant, that promotes or celebrates the city, its neighborhoods, civic institutions, or public activities or events in the city. Decorative signs may either be designed and displayed by the city directly or may be donated to the city on a permanent basis or for a limited period of time.
8. **Sign, Drive-Through.** A ground sign constructed along drive-through lanes for drive-through facilities. A drive-through sign does not include parking lot, parking structure, and site circulation signs.
9. **Sign, Electronic.** A sign designed where a portion of the sign area uses changing light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the electronic display panel to display a message or messages in text and/or image from where the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. Time/temperature signs are not considered electronic message signs. Electronic outdoor advertising signs are not considered electronic signs and are regulated separately.

- 10. Sign, Flashing.** A sign with an intermittent or sequential flashing light source used primarily to attract attention. Flashing signs do not include electronic signs or video display screens.
- 11. Sign, Government.** Any temporary or permanent sign erected by and maintained for any governmental purposes.
- 12. Sign, Ground.** A sign that is placed on and/or supported by the ground, independent of a structure on the lot.
- 13. Sign, Historic.** A historically significant sign, as designated by the criteria and process of Section 22.11.D, that has been moved from its original location to be reused on another site to promote the protection of nonconforming signs that represent important aspects of the City's heritage, to enhance the character of the community by considering such signs during development, and to assist owner(s) in the preservation and restoration of their signs.
- 14. Sign, Landmark.** A landmark sign is a historically significant sign, as designated by the criteria and process of Section 22.11.D, that is allowed to be restored and retained on-premise to promote the protection of nonconforming signs that represent important aspects of the City's heritage, to enhance the character of the community by considering such signs during development, and to assist owner(s) in the preservation and restoration of their signs.
- 15. Sign, Marquee.** A sign printed or displayed upon a marquee.
- 16. Sign, Monument.** A sign that is placed on or supported by the ground, independent of a structure on the lot, that has a greater width than height. Monument signs may be designed with a solid base or with two columns on either side supporting a sign face, where there is no more than 12 inches from the ground to the bottom of the suspended sign face.
- 17. Sign, Moving.** A sign where all or a portion of the sign and/or sign structure rotates, revolves, moves, elevates, or in any way alters position or geometry. This includes any sign that gives the appearance of movement, including signs designed to be moved by wind or other natural elements.
- 18. Sign, Off-Premise Advertising.** A sign directing attention to or promoting a business, product, service, event, or activity that is not sold, produced, manufactured, furnished, or conducted at the site upon which the sign is located.
- a. Outdoor Advertising Sign.** A permanent sign directing attention to or promoting a business, product, service, event, or activity that is not sold, produced, manufactured, furnished, or conducted at the site upon which the sign is located. Outdoor advertising signs may be static or electronic. Also known as a billboard or a permanent off-premise advertising sign.
  - b. Temporary Off-Premise Advertising Sign.** A temporary sign directing attention to or promoting a business, product, service, event, or activity that is not sold, produced, manufactured, furnished, or conducted at the site upon which the sign is located. A temporary off-premise advertising sign is intended for display for a short period of time, is not permanently mounted or installed on-site, and typically cannot be reused. Temporary off-premise advertising signs are usually constructed of light materials such as cardboard or vinyl.
- 19. Sign, On-Premise Advertising.** A sign directing attention to or promoting a business, service, or activity that is furnished, or conducted at the site upon which the sign is located.
- 20. Sign, Pole.** A detached sign erected and maintained on a freestanding frame, mast, or pole and not attached to any building.
- 21. Sign, Projecting.** A sign that is attached to a rigid structure that extends more than 18 inches beyond the surface of the structure to which it is attached.
- 22. Sign, Rider.** A smaller additional temporary sign attached to the main temporary sign to provide limited additional information.

**23. Sign, Roof.** A sign that is installed on the roof structure of any building with the principal support attached to the roof structure.

**24. Sign, Skyline.** A sign attached to the topmost band or bands of the building facade.

**25. Sign, Temporary Outdoor Sales.** A sign for displays of temporary outdoor retail sales.

**26. Sign, Vehicle.** A sign that is attached to or painted on a vehicle. This definition does not include signs painted on or applied to vehicles, trucks, or buses that are being operated and stored in the normal course of business, such as signs located on delivery trucks, moving vans, trailers, and rental trucks, provided that they are parked or stored in areas related to their use as business vehicles and that all such vehicles are in operable condition.

**27. Sign, Wall.** A sign that is attached directly to an exterior wall of a building or dependent upon a building for support and projects 18 inches or less from the wall of a structure with the exposed face of the sign in a plane substantially parallel to the face of the wall. Window signs, roof signs, and skyline signs are not considered wall signs. Painted and projected wall signs are types of wall signs but regulated separately by Article 22.

**a. Sign, Wall – Painted.** A sign that is painted, applied, or affixed directly on the exterior wall of a building or structure. A painted wall sign is not limited to only the application of paint but includes other methods of application and/or material, including, but not limited to tiles or screen printing.

**b. Sign, Wall – Projected.** A sign that is projected by an optical device that projects an image directly onto the exterior wall of a building or structure by light or other technological means.

**28. Sign, Window.** A sign that is attached to, placed upon, or printed on the interior or exterior of a window or door of a building, or displayed on the interior within two feet of a window intended for viewing from the exterior of such a building. A window sign may be either permanent or temporary.

**Sign Cabinet.** A type of wall-mounted sign constructed as within a box where the flat sign face is not an integral part of the structure and is specifically constructed to allow the sign face to be changed without any alteration to the box structure.

**Sign Face.** The area of a sign on which copy is intended to be placed.

**Sill.** A shelf or slab of stone, wood, or metal at the base of a window on a building facade.

**Site.** All contiguous or adjacent land and bodies of water being disturbed, developed, or planned to be disturbed or developed as a unit, regardless of ownership. Site is also referred to as tract or development site.

**Site Plan.** A scaled drawing and supporting text showing the relationship between lot lines and the existing or proposed uses, buildings, or structures on the lot. The site plan may include site specific details such as building areas, building height and floor area, setbacks from lot lines and street rights-of-way, intensities, densities, utility lines and locations, parking, access points, roads, and stormwater control facilities that are depicted to show compliance with all legally required development regulations that are applicable to the project and the site plan review.

**Solar Panel.** An energy system that uses the power of the sun to capture, store, and transmit energy.

**Solid Waste.** Any hazardous or non-hazardous garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, institutional, commercial, agricultural, and land clearing operations. This term does not include the following:

1. Fowl and animal fecal waste.
2. Solid or dissolved material in any of the following:
  - a. Domestic sewage and sludge generated by the treatment thereof in sanitary sewage disposal systems which have a design capacity of more than 3,000 gallons or which discharge effluents to the surface waters.

- b. Irrigation return flows.
  - c. Wastewater discharges and the sludge incidental thereto and generated by the treatment thereof which are point sources subject to permits granted under Section 402 of the Federal Water Pollution Control Act, as amended (33 U.S.C. Sec. 1251 et seq.) and permits granted under N.C.G.S. § 143-215.1 by the Environmental Management Commission.
3. Oils and other liquid hydrocarbons controlled under Article 21A of Chapter 143 of the N.C.G.S.
  4. Any radioactive material as defined by the North Carolina Radiation Protection Act (N.C.G.S. § 104E-1 through 104E-23).
  5. Mining refuse covered by the North Carolina Mining Act (G.S. 74-46 through 74-68) and regulated by the North Carolina Mining Commission (as defined under N.C.G.S. § 143B-290).

**Specimen Tree.** A tree or group of trees considered to be an important community asset due to its unique or noteworthy characteristics or values. A tree may be considered a specimen tree based on its size, age, rarity or special historical or ecological significance as determined by the City. Examples include large hardwoods (e.g., oaks, poplars, maples, etc.) and softwoods (e.g., pine species) in good or better condition with a DBH of 20 inches or greater, and smaller understory trees (e.g., dogwoods, redbuds, sourwoods, persimmons, etc.) in good or better condition with a DBH of ten inches or greater.

**State Watershed Standard.** A quality standard for an applicable watershed classification as established by the North Carolina Environmental Management Commission.

**Steep Slope.** Areas that exceed a certain percent land inclination as specified within the article where the term is used.

**Stoop.** An exterior landing typically utilized as an entry to a building and constructed of stone, concrete, and/or masonry, with a finished floor elevation higher than the adjacent ground level. A stoop may be roofed and designed with railings but cannot be enclosed.

**Storm Drainage.** The natural and manmade network, of structures, channels, and underground pipes that convey stormwater to local creeks, streams, and rivers.

**Storm Drainage Facility.** The system of inlets, conduits, channels, ditches, and appurtenances that serve to collect and convey stormwater through and from a given drainage area.

**Stormwater Control Measure (SCM).** Also known as "Best Management Practice" or "BMP", a permanent structural device that is designed, constructed, and maintained to remove pollutants from stormwater runoff by promoting settling or filtration; or to mimic the natural hydrologic cycle by promoting infiltration, evapo-transpiration, post-filtration discharge, reuse of stormwater, or a combination thereof.

**Stormwater Runoff.** The direct runoff of water resulting from precipitation in any form.

**Story.** That portion of a building included between the upper surface of a floor and the upper structure of the floor or roof above.

**Stream.** A channel on the land surface for conveying water.

**Stream, Perennial.** A stream or creek containing a continuous natural flow of water throughout the year except possibly under exceptionally dry conditions. Such streams are defined by a certified professional using U.S. Army Corps of Engineers and N.C. Division of Water Quality methodology and shall be confirmed (as needed) by Charlotte-Mecklenburg Storm Water Services.

**Street, Network-Required.** Any public or private street intended to meet the connectivity standards as required by the Subdivision, Streets, and Other Infrastructure Articles of this Ordinance and constructed to the applicable standards of the Charlotte Land Development Standards Manual (CLDSM).

**Street, Non-Network Required Private.** An interior circulation road designed and constructed to carry vehicular traffic from public streets within or adjoining a site to private buildings or land uses, to parking and service areas and which is not maintained by the public, as described in the Charlotte Land Development Standards Manual (CLDSM), and which is privately maintained. See 11.13 of the CLDSM.

**Street, Public.** A street accepted by or offered for maintenance to the City or North Carolina Department of Transportation (NCDOT). This may include a public right-of-way or fee simple tract of land not less than 30 feet in width, set aside for public travel, which has been established prior to the effective date of June 1, 2023 of this ordinance, or has been dedicated or offered for dedication to the City of Charlotte or the State of North Carolina for public travel by the recording of a subdivision plat.

**Street Classifications.** (See definitions below)

- 1. Arterial Streets.** Streets that are moderate to high-volume surface streets (not including freeways or interstates) that provide for both short distance and city-wide travel. Arterials are shown on the Charlotte Streets Map as Main Streets, Avenues, Boulevards, or Parkways. They are shown on the Charlotte Region Transportation Planning Organization (CRTPO) Comprehensive Transportation Plan (CTP) as Minor Thoroughfares, Other Major Thoroughfares, and Boulevards.
- 2. Avenue.** Arterial streets that serve a diverse set of functions in a wide variety of land use contexts and provide a balance of service for all modes of transportation. They provide access from neighborhoods to commercial areas, between areas of the city and, in some cases, through neighborhoods.
  - a. 2 Lane Avenue.** Avenues with two travel lanes and no center space.
  - b. 2+ Lane Avenue.** Avenues with two travel lanes and center space.
  - c. 3 Lane Avenue.** Avenues with three travel lanes and no center space.
  - d. 4 Lane Avenue.** Avenues with four travel lanes and no center space.
  - e. 4+ Lane Avenue.** Avenues with four travel lanes and center space.
  - f. 5 Lane Avenue.** Avenues with five travel lanes and no center space.
  - g. 6+ Lane Avenue.** Avenues with six travel lanes and center space.
- 3. Boulevard.** Streets that are intended to move large numbers of vehicles, often as “through traffic,” from one part of the city to another and to other lower level streets in the network. Modal priority on boulevards shifts somewhat towards motor vehicles while still accommodating pedestrians and cyclists as safely and comfortably as possible. All boulevards include center space, typically designed as continuous planted medians.
  - a. 4+ Lane Boulevard.** Boulevards with 4 travel lanes and center space.
  - b. 5+ Lane Boulevard.** Boulevards with 5 travel lanes and center space.
  - c. 6+ Lane Boulevard.** Boulevards with six travel lanes and center space.
  - d. 6+ or More Lane Boulevard.** Boulevards with more than six travel lanes and center space.
- 4. Collector Street.** Streets that collect traffic from local streets and other collectors and distribute the traffic to higher volume streets and roads.
- 5. Limited Access Roads.** An interstate or freeway designed for high-speed traffic which has limited or no access to adjacent property, and typically includes a high degree of separation of opposing traffic flows.

**6. Local Street.** A street that provides access to residential, industrial, or commercial districts, as well as to mixed use areas and that is not designated as a collector, arterial, or limited access roadway.

**a. Local Residential Medium Street.** One of two local street cross-sections typically used for residential land uses, constructed to the width as prescribed by the Charlotte Land Development Standards Manual (CLDSM).

**b. Local Residential Wide Street.** One of two local street cross-sections typically used for residential land uses, constructed to the width as prescribed by the CLDSM, to include on-street parking.

**c. Local Office Commercial Narrow Street.** One of two local street cross-sections typically used for non-residential land uses, constructed to the width as prescribed by the CLDSM.

**d. Local Office Commercial Wide Street.** One of two local street cross-sections typically used for non-residential land uses, constructed to the width as prescribed by the CLDSM, to include on-street parking.

**e. Local Industrial Street.** A local street cross-section typically used for industrial land uses, constructed to the width as prescribed by the CLDSM.

**7. Main Street.** Destination streets that provide access to and function as centers of civic, social, and commercial activity. They are designed to provide the highest level of comfort, security, and access for pedestrians.

**8. Parkway.** Streets with the primary function of moving large volumes of motor vehicles efficiently from one part of the city to another. They are designed to serve high traffic volumes at relatively high speeds and typically have very limited direct access to land uses.

**9. Uptown Streets.** A subset of the City-wide Charlotte Streets Map, with classifications applied to streets inside I-277.

**a. Uptown Signature Street.** Streets that form the spine of the Uptown street network and support major activity corridors.

**b. Uptown Primary Street.** Streets that connect subareas, activity centers and transit stations or transit stops to the Signature streets.

**c. Uptown Secondary Street.** All other non-local streets which serve the sub-areas of Uptown and link to the Primary and Signature streets.

**d. Linear Park.** Sub-category of Signature Streets with enhanced streetscape width.

**Street Furnishings.** Physical features included as part of the streetscape, e.g., benches, bike racks, lighting, trash receptacles, and banners.

**Street Line.** The boundary of a street right-of-way.

**Streetcar.** A rail vehicle which runs on tramway tracks along streets.

**Streetcar Stop.** The designated stops where passengers embark and disembark along the streetcar line.

**Streetscape.** The area within a public or network-required private street right-of-way that contains sidewalks, landscape or trees, street furniture, and similar features.

**Strobe Light.** A device used to produce flashes of light in regular intervals.

**Structure.** Anything constructed, installed, or portable, the use of which requires a location on a parcel of land. This includes a fixed or movable building which can be used for residential, business, commercial, agricultural, or office purposes, either temporarily or permanently. Structure also includes, but is not limited to, swimming pools, tennis courts, signs, cisterns, sewage treatment plants, sheds, docks, mooring areas, and other accessory construction.

**Stub Street.** A street that is designed to extend to the property line with a temporary barricade and has the intent to be extended to provide for future access and connectivity.

**Sublot.** A platted parcel of land which is a divided unit of a lot for the development of a duplex, triplex, quadraplex, or multi-family attached dwelling and associated land.

**Subdivision.** Divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development, whether immediate or future, and shall include all divisions of land involving the dedication of a new street or a change in existing streets. Exceptions to this definition of subdivision are specified in Section 30.3.B.

**Subsidiary.** An affiliate that is directly, or indirectly through one or more intermediaries, controlled by another person.

**Sunshade.** A projection extending from the sun-side facade of a building that reduces heat gain by deflecting sunlight.

**Tasting Room.** A designated area of a micro-brewery, micro-winery, or micro-distillery, located on the premises of the production facilities, where guests may sample the beer, wine, and spirits made on-site.

**10-Year Storm.** A rainfall of an intensity expected to be equaled or exceeded, on the average, once in ten years, and of a duration that will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions.

**Thoroughfare Plan.** The most recent Map approved by the Charlotte Regional Transportation Planning Organization (CRTPO) which indicates the system of roads expected to serve major access and travel needs with regard to auto, truck, and transit transportation.

**Tolled.** To postpone or suspend the running of a time period.

**Top of Bank.** The landward edge of the stream during high water or bank full conditions at the point where the water begins to overflow onto the floodplain.

**Topping.** Any pruning practices that result in more than one-third of the foliage and limbs being removed. This includes pruning that leads to the disfigurement of the normal shape of the tree.

**Topsoil.** Natural, fertile soil capable of sustaining vigorous plant growth that is of uniform composition throughout with an admixture of subsoil, has an acidity range of pH 5.5-7.0.

**Total Phosphorus (TP).** A nutrient that is essential to the growth of organisms but when it occurs in high enough concentrations it can negatively impact water quality conditions. Total phosphorus includes both dissolved and suspended forms of reactive phosphorus, acid hydrolysable phosphorus and organic phosphorus as measured by Standard Method 4500-P.

**Total Suspended Solids (TSS).** Total suspended matter in water which includes particles collected on a filter with a pore size of two microns as measured by Standard Method 2540-D, which is commonly expressed as a concentration in terms of milligrams per liter (mg/l) or parts per million (ppm).

**Tract.** See "Site."

**Traffic Calming.** A measure (or measures) that reduce(s) vehicle speeds.

**Transit Corridor.** A typically linear area that is defined by and accommodates one or more modes of fixed-guideway transit such as light rail, bus rapid transit, commuter rail, or streetcar.

**Transit Trail.** A multi-use trail located adjacent to a rapid transit line



**Transparency.** The required amount of window area as a percentage of the specified facade area. Doors are included in ground floor transparency when such doors are designed with glass or other transparent materials. Garage entrances shall not be included in ground floor transparency.

1. To qualify as transparent for the calculation, the glazing shall meet the following standards:
  - a. Glazing shall have a minimum of 40% VLT and no more than 15% VLR.
  - b. The following do not meet the ground floor or upper floor transparency requirements and do not count in meeting the standard:
    - i. Windows with shadowboxes on the interior
    - ii. Glass block
    - iii. Printed window film, regardless of whether it allows views into or out of the building.
2. Visible Light Transmittance (VLT) and Visible Light Reflectance (VLR) are defined as
  - a. Visible Light Reflectance (VLR): The amount of visible light that is reflected out by a glazing system. A high VLR percentage blocks more daylight from passing through the window.
  - b. Visible Light Transmission (VLT): The amount of light (daylight) that travels through a glazing system. A high VLT percentage allows more daylight to pass through.

### TRANSPARENCY



**Transportation Adjustments.** The ability, upon demonstration to the City of eligibility, to modify certain select Subdivision, Streets, and Other Infrastructure (SSI) standards and/or requirements due to topographical constraints, unusual site-specific conditions related to the land, and/or because the standards or requirements are not roughly proportional to a proposed development's anticipated impacts on the transportation network.

**Transportation Demand Management (TDM).** The application of strategies and physical improvements to reduce single-occupant vehicle travel demand, or to redistribute those trips to other modes of transportation.

**Transportation-Intensive Uses.** A subset of specific non-residential land uses falling within the major land use categories, per the Use Table. These uses are expected to generate higher levels of activity for multiple modes of transportation relative to other uses.

**Tree Disturbing Activity.** It shall be considered a disturbing activity when a person performs or contracts to perform any of the following activities:

1. Spray, fertilize, remove, destroy, cut, top, damage, trim, prune, remove, cut, or carve or otherwise severely prune any tree or its root system not in accordance with Section 4.1 of the UDO Zoning Administration Manual
2. Attach any object, including, but not limited to, rope, wire, nail, chain, or sign, to any such tree or shrub not in accordance with Section 4.1 of the UDO Zoning Administration Manual
3. Alter the natural drainage, excavate, or lay any drive within the critical root zone.
4. Perform excavation or construction work, which shall include but not be limited to driveway installations, irrigation work, tree removal and/or grading of any kind, within the drip line of any tree without first installing a fence, frame, or box in a manner and of a type and size satisfactory to the City to protect the tree during the excavation or construction work.

**Tree Evaluation Formula.** A formula for determining the value of trees and shrubs as published by the International Society of Arboriculture.

**Tree Protection Zone.** A distance equal to the designated zoning district setback or 40 feet from the front property line, whichever is less, or from the side lot line on a corner lot. For Tier 1 and Tier 2 Place Types per Article 20, the tree protection zone shall be the same as the required planting strip. This definition does not apply to development in Tier 4 Place Types per Article 20.

**Tree Save Area.** An area measured in square feet containing existing or replanted healthy tree canopy preserved or planted in accordance with Article 20 and Section 4.1 of the UDO Zoning Administration Manual.

**Tree, Large Maturing.** Any tree the height of which is 35 feet or greater at maturity.

**Tree, Small Maturing.** Any tree the height of which is less than 35 feet at maturity.

**Turn Lanes.** A traffic lane designed to separate turning vehicles from through vehicles traveling in the same direction.

**25-Year Storm.** A rainfall of an intensity expected to be equaled or exceeded, on the average, once in 25 years and of a duration that will produce the maximum peak rate of runoff from the watershed of interest under average antecedent wetness conditions.

**Use, Accessory.** A use located on the same site as the principal use and is incidental and subordinate to the principal use.

**Use, Principal.** The main use of a structure or lot.

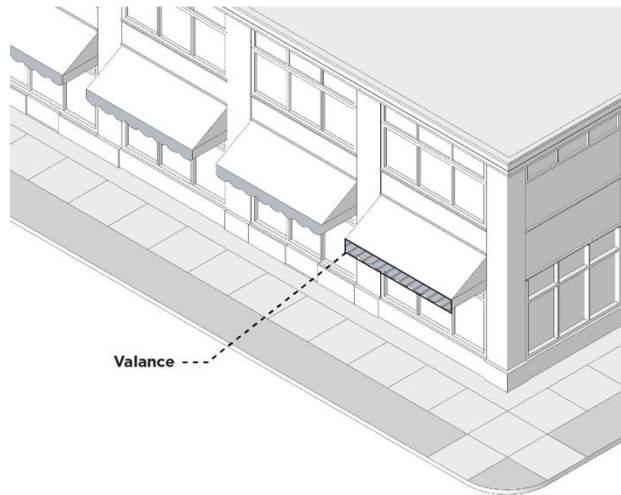
**Use, Temporary.** A use established for a fixed period of time.. Such use shall be discontinued upon the expiration of such time, that does not involve the construction or alteration of any permanent structure.

**Utilities, Above Ground Accessory Structures.** Above ground accessory structures for utilities include appurtenances and components for infrastructure: natural gas, water, sewer, stormwater, electricity, telephone (excluding wireless communications), cable television, fiber optic, and others.

**Utilities, On-Site.** Above ground or underground utility structures, such as backflow preventers and pedestals.

**Valance.** That portion of a non-structural awning that hangs generally perpendicular from the edge of an awning.

#### VALANCE



**Value-Added Product.** A change in the physical state or form of the product such as making raspberries into jam.

**Variance.** An exception to an ordinance that may be granted on a case-by-case basis by the UDO Board of Adjustment where practical difficulties unique to the property in question prevent full compliance with such provisions permitted in the UDO.

**Velocity.** The average velocity of flow through the cross-section of the main channel at the peak flow of the design storm. The cross-section of the main channel shall be that area defined by the geometry of the channel plus the area of flow below the flood height defined by vertical lines at the main channel banks. Overload flows are not to be included for the purpose of computing velocity of flow.

**Video Display Screen.** A sign, or portion of a sign, that displays an electronic video, whether pre-recorded or streaming.

**Walking Distance.** The distance by which a person can walk along a publicly accessible street and/or path system from a location to a set destination.

**Wastewater Facilities.** Facilities that treat water carrying wastes from homes, businesses, and industries that is a mixture of water and dissolved or suspended solids.

**Water Facilities.** Systems or structures designed to collect, treat, or distribute potable water, and includes water wells, treatment plants, storage facilities, and transmission and distribution mains.

**Water Dependent Structures.** Those structures for which the use requires access or proximity to or sitting within surface waters to fulfill its basic purpose, such as boat ramps, boat houses, docks, piers, bulkheads, and similar structures. Ancillary facilities such as restaurants/bars, outlets for boat supplies, parking lots, and commercial boat storage areas are not water dependent structures.

**Water Quality Buffer.** A natural or vegetated area through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering of pollutants.

**Water Quality Buffer Widths.** Viewed aerially, the water quality buffer width is measured horizontally on a line perpendicular to the surface water, landward from the top of the bank on each side of the stream.

**Watershed.** The entire land area contributing surface drainage into a stream, creek, lake or other body of water.

**Wetland.** Land having the vegetative, soil and hydrologic characteristics to be regulated by Sections 401 and 404 of the Federal Clean Water Act as defined by the United States Army Corps of Engineers.

**Wind Turbine.** A wind energy conversion system typically consisting of a turbine apparatus and the associated control or conversion mechanisms A) Horizontal axis means the rotating axis of the wind turbine is horizontal or parallel with the ground B) Vertical axis means the rotating axis of the turbine stands vertical or perpendicular to the ground.

**Working Day.** Any day on which the offices of a City agency are officially open, not including Saturdays, Sundays, and other holidays designated by the City Council.

**Zoning District.** A specifically delineated area or district in a municipality within which uniform regulations and requirements govern the use, placement, spacing, and size of land and buildings. Zoning districts are divided into the following categories:

1. **Zoning Districts, Campus.** IC-1, IC-2, OFC, OG, and RC Zoning Districts
2. **Zoning Districts, Community Activity Centers.** CAC-1 and CAC-2 Zoning Districts
3. **Zoning Districts, Commercial.** CG and CR Zoning Districts
4. **Zoning Districts, Innovation Mixed-Use.** IMU Zoning District
5. **Zoning Districts, Manufactured Home Park.** MHP Zoning District
6. **Zoning Districts, Manufacturing and Logistics.** ML-1 and ML-2 Zoning District
7. **Zoning Districts, Neighborhood 1.** N1-A, N1-B, N1-C, N1-D, N1-E, and N1-F Zoning Districts
8. **Zoning Districts, Neighborhood 2.** N2-A, N2-B, and N2-C Zoning Districts
9. **Zoning Districts, Neighborhood Centers.** NC Zoning District
10. **Zoning Districts, Regional Activity Centers.** RAC, UE, and UC Zoning Districts
11. **Zoning Districts, Transit-Oriented Development.** TOD-UC, TOD-NC, TOD-CC, and TOD-TR Zoning Districts

**Zoning Map Amendment.** An amendment to a zoning regulation for the purpose of changing the zoning district that is applied to a specified property or properties. The term also includes: 1) the initial application of zoning when land is added to the territorial jurisdiction of a local government that has previously adopted zoning regulations; and 2) the application of an overlay zoning district or a conditional district. Zoning map amendment does not include: 1) the initial adoption of a Zoning Map by a local government; 2) the repeal of a Zoning Map and readoption of a new Zoning Map for the entire planning and development regulation jurisdiction; or 3) updating the Zoning Map to incorporate amendments to the names of zoning districts made by zoning text amendments where there are no changes in the boundaries of the zoning district or land uses permitted in the zoning district.

## Article 3. Zoning Districts, Official Zoning Map, & Frontages

- 3.1 PURPOSE AND APPLICABILITY
- 3.2 ZONING DISTRICT TRANSLATION
- 3.3 UDO ZONING DISTRICTS
- 3.4 OFFICIAL ZONING MAP
- 3.5 APPLICABILITY OF FRONTAGES

### 3.1 PURPOSE AND APPLICABILITY

Zoning regulations control the use, physical development, and placement of structures on land within the City of Charlotte and its extraterritorial jurisdiction (ETJ). Regulations are intended to protect the health, safety, and welfare of all Charlotte residents and those that provide vital services to the community, and to provide for the orderly development of land in alignment with the City's established land use policies as articulated within the adopted Comprehensive Plan and other development related policies adopted by the Charlotte City Council.

### 3.2 ZONING DISTRICT TRANSLATION

The conventional zoning district classifications in effect before the effective date of June 1, 2023 of this Ordinance are translated as shown in Table 3-1: Zoning Districts Translation to the zoning districts of this Ordinance. The new standards set forth in this Ordinance for these zoning districts shall apply to all properties within such zoning districts.

Table 3-1: Zoning Districts Translation		
Previous Conventional Zoning District	UDO Zoning District	Exceptions/Notations
B-1	CG	
B-2	CG	
B-D	ML-1	
BP	OFC	
I-1	ML-1	
I-2	ML-2	
INST	IC-1	
MUDD	CAC-2	
O-1	OFC	
O-2	OFC	
O-3	OFC	
R-3	N1-A	
R-4	N1-B	
R-5	N1-C	
R-6	N1-D	
R-8	N1-D	
R-8MF	N2-A	
R-12MF	N2-B	
R-17MF	N2-B	
R-22MF	N2-B	
R-43MF	N2-B	
TOD-CC	TOD-CC	
TOD-NC	TOD-NC	
TOD-TR	TOD-TR	
TOD-UC	TOD-UC	
RE-1	RC	
RE-2	RC	
UMUD	UC	
UR-1	N1-E	
UR-2	N2-B	
UR-3	N2-C	
UR-C	N2-C	
R-MH	MHP	
U-I	ML-1	

Table 3-1: Zoning Districts Translation		
Previous Conventional Zoning District	UDO Zoning District	Exceptions/Notations
<b>Overlay Districts</b>		
HD	HDO	
Airport Zone	District eliminated	
AIR	ANDO	
MHO	MHO	
Mountain Island Lake Watershed Overlays	District eliminated	The regulations of Article 23 shall apply
Catawba River/Lake Wylie Watershed Overlays	District eliminated	The regulations of Article 23 shall apply
Lower Lake Wylie Watershed Overlays	District eliminated	The regulations of Article 23 shall apply
PED	All districts except R-3, R-4, R-5, R-6, R-8, R-8MF, R-12MF, R-17MF, R-22MF, R-43MF, TOD-TR, TOD-NC, TOD-CC, TOD-UC, and MUDD Zoning Districts: NC  R-8MF, R-12MF, R-17MF, R-22MF, and R-43MF Zoning Districts: N2-C  R-3, R-4, R-5, R-6, R-8, TOD-TR, TOD-NC, TOD-CC, TOD-UC, and MUDD Zoning Districts: The zoning translation for the district applies	Exception: Translation does not apply where PED Overlay is in conjunction with a conditional or optional district
TS	District eliminated	Exception: Translation does not apply where TS Overlay is in conjunction with a conditional or optional district

**3.3 UDO ZONING DISTRICTS**

To carry out the purpose and intent of this Ordinance, land within the City of Charlotte has been classified into zoning districts as established below. In most cases these zoning districts correspond to the City’s adopted Place Types, and are intended to be applied in areas of the City designated as such on the City’s most recently adopted Policy Map. Specific zoning district standards may also reference Place Types as shown on the most recently adopted Policy Map.

**A. Neighborhood 1 Zoning Districts**

- N1-A Neighborhood 1 Zoning District
- N1-B Neighborhood 1 Zoning District
- N1-C Neighborhood 1 Zoning District
- N1-D Neighborhood 1 Zoning District
- N1-E Neighborhood 1 Zoning District
- N1-F Neighborhood 1 Zoning District

**B. Neighborhood 2 Zoning Districts**

- N2-A Neighborhood 2 Zoning District
- N2-B Neighborhood 2 Zoning District
- N2-C Neighborhood 2 Zoning District

**C. Commercial Zoning Districts**

- CG General Commercial Zoning District
- CR Regional Commercial Zoning District

#### **D. Campus Zoning Districts**

IC-1 Institutional Campus Zoning District  
IC-2 Institutional Campus Zoning District  
OFC Office Flex Campus Zoning District  
[OG Office General Zoning District](#)  
RC Research Campus Zoning District

#### **E. Manufacturing and Logistics Zoning Districts**

ML-1 Manufacturing and Logistics Zoning District  
ML-2 Manufacturing and Logistics Zoning District

#### **F. Innovation Mixed-Use Zoning District**

IMU Innovation Mixed-Use Zoning District

#### **G. Neighborhood Center Zoning District**

NC Neighborhood Center Zoning District

#### **H. Community Activity Center Zoning Districts**

CAC-1 Community Activity Center Zoning District  
CAC-2 Community Activity Center Zoning District

#### **I. Regional Activity Center Zoning Districts**

RAC Regional Activity Center Zoning District  
UE Uptown Edge Zoning District  
UC Uptown Core Zoning District

#### **J. Transit-Oriented Development Zoning Districts**

TOD-UC Transit Urban Center Zoning District  
TOD-NC Transit Neighborhood Center Zoning District  
TOD-CC Transit Community Center Zoning District  
TOD-TR Transit Transition Zoning District

#### **K. Special Purpose and Overlay Zoning Districts**

HDO Historic District Overlay  
HDO-S Streetside Historic District Overlay  
NCO Neighborhood Character Overlay District  
RIO Residential Infill Overlay District  
CCO Cottage Court Overlay District  
MHO Manufactured Home Overlay  
MHP Manufactured Home Park District  
ANDO Airport Noise Disclosure Overlay

### **3.4 OFFICIAL ZONING MAP**

#### **A. Location of Zoning Districts**

The location and boundaries of the base and overlay zoning districts established by this Ordinance are set forth in the Official Zoning Map (“Zoning Map”), as periodically amended. The Zoning Map maintained by the Planning Department, and all the notations, references, and other information shown thereon are incorporated into, and made part of, this Ordinance.

#### **B. Interpretation of Zoning Map**

Where uncertainty exists with respect to the boundaries of the zoning districts shown on the Zoning Map, the following rules shall be used to interpret the Zoning Map:

1. Where the Zoning Map shows a boundary line located within a street or alley right-of-way, railroad, or utility line right-of-way, easement, navigable or non-navigable waterway, or other planimetric feature, it shall be considered to be in the center of the right-of-way, easement, waterway, or other planimetric feature. If the actual location of such right-of-way, easement, waterway, or planimetric feature varies slightly from the location as shown on the Zoning Map, then the actual location shall control.
2. Where a map shows a boundary line as being located a specific distance from a street or alley right-of-way, railroad or utility line right-of-way, easement, navigable or non-navigable waterway, or other planimetric feature, this distance shall control.
3. Where a map shows a zoning district boundary to approximately coincide with a property line or city, town, county or state border, the property line or city, town, county, or state border shall be the zoning district boundary, unless otherwise indicated.
4. In instances when an approved rezoning petition included detailed information regarding a boundary line, such information shall be used as the correct boundary line location.
5. Where detailed information regarding a boundary line is not available, and where a map shows a zoning district boundary to not coincide or approximately coincide with any street or alley right-of-way, railroad or utility line right-of-way, easement, navigable or non-navigable waterway, other planimetric feature, or municipal border, and no dimensions are shown, the location of the boundary shall be determined by use of the scale appearing on the map.
6. If, because of error or omission in the Zoning Map, any property within the jurisdiction of this Ordinance is not shown as being in a zoning district, a zoning district classification of N1-A shall be established for the property.
7. In instances where none of the above methods are sufficient to resolve the boundary location, the Zoning Administrator may interpret the reasonable maintenance of a regular boundary to establish the boundary location.
8. Interpretation of information on the Zoning Map will be made by the Zoning Administrator. Appeals of the Zoning Administrator's interpretation may be made to the UDO Board of Adjustment. The Zoning Administrator will evaluate any alleged Zoning Map error using all available materials and records for the subject and adjacent properties. These materials include, but are not limited to, the following:
  - a. The tax map, current or historic.
  - b. Legal descriptions of properties or boundaries.
  - c. Historical zoning maps.
  - d. Approved rezoning petition information.
  - e. Tax records, current or historic.
  - f. Zoning and special use permit case files.
  - g. Official maps from other jurisdictions.
  - h. Topographic and planimetric maps and aerial photos.
  - i. Other documentable information from sources whose accuracy cannot reasonably be questioned.

### **3.5 APPLICABILITY OF FRONTAGES**

Dimensional regulations, design regulations, and other aspects of the zoning districts within this Ordinance are frequently controlled by frontages. Where regulations within this Ordinance contain frontage designations, the following rules of determination apply.

#### **A. Frontages Established**

The regulations of this Ordinance address a series of 13 frontage types. These frontage types apply whether shown on Charlotte Streets Map or established through the development process.



**1. Uptown Signature**

An Uptown Signature frontage includes those streets classified on the Charlotte Streets Map as Uptown Signature Streets. This frontage type applies only to Uptown Streets.

**2. Main Street**

A Main Street frontage includes those streets on the Charlotte Streets Map classified as Main Streets.

**3. Linear Park**

A Linear Park frontage includes those streets classified on the Charlotte Streets Map as Linear Parks. This frontage type applies only to Uptown Streets.

**4. 4-5 Lane Avenue/Boulevard**

A 4-5 Lane Avenue/Boulevard includes those streets on the Charlotte Streets Map classified as:

- a. 4 Lane Avenue
- b. 4+ Lane Avenue
- c. 5 Lane Avenue
- d. 5+ Lane Avenue
- e. 4+ Lane Boulevard
- f. 5+ Lane Boulevard

**5. 6 or More Lane Avenue/Boulevard**

A 6 or more Lane Avenue/Boulevard includes those streets on the Charlotte Streets Map classified as:

- a. 6 Lane Avenue
- b. 6+ Lane Avenue
- c. 6+ Lane Boulevard
- d. Greater than 6+ Lane Boulevard

**6. 2-3 Lane Avenue**

A 2-3 Lane Avenue includes those streets on the Charlotte Streets Map classified as:

- a. 2 Lane Avenue
- b. 2+ Lane Avenue
- c. 3 Lane Avenue

**7. Parkway**

A Parkway includes those streets on the Charlotte Streets Map classified as such.

**8. Limited Access**

Limited Access includes those streets on the Charlotte Streets Map classified as such.

**9. Transit Station, Off-Street Public Path, Public Park**

A transit station, off-street public path, or public park frontage includes the following:

- a. A transit station (Including 100 linear feet to either side of a station platform) as shown on an adopted Metropolitan Transit Commission alignment station location.
- b. An off-street public path as required by this Ordinance or shown on a publicly adopted plan.
- c. A public park or other publicly owned open space.

**10. Uptown Primary**

An Uptown Primary frontage includes those streets classified on the Charlotte Streets Map as Uptown Primary Streets. This frontage type applies only to Uptown Streets.

**11. Other – Primary**

An Other – Primary frontage includes the following:

- a. Collector streets, as shown on the Charlotte Streets Map or as designated through the development process.
- b. That portion of a public or network-required private local street sharing a boundary with a site classified as a Neighborhood 1 Place Type.

**12. Uptown Secondary**

An Uptown Secondary frontage includes those streets classified on the Charlotte Streets Map as Uptown Secondary Streets. This frontage type applies only to Uptown Streets.

**13. Secondary**

A Secondary frontage includes any public or network-required private local street not classified as a frontage as established in items 1 through 8 above.

**B. Additional Frontage Determination**

In addition to item A above, and in the case of a conflict, the following rules of determination shall apply.

1. Where a lot has only one street frontage, and such frontage is not a Main Street, 4-5 Lane Avenue/Boulevard, 6 or more Lane Avenue/Boulevard, 2-3 Lane Avenue, or Other – Primary as established per item A above, it shall be established as an Other-Primary frontage. This does not apply to Parkways or Limited Access roads.
2. Where a lot located in Uptown has only one street frontage, and such frontage is not an Uptown Signature or Linear Park, as established per item A above, it shall be established as an Uptown Primary frontage. This only applies to Uptown Streets.
3. Where a collector street is addressed specifically within a regulation, it shall not be considered an Other – Primary frontage for the purpose of such regulation.
4. Where regulations within this Ordinance reference a Primary Frontage, such designation includes the following categories:
  - a. Main Street
  - b. 4-5 Lane Avenue/Boulevard
  - c. 6 or more Lane Avenue/Boulevard
  - d. 2-3 Lane Avenue/Boulevard
  - e. Transit station, off-street public path, public park
  - f. Other – Primary
  - g. Uptown Signature
  - h. Uptown Primary
  - i. Linear Park
5. For the application of zoning district standards and zoning development standards (Articles 4 through 22), an Uptown Signature or Linear Park frontage shall be considered a Main Street frontage for all standards other than the frontage setback line.

6. For the application of zoning district standards and zoning development standards (Articles 4 through 22), an Uptown Primary frontage shall be considered an Other-Primary frontage for all standards other than the frontage setback line.

7. For the application of zoning district standards and zoning development standards (Articles 4 through 22), an Uptown Secondary frontage shall be considered a Secondary frontage for all standards other than the frontage setback line.

### **C. Lots with Multiple Frontages**

1. When a lot has two frontages, at least one frontage shall be a primary frontage type. If neither frontage meets the criteria listed for a primary frontage type the longer of the two frontages shall be designated as an Other – Primary frontage type. If both frontages are of equal length, then either of the two shall be designated as an Other – Primary frontage type. Parkway and Limited Access frontages shall not be designated as Other - Primary. If both frontages are Parkway or Limited Access Frontages, neither shall be designated Other – Primary. If both frontages meet the criteria for primary frontages, they shall both be designated as primary frontages.

2. For Uptown Streets, when a lot has two frontages, at least one frontage shall be a primary frontage type. If neither frontage meets the criteria listed for a primary frontage type, the longer of the two frontages shall be designated as an Uptown Primary frontage type. If both frontages are of equal length, then either of the two shall be designated as an Uptown Primary frontage type. Parkway and Limited Access frontages shall not be designated as Uptown Primary. If both frontages meet the criteria for primary frontages, they shall both be designated as primary frontages.

3. When a lot has three frontages, at least one frontage shall be designated as a primary frontage type. If no frontage meets the criteria listed for a primary frontage type, the longest frontage shall be designated as an Other – Primary frontage. Parkway and Limited Access frontages shall not be designated as Other - Primary. If all frontages are Parkway or Limited Access frontages, none shall be designated Other – Primary. All frontages that meet the criteria for primary frontages shall be designated as primary frontages.

4. For Uptown Streets, when a lot has three frontages, at least one frontage shall be designated as a primary frontage type. If no frontage meets the criteria listed for a primary frontage type, the longest frontage shall be designated as an Uptown Primary frontage. Parkway and Limited Access frontages shall not be designated as Uptown Primary. All frontages that meet the criteria for primary frontages shall be designated as primary frontages.

5. When a lot has four or more frontages, at least two frontages shall be designated as primary frontage types. If less than two frontages meet the criteria for a primary frontage type, the longest of those not meeting the criteria shall be designated as an Other – Primary frontage to meet this minimum. Parkway and Limited Access frontages shall not be designated as Other - Primary. If all frontages are Parkway or Limited Access frontages, none shall be designated Other – Primary. All frontages that meet the criteria for primary frontages shall be designated as primary frontages.

6. For Uptown Streets, when a lot has four or more frontages, at least two frontages shall be designated as primary frontage types. If less than two frontages meet the criteria for a primary frontage type, the longest of those not meeting the criteria shall be designated as an Uptown Primary frontage to meet this minimum. Parkway and Limited Access frontages shall not be designated as Uptown Primary. All frontages that meet the criteria for primary frontages shall be designated as primary frontages.

### **D. Hierarchy of Frontage Types**

Where regulations within this Ordinance refer to a hierarchy of frontages, the following rules apply.

1. The established hierarchy of frontages is as follows, listed from highest to lowest:

- a. Uptown Signature
- b. Main Street
- c. Linear Park
- d. 4-5 Lane Avenue/Boulevard

- e.** 2-3 Lane Avenue
- f.** Transit station, off-street public path, public park
- g.** Uptown Primary
- h.** Other – Primary
- i.** 6 or more Lane Avenue/Boulevard
- j.** Uptown Secondary
- k.** Secondary
- l.** Parkway
- m.** Limited Access

## Article 7. Campus Zoning Districts: IC-1, IC-2, OFC, OG, RC

- 7.1 PURPOSE
- 7.2 USES
- 7.3 DIMENSIONAL AND DESIGN STANDARDS
- 7.4 OPEN SPACE REQUIREMENTS
- 7.5 ON-SITE PEDESTRIAN CONNECTIVITY REQUIREMENTS
- 7.6 SUPPLEMENTAL DEVELOPMENT STANDARDS

### 7.1 PURPOSE

#### A. IC-1 Institutional Campus Zoning District

The IC-1 Institutional Campus Zoning District is intended to address the needs and impacts of large-scale institutional campuses, including governmental, educational, medical, social service, continuum of care residential developments, and religious campuses, which may include associated supportive uses primarily to provide for employees and visitors on-site, such as eating and drinking, retail, and personal service establishments. The IC-1 Zoning District is characterized by an open development form of predominantly low- to mid-rise structures and ample green space within a campus-like environment that prioritizes a cohesive pedestrian network.

#### B. IC-2 Institutional Campus Zoning District

The IC-2 Institutional Campus Zoning District is intended to address the needs and impacts of large-scale institutional campuses, including governmental, educational, medical, social service, continuum of care residential developments, and religious campuses, which may include associated supportive uses primarily to provide for employees and visitors on-site, such as eating and drinking, retail, and personal service establishments. The IC-2 Zoning District is characterized by a compact development form of taller structures within a densely developed, pedestrian-oriented urban environment.

#### C. OFC Office Flex Campus Zoning District

The OFC Office Flex Campus Zoning District is intended to address large-scale office, research, and medical campuses that may include some light assembly uses, with supporting uses primarily designed to serve the everyday needs of employees and visitors, such as eating and drinking, retail, and personal service establishments. While OFC Zoning District developments are relatively low intensity, standards are included to foster internal and external walkability, providing connections both on-site and to the external pedestrian network.

#### D. OG General Office Zoning District

The OG General Office Zoning District is intended to accommodate areas of general office development that are predominantly supplemental to, or supportive of, institutional campuses as well as standalone office uses unrelated to institutions. The district is typically located at key nodes or along arterials within proximity of institutional campuses but may, in limited circumstances, be appropriate within a predominantly commercial context, especially in instances of standalone office uses. While OG Zoning District developments accommodate automobile access, standards are included to foster internal and external walkability, providing connections both on-site and to the external pedestrian network. Development within the OG Zoning District accommodates automobile access while encouraging improvement of the pedestrian and multimodal environment.

#### DE. RC Research Campus Zoning District

The RC Research Campus Zoning District is intended to address the needs and impacts of large-scale research campuses within a mixed-use environment, with supporting uses primarily designed to serve the everyday needs of employees, residents, and visitors, such as eating and drinking, retail, and personal service establishments. The RC Zoning District is characterized by a development form of taller structures within a pedestrian-oriented urban environment.

### 7.2 USES

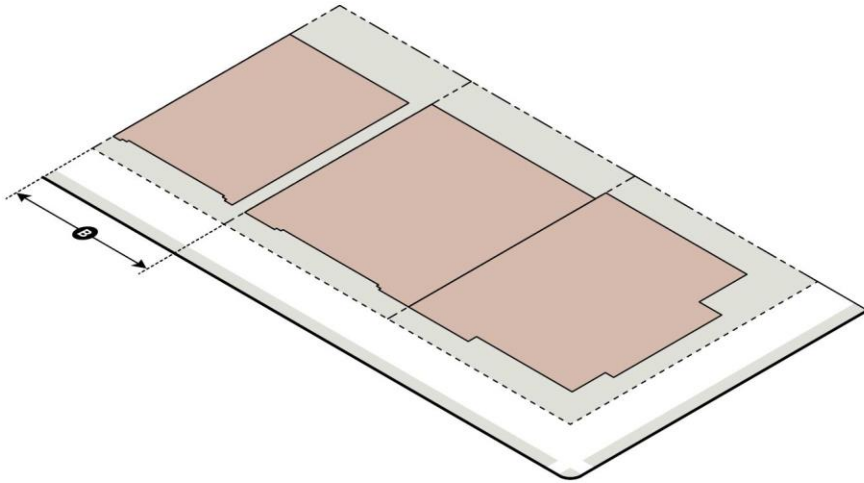
Article 15 lists permitted, temporary, and accessory uses for the Campus Zoning Districts. Use definitions are found in Article 15. Prescribed conditions applicable to certain principal uses, temporary uses, and accessory uses are also found in Article 15.

### 7.3 DIMENSIONAL AND DESIGN STANDARDS

The tables below include the dimensional and design standards for the Campus Zoning Districts. Standards within the tables below may contain specific regulations organized by frontage type (Section 3.5). In the tables below, where a cell contains a standard or a "✓" the standard is applicable. Where a cell is blank and shaded, the standard does not apply.

**A. Lot**

Lot standards govern the basic dimensions of lots, including but not limited to minimum area, width, and coverage as applicable. These standards are intended to provide a rational basis for the division, organization, and development of land within the City of Charlotte.



**Table 7-1: Campus Zoning Districts Lot Standards<sup>3</sup>**

		IC-1	IC-2	OFC	OS	RC
<b>A</b>	<b>Minimum District Size (acres) <sup>1</sup></b>	10	5	10		5
<b>B</b>	<b>Minimum Lot Width (feet)</b>	50	25	50	<u>50</u>	25
<b>C</b>	<b>Maximum Building Coverage (%)</b>	60 <sup>2</sup>		60 <sup>2</sup>		

<sup>1</sup> Overall district size may not be reduced to less than that required within Section 7.3.A. Where a zoning map amendment would reduce the overall district size to less than the requirement, the entirety of the zoning district shall be amended.

<sup>2</sup> -Structured parking up to 10% of lot area shall not count toward maximum building coverage. Any structured parking areas in excess of 10% of lot area shall be counted in maximum building coverage.

<sup>3</sup> Lot Standards do not apply to individual sublots but do apply to the parcel on which the subplot(s) is located.

## B. Building Siting

Building siting standards govern the placement of buildings on lots and are intended to ensure that development maintains compatibility with its surrounding context and the intent of the applicable zoning district.

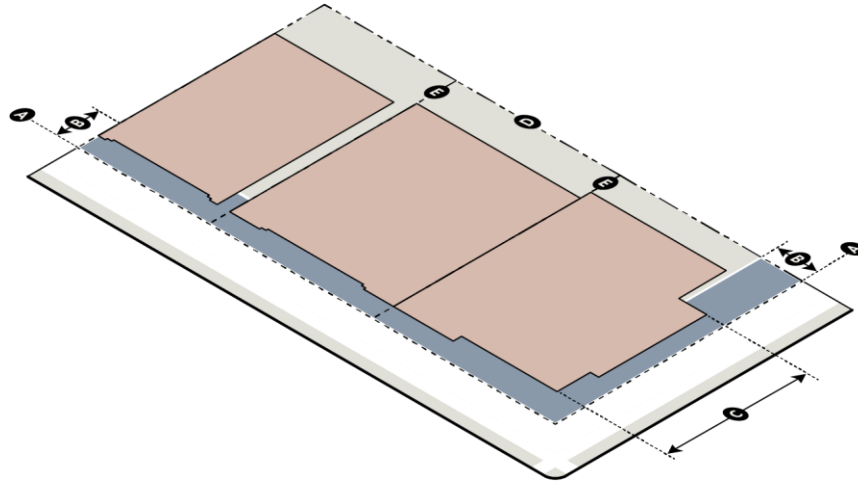


Table 7-2: Campus Zoning Districts Building Siting Standards

		IC-1	IC-2	OFC	OC	RC
<b>A</b>	<b>Frontage Setback Line</b> (from future back of curb) (feet) <sup>1, 2, 6</sup>					
	Uptown Signature	24	24	24	<u>24</u>	24
	Main Street	24	24	24	<u>24</u>	24
	Linear Park	36	36	36	<u>36</u>	36
	4-5 Lane Avenue/Boulevard	36	20	36	<u>36</u>	20
	6 or more Lane Avenue/Boulevard	40	24	40	<u>40</u>	24
	2-3 Lane Avenue	36	20	36	<u>36</u>	20
	Transit Station, Off-Street Public Path, Public Park <sup>3</sup>	20	5	20	<u>20</u>	5
	Uptown Primary	20	20	20	<u>20</u>	20
	Other - Primary	36	20	36	<u>36</u>	20
	Uptown Secondary	16	16	16	<u>16</u>	16
	Secondary	36	16	36	<u>36</u>	16
	Parkway (Measured from ROW)	20	20	20	<u>20</u>	20
	Limited Access (Measured from ROW)	20	10	20	<u>20</u>	10
<b>B</b>	<b>Frontage Build-To Zone (BTZ)</b> (from frontage setback line) (feet) <sup>4, 5</sup>					
	Main Street	0-20	0-20	0-20	<u>0-20</u>	0-20
	4-5 Lane Avenue/Boulevard		0-20			0-20
	6 or more Lane Avenue/Boulevard		0-20			0-20
	2-3 Lane Avenue		0-20			0-20
	Transit Station, Off-Street Public Path, Public Park		0-20			0-20
	Other - Primary		0-20			0-20
	Secondary		0-20			0-20
	Parkway					
	Limited Access					

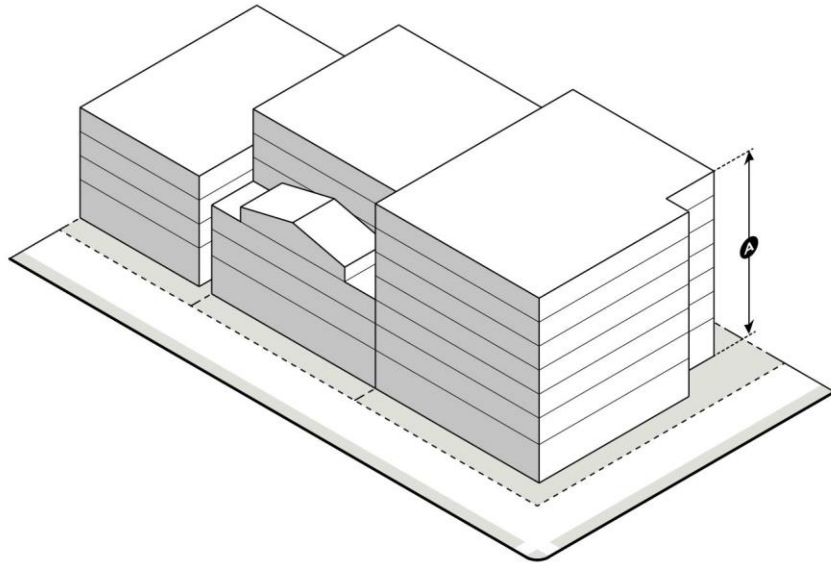
Table 7-2: Campus Zoning Districts Building Siting Standards						
		IC-1	IC-2	OFC	OG	RC
<b>C</b>	<b>Minimum BTZ Build-To Percentage for Structure (%)</b>					
	Main Street	80	80	80	<u>80</u>	80
	4-5 Lane Avenue/Boulevard		80			80
	6 or more Lane Avenue/Boulevard		80			80
	2-3 Lane Avenue		80			80
	Transit Station, Off-Street Public Path, Public Park		80			80
	Other - Primary		80			80
	Secondary		60			60
	Parkway					
	Limited Access					
<b>D</b>	<b>Minimum Side Setback (feet)</b>					
	Not abutting Neighborhood 1 Place Type	10	0	10	<u>10</u>	0
	Abutting Neighborhood 1 Place Type	10	10	10	<u>10</u>	10
<b>E</b>	<b>Minimum Rear Setback (feet)</b>					
	Not abutting Neighborhood 1 Place Type	20	0	20	<u>20</u>	0
	Abutting Neighborhood 1 Place Type	20	20	20	<u>20</u>	20

- <sup>1</sup> On local and collector streets in the IC-1, IC-2, and RC Zoning Districts, measured from the curb location for Office/Commercial Wide Local Street Cross Section in CLDSM or the existing back of curb, whichever is farthest from the centerline. On local and collector streets in the OFC or OG District, measured from the curb location of Office/Commercial Narrow Local Street Cross Section in CLDSM or the existing back of curb, whichever is farthest from the centerline. If SSI standards require the relocation of the back of curb or the back of curb is voluntarily relocated, that shall be considered the existing back of curb location.
- <sup>2</sup> In no case shall any building entry be located closer than six feet to an existing or proposed off-street public path or shared use path.
- <sup>3</sup> For the transit station, off-street public path, public park frontage, shall be measured from a property line or right-of-way line. If there is an easement in place for any frontage, then the measurement shall be taken from such easement. For any frontage abutting a reservation for a future frontage, the frontage setback line shall be measured from the edge of the reservation area.
- <sup>4</sup> If there is an existing Charlotte Water easement, other utility easement, or overhead utility clearance requirement that conflicts with the build-to zone requirement, a build-to line shall be established at the edge of the easement or edge of the overhead utility clearance requirement closest to the build-to zone.
- <sup>5</sup> Where a lot has more than two frontages that require a build-to zone, the build-to zone shall be increased by 100% for those frontages that exceed two. Such an increase should be applied to those frontages that are lowest in the established hierarchy of frontages (Section 3.5.D).
- <sup>6</sup> In the IC-1, ~~and~~ OFC, or OG Zoning Districts, if no parking or maneuvering is located between a building and the frontage, then the frontage setback line may be reduced to match the standard required for the CAC-1 Zoning District.



### C. Building Height

Building height standards govern the minimum and maximum heights of buildings as applicable, and are intended to provide flexibility while maintaining appropriate transitions to adjacent areas.

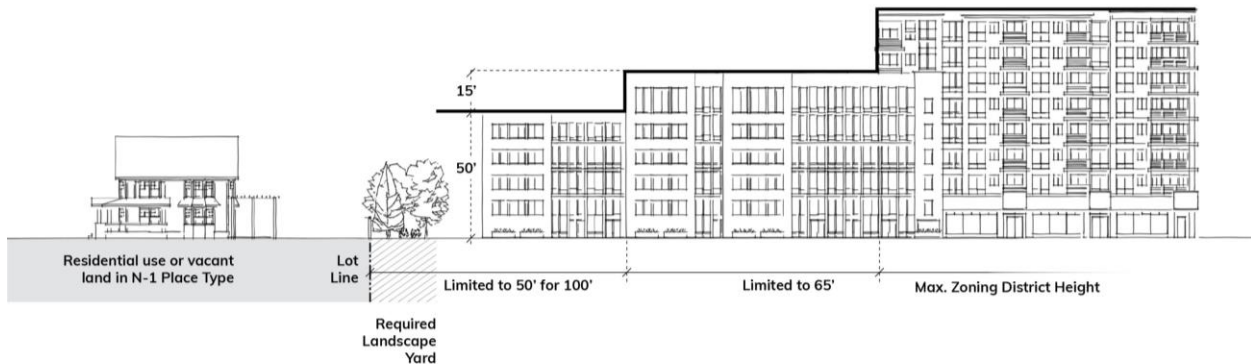


**Table 7-3: Campus Zoning Districts Building Height Standards**

		IC-1	IC-2	OFC	OG	RC
<b>A</b>	<b>Maximum Building Height (feet)</b> <sup>1,2</sup>	50	120	50	<u>50</u>	120
<b>B</b>	<b>Maximum Height with Bonus (feet)</b> (Section 16.3) <sup>1,2</sup>	80	250	80	<u>80</u>	250

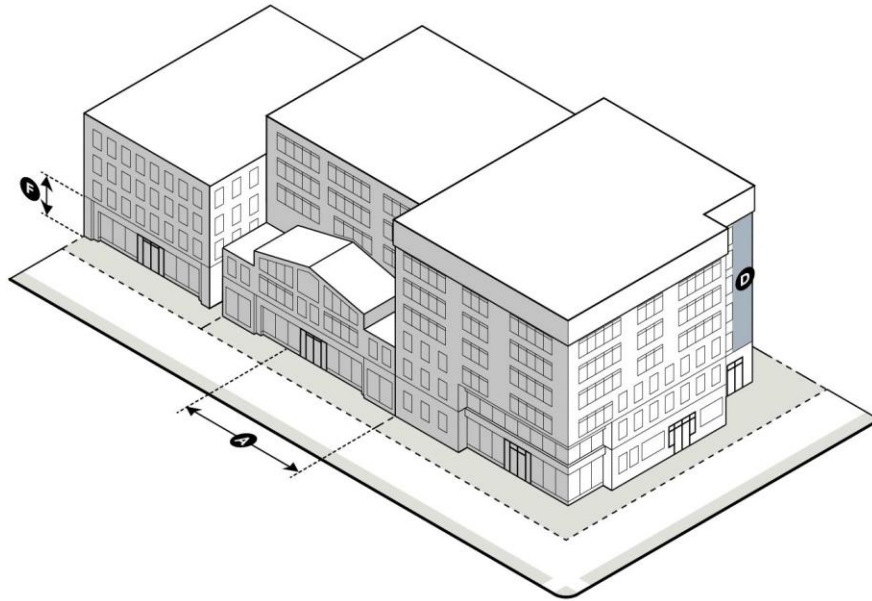
<sup>1</sup> The height and location of structures may be restricted by the limitations set forth in the Code of Federal Regulations (CFR) Title 14 Part 77: Safe, Efficient Use, and Preservation of the Navigable Airspace. A notice of proposed construction FAA Form 7460-1 must be filed with the FAA for construction or alteration that impacts any of the imaginary surfaces as defined in 14 CFR Part 77, or is more than 200 feet in height above the ground at its site at least 45 days prior to construction. The Aviation Department Planning Division may serve as a point of contact for information regarding building notification requirements and obstruction evaluation

<sup>2</sup> The maximum building height of any structure within 200 feet from the lot line of residential uses or vacant land in a Neighborhood 1 Place Type is limited as follows: Portions of a structure within the first 100 feet are limited to a maximum height of 50 feet. Portions of a structure located between 100 and 200 feet are limited to a maximum height of 65 feet. Beyond 200 feet, the building height is limited by the maximum height of the zoning district. Building heights for all portions of a structure shall be measured from the average grade established for the whole building. This limitation does not apply to public parks of three acres or greater within a Neighborhood 1 Place Type, nor to an area of two or fewer parcels totaling no more than three acres within a Neighborhood 1 Place Type.



### D. Building Articulation

Building Articulation standards govern the dimensions of building facade elements and entry features and are intended to facilitate the enhancement of a pedestrian-oriented environment.



**Table 7-4: Campus Zoning Districts Building Articulation Standards**

		IC-1	IC-2	OFC	CC	RC
<b>A</b>	<b>Minimum Building Length as a Percentage of Lot Width Along Frontage (Measured at Frontage Setback Line) (%)<sup>1</sup></b>					
	Main Street	60	60	60	<u>60</u>	60
	4-5 Lane Avenue/Boulevard		60			60
	6 or more Lane Avenue/Boulevard		60			60
	2-3 Lane Avenue		60			60
	Transit Station, Off-Street Public Path, Public Park		60			60
	Other - Primary		60			60
	Secondary		40			40
	Parkway					
	Limited Access					
<b>B</b>	<b>Maximum Building Length Along a Frontage (feet)<sup>2</sup></b>	600	500	600	<u>500</u>	500
<b>C</b>	<b>Maximum Building Length Along a Frontage with Additional Design Elements (feet)<sup>2,3</sup></b>	800	700	800	<u>700</u>	700
<b>D</b>	<b>Maximum Blank Wall Area – (Ground Floor and Upper Floor; Horizontal or Vertical) (feet)<sup>4</sup></b>					
	Main Street	20	20	20	<u>20</u>	20
	4-5 Lane Avenue/Boulevard	20	20	20	<u>20</u>	20
	6 or more Lane Avenue/Boulevard	20	20	20	<u>20</u>	20
	2-3 Lane Avenue	20	20	20	<u>20</u>	20
	Transit Station, Off-Street Public Path, Public Park	20	20	20	<u>20</u>	20
	Other - Primary	20	20	20	<u>20</u>	20
	Secondary	40	20	40	<u>20</u>	20
	Parkway	60	50	60	<u>50</u>	50
	Limited Access	60	50	60	<u>50</u>	50

Table 7-4: Campus Zoning Districts Building Articulation Standards						
		IC-1	IC-2	OFC	CC	RC
<b>E</b>	<b>Minimum Ground Floor Height – Residential</b> (Finished Floor Elevation to Finished Floor Elevation) (feet) <sup>4, 5, 6, 7</sup>					
	Main Street	16 <sup>8</sup>	16 <sup>8</sup>	<del>16</del> <sup>8</sup>		16 <sup>8</sup>
	4-5 Lane Avenue/Boulevard		12			12
	6 or more Lane Avenue/Boulevard		12			12
	2-3 Lane Avenue		12			12
	Transit Station, Off-Street Public Path, Public Park		12			12
	Other - Primary		12			12
	Secondary		12			12
	Parkway (when only frontage or adjacent to shared-use path)		12			12
	Limited Access					
<b>F</b>	<b>Minimum Ground Floor Height – Nonresidential and Mixed-Use</b> (Finished Floor Elevation to Finished Floor Elevation) (feet) <sup>5, 7, 8</sup>					
	Main Street	16	16	16	<u>16</u>	16
	4-5 Lane Avenue/Boulevard		16 <sup>7</sup>			16 <sup>7</sup>
	6 or more Lane Avenue/Boulevard		16			16
	2-3 Lane Avenue		16			16
	Transit Station, Off-Street Public Path, Public Park		16			16
	Other - Primary		16			16
	Secondary		16			16
	Parkway (when only frontage or adjacent to shared-use path)		16			16
	Limited Access					
<b>G</b>	<b>Maximum Prominent Entry Spacing</b> (feet) <sup>4</sup>					
	Main Street	250	250	250	<u>250</u>	250
	4-5 Lane Avenue/Boulevard		250		<u>250</u>	250
	6 or more Lane Avenue/Boulevard		250		<u>250</u>	250
	2-3 Lane Avenue		250		<u>250</u>	250
	Transit Station, Off-Street Public Path, Public Park		250		<u>250</u>	250
	Other - Primary		250		<u>250</u>	250
	Secondary		250		<u>250</u>	250
	Parkway (when only frontage or adjacent to shared-use path)		250		<u>250</u>	250
	Limited Access					

<sup>1</sup> Where a minimum building length as a percentage of lot width applies to multiple frontages, the highest frontage classification in the hierarchy (per Section 3.5.D) shall meet the established standard. In the case of a lot with two frontages, the second frontage shall only meet a standard of 40%. If there are more than two frontages subject to the standard, there is no minimum requirement for any frontage beyond the two highest frontages in the hierarchy. This requirement does not apply to Parkway or Limited Access frontages.

<sup>2</sup> Maximum building length along a frontage does not apply to any frontage located along a Limited Access road. If any applicable minimum building length exceeds a maximum building length requirement, the maximum building length shall control.

<sup>3</sup> To achieve maximum building length with additional design elements, the following is required:

A. Where a building abuts two parallel frontages with pedestrian facilities, or one frontage with pedestrian facilities and a parking lot, public park or other publicly owned open space on the side of the building opposite the frontage, a pedestrian passage is required. Such passage shall meet the following criteria:

1. General Requirements
  - a. Passages shall be designed to accommodate pedestrians. Vehicular access and circulation shall not be allowed as a component of a passage.
  - b. Passages shall be a minimum of 30 feet in width and 20 feet in height, and shall be located within the middle third of the building, measured along the frontage.
  - c. Passages shall be designed to maintain views from one end through to the other.
  - d. Inclusion of decorative elements such as lighting installations or public art within passages is encouraged.
  - e. Passages shall align with the street grid or other points of access to sidewalks, public paths, parking lots, public parks, or other publicly owned open space where feasible.

- f. For the purposes of any build-to zone requirement, a building passage is considered part of the building façade that meets such requirement.
- 2. Passages in nonresidential and mixed-use buildings.
  - a. Ground floor uses shall be oriented toward the passage, including public entrances.
  - b. Ground floor façades facing into building passages in nonresidential and mixed-use buildings shall maintain a minimum transparency of 35% of the wall area of the passage.
- 3. Passages in residential buildings.
  - a. Passages in residential buildings may be closed off to the public with gates and/or fencing but shall be of open design to allow for a clear view through the passage.
  - b. Passages in residential buildings shall be designed with elements for use by residents, such as seating areas.
  - c. Ground floor façades facing into building passages in residential buildings shall maintain a minimum transparency of 25% of the wall area of the passage.
- B. Where a building does not abut two parallel frontages with pedestrian facilities, a break in the building massing is required as follows:
  - 1. Building mass shall be recessed a minimum of 20 feet in depth for no less than 30 linear feet along the façade. Such recess shall extend the full height of the building, and shall meet the following criteria:
    - a. The recess shall be located within the middle third of the building, measured along the frontage.
    - b. For nonresidential and mixed-use buildings, ground floor uses shall be oriented toward the recessed area, including public entrances.
    - c. The recessed area is subject to all transparency requirements.
    - d. The recessed area shall be designed as public or common space including amenities such as seating areas, landscaping, lighting, decorative elements, and public art.
- 4 Does not apply to multi-family attached units when on sublots.
- 5 The ground floor of residential developments is still considered residential when leasing or management offices and/or tenant facilities, such as gyms and community/party rooms associated with the development are located on the ground floor.
- 6 Applies only if non-convertible residential; for convertible residential, nonresidential standard applies.
- 7 At least 70% of the total ground floor for nonresidential uses and 30% for residential uses, measured as a percentage of the interior space, shall meet the minimum ground floor height requirement.
- 8 Minimum ground floor height may be reduced by the Zoning Administrator if there are site constraints that would cause practical difficulty.

### E. Transparency

Transparency standards govern the required amount of ground floor and upper floor transparency and are intended to facilitate the enhancement of a pedestrian-oriented environment. These standards do not apply to multi-family attached development when units are on sublots.

Table 7-5: Campus Zoning Districts Transparency Standards						
		IC-1	IC-2	OFC	OS	RC
<b>A</b>	<b>Ground Floor Transparency – Residential</b> (% of wall area between 3' and 10' from grade) <sup>1,2</sup>					
	Main Street	25	25	<del>25</del>		25
	4-5 Lane Avenue/Boulevard	25	25	<del>25</del>		25
	6 or more Lane Avenue/Boulevard	25	25	<del>25</del>		25
	2-3 Lane Avenue	25	25	<del>25</del>		25
	Transit Station, Off-Street Public Path, Public Park	25	25	<del>25</del>		25
	Other - Primary	25	25	<del>25</del>		25
	Secondary	25	25	<del>25</del>		25
	Parkway	20	20	<del>20</del>		20
	Limited Access					
<b>B</b>	<b>Ground Floor Transparency – Nonresidential and Mixed-Use</b> (% of wall area between 3' and 10' from grade) <sup>1</sup>					
	Main Street	50	50	50	<u>50</u>	50
	4-5 Lane Avenue/Boulevard	40	40	40	<u>40</u>	40
	6 or more Lane Avenue/Boulevard	40	40	40	<u>40</u>	40
	2-3 Lane Avenue	40	40	40	<u>40</u>	40
	Transit Station, Off-Street Public Path, Public Park	40	40	40	<u>40</u>	40
	Other - Primary	40	40	40	<u>40</u>	40
	Secondary	40	40	40	<u>40</u>	40
	Parkway	30	30	30	<u>30</u>	30
	Limited Access					
<b>C</b>	<b>Upper Floor Transparency – Residential, Nonresidential, and Mixed-Use</b> (% of Wall Area per Story)					
	Main Street	15	15	15	<u>15</u>	15
	4-5 Lane Avenue/Boulevard	15	15	15	<u>15</u>	15
	6 or more Lane Avenue/Boulevard	15	15	15	<u>15</u>	15
	2-3 Lane Avenue	15	15	15	<u>15</u>	15
	Transit Station, Off-Street Public Path, Public Park	15	15	15	<u>15</u>	15
	Other - Primary	15	15	15	<u>15</u>	15
	Secondary	15	15	15	<u>15</u>	15
	Parkway	15	15	15	<u>15</u>	15
	Limited Access					

<sup>1</sup> The ground floor of residential developments is still considered residential when leasing or management offices and/or tenant facilities, such as gyms and community/party rooms associated with the development are located on the ground floor.

<sup>2</sup> Applies only if non-convertible residential; for convertible residential, nonresidential standard applies.

**F. Site Layout Standards**

The standards below establish site layout requirements for nonresidential, mixed-use, multi-family attached, and multi-family stacked development within the Campus Zoning Districts. Where standards below refer to a frontage, such standards apply to all frontages except parkways or limited access roads.

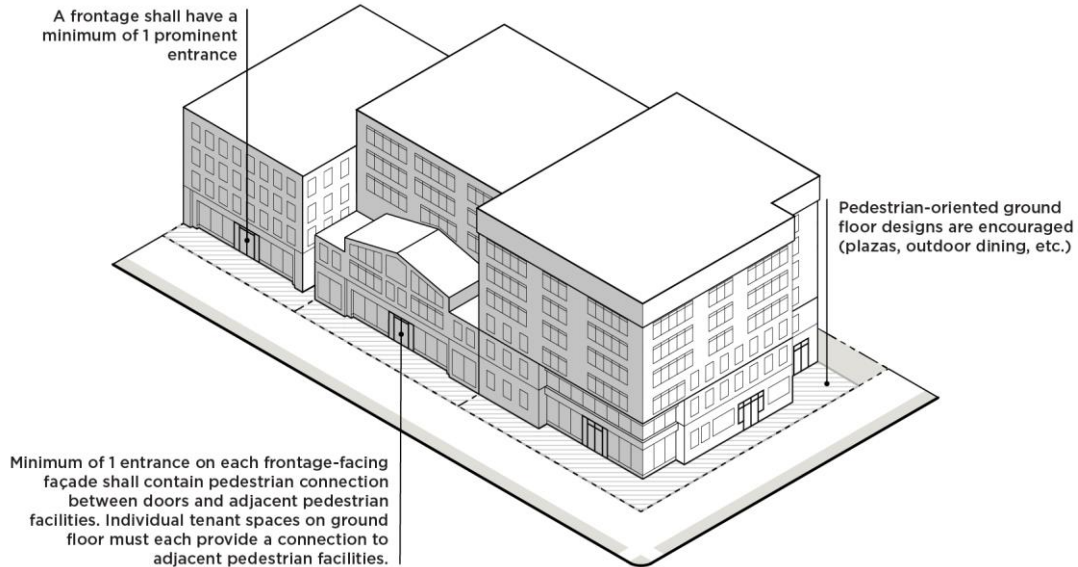
Table 7-6: Campus Zoning Districts Site Layout Standards				
	Nonres. + Mixed-Use	Multi-Family Attached When Units Not on Sublots	Multi-Family Stacked	Multi-Family Attached When Units on Sublots
The primary pedestrian entry to each principal structure shall face a frontage or common open space <sup>1</sup> .	✓		✓	
The primary pedestrian entry to each dwelling unit shall face a frontage or common open space <sup>1</sup> .		✓		
Principal structures abutting a frontage shall be oriented with all building sidewalls perpendicular to the frontage. On corner lots, sidewalls may be oriented perpendicularly to either frontage.				✓

<sup>1</sup> Common open space shall comply with the standards of Table 16-2: Design of Open Space.

## G. Building Design Standards

### 1. Nonresidential and Mixed-Use Building Design Standards

The following design standards apply to nonresidential and mixed-use buildings in the Campus Zoning Districts.



**Table 7-7: Campus Zoning Districts Nonresidential and Mixed-Use Building Design Standards**

	IC-1	IC-2	OFC	GG	RC
<b>Building Base and Entrance Design</b>					
For buildings over 90' in height, the base of the building shall be clearly differentiated from the remainder of the building with an emphasis on providing design elements that will enhance the pedestrian environment.					
1. This differentiation shall occur somewhere within the bottom third of the building, but no higher than 50' above grade.					
2. Elements such as, but not limited to, cornices, corbeling, molding, stringcourses, ornamentation, changes in material or color, recessing, architectural lighting, and other sculpturing of the base shall be provided to clearly differentiate the base from the remainder of the building.					
Main Street	✗	✓	✗		✓
4-5 Lane Avenue/Boulevard	✗	✓	✗		✓
6 or more Lane Avenue/Boulevard	✗	✓	✗		✓
2-3 Lane Avenue	✗	✓	✗		✓
Transit Station, Off-Street Public Path, Public Park	✗	✓	✗		✓
Other - Primary	✗	✓	✗		✓
Secondary	✗	✓	✗		✓
Parkway (when only frontage or adjacent to shared-use path)	✗	✓	✗		✓
Limited Access					

Table 7-7: Campus Zoning Districts Nonresidential and Mixed-Use Building Design Standards					
	IC-1	IC-2	OFC	CG	RC
<p>A frontage shall have a minimum of one prominent entrance, as defined in this Ordinance. In the case of a building located on a corner lot with two frontages, one prominent entrance located on the corner may satisfy this requirement for both frontages, subject to the following:</p> <ol style="list-style-type: none"> <li>Each frontage shall not require more than one prominent entry.</li> <li>A prominent corner entry shall include design features that reinforce intersections as key locations for pedestrian activity. Two of the following shall be included: <ol style="list-style-type: none"> <li>A chamfered or rounded corner design.</li> <li>Awnings, canopies, or other covered entry features.</li> <li>Special paving, landscape, or lighting features.</li> <li>Unique architectural detailing that emphasizes the corner entry.</li> </ol> </li> </ol>					
Main Street	✓	✓	✓	✓	✓
4-5 Lane Avenue/Boulevard		✓		✓	✓
6 or more Lane Avenue/Boulevard		✓		✓	✓
2-3 Lane Avenue		✓		✓	✓
Transit Station, Off-Street Public Path, Public Park		✓		✓	✓
Other - Primary		✓		✓	✓
Secondary		✓		✓	✓
Parkway (when only frontage or adjacent to shared-use path)		✓		✓	✓
Limited Access					
<p>A minimum of one ground floor entrance along each frontage facing façade, except for a Limited Access frontage, shall include a pedestrian connection between doors and adjacent pedestrian facilities, where such facilities are present or are required by this Ordinance. <sup>1</sup></p>					
Main Street	✓	✓	✓	✓	✓
4-5 Lane Avenue/Boulevard	✓	✓	✓	✓	✓
6 or more Lane Avenue/Boulevard	✓	✓	✓	✓	✓
2-3 Lane Avenue	✓	✓	✓	✓	✓
Transit Station, Off-Street Public Path, Public Park	✓	✓	✓	✓	✓
Other - Primary	✓	✓	✓	✓	✓
Secondary	✓	✓	✓	✓	✓
Parkway (when only frontage or adjacent to shared-use path)	✓	✓	✓	✓	✓
Limited Access					
<p>Where a building contains multiple tenant spaces on the ground floor abutting a frontage, each tenant space shall have a prominent entrance including a pedestrian connection between doors and adjacent pedestrian facilities, where such facilities are present or are required by this Ordinance. <sup>1</sup></p>					
Main Street	✓	✓	✓	✓	✓
4-5 Lane Avenue/Boulevard	✓	✓	✓	✓	✓
6 or more Lane Avenue/Boulevard	✓	✓	✓	✓	✓
2-3 Lane Avenue	✓	✓	✓	✓	✓
Transit Station, Off-Street Public Path, Public Park	✓	✓	✓	✓	✓
Other - Primary	✓	✓	✓	✓	✓
Secondary	✓	✓	✓	✓	✓
Parkway (when only frontage or adjacent to shared-use path)	✓	✓	✓	✓	✓
Limited Access					
One prominent entrance on the ground floor is required per building on a site. <sup>2</sup>	✓	✓	✓	✓	✓



Table 7-7: Campus Zoning Districts Nonresidential and Mixed-Use Building Design Standards					
	IC-1	IC-2	OFC	CC	RC
Pedestrian-oriented ground-floor designs are encouraged, including arcades, galleries, colonnades, outdoor dining areas, and outdoor plazas. When integrated into the overall building design, such features are considered to meet any required build-to percentage.					
Main Street	✓	✓	✓	✓	✓
4-5 Lane Avenue/Boulevard	✓	✓	✓	✓	✓
6 or more Lane Avenue/Boulevard	✓	✓	✓	✓	✓
2-3 Lane Avenue	✓	✓	✓	✓	✓
Transit Station, Off-Street Public Path, Public Park	✓	✓	✓	✓	✓
Other - Primary	✓	✓	✓	✓	✓
Secondary	✓	✓	✓	✓	✓
Parkway (when only frontage or adjacent to shared-use path)	✓	✓	✓	✓	✓
Limited Access					

- <sup>1</sup> The Zoning Administrator may waive this requirement if they determine that the nature of the use does not require such pedestrian connections, for example warehouse and distribution centers, airports, truck and rail freight terminals, and other similar uses.
- <sup>2</sup> This standard does not apply to a Continuum Care Retirement Community.

## 2. Residential Building Design Standards

The following design standards apply to multi-family attached when units are not on sublots and multi-family stacked development in the Campus Zoning Districts.

Table 7-8: Campus Zoning Districts Residential Building Design Standards		
	Multi-Family Attached When Units Not on Sublots	Multi-Family Stacked
<b>Facade Modulation</b>		
Structures shall incorporate elements of variation on any façade facing a frontage, public open space, or common open space. Variation shall be achieved as follows:		
1. For multi-family attached dwellings when units are not on sublots, one of the following shall be incorporated into the design of the structure:		
a. Variation in the façade depth of adjoining dwelling units of at least 3'. Such variation shall extend the entire height of the façade.		
b. Architectural features, such as balconies, bay windows, or other elements along the façade of each dwelling unit, subject to the standards of Article 18.		
2. For multi-family stacked dwellings 150' or more in length, recesses or projections of the façade of at least 1' in depth, and no less than 10' in width are required at intervals of no more than 60'.		
Main Street	✓	✓
4-5 Lane Avenue/Boulevard	✓	✓
6 or more Lane Avenue/Boulevard	✓	✓
2-3 Lane Avenue	✓	✓
Transit Station, Off-Street Public Path, Public Park	✓	✓
Other - Primary	✓	✓
Secondary	✓	✓
Parkway (when only frontage or adjacent to shared-use path)	✓	✓
Limited Access		
<b>Building Base and Entrance Design</b>		
The primary pedestrian entry shall be a prominent entrance along a frontage, except for a Limited Access frontage, as defined by this Ordinance. Pedestrian connections shall be provided between such entry and adjacent pedestrian facilities, where such facilities are present or are required by this Ordinance. In the case of a building with multiple exterior entrances to individual units within the structure, this requirement applies to all exterior entrances along a frontage.		
Main Street	✓	✓
4-5 Lane Avenue/Boulevard	✓	✓
6 or more Lane Avenue/Boulevard	✓	✓
2-3 Lane Avenue	✓	✓
Transit Station, Off-Street Public Path, Public Park	✓	✓
Other - Primary	✓	✓
Secondary	✓	✓
Parkway (when only frontage or adjacent to shared-use path)	✓	✓
Limited Access		

**Table 7-8: Campus Zoning Districts Residential Building Design Standards**

	Multi-Family Attached When Units Not on Sublots	Multi-Family Stacked
All ground floor entrances to individual units on a frontage with a sidewalk shall be between 1' and 5' above the grade of the adjacent sidewalk when located within 10' of the back of sidewalk. Residential units located below the grade of the adjacent sidewalk are permitted to have below-grade entrances, which shall be between 1' and 3' below the grade of the adjacent sidewalk. <sup>1</sup>		
Main Street	✓	✓
4-5 Lane Avenue/Boulevard	✓	✓
6 or more Lane Avenue/Boulevard	✓	✓
2-3 Lane Avenue	✓	✓
Transit Station, Off-Street Public Path, Public Park	✓	✓
Other - Primary	✓	✓
Secondary	✓	✓
Parkway (when only frontage or adjacent to shared-use path)	✓	✓
Limited Access		
Arcades, galleries, colonnades, outdoor plazas, outdoor dining areas, or similar pedestrian-oriented ground floor designs may be incorporated into facades. When provided, such features that are in line with the building facade above the ground floor are considered to meet any required build-to percentage.		
Main Street		✓
4-5 Lane Avenue/Boulevard		✓
6 or more Lane Avenue/Boulevard		✓
2-3 Lane Avenue		✓
Transit Station, Off-Street Public Path, Public Park		✓
Other - Primary		✓
Secondary		✓
Parkway (when only frontage or adjacent to shared-use path)		✓
Limited Access		

<sup>1</sup> Zoning Administrator may allow adjustments to standards if adjacent average sidewalk grade is greater than 10% or to comply with federal and state law.

**H. Building Materials**

The following building materials are limited to 25% of each façade along a frontage. They may also be used as a component of construction when not a surface finish material without limitation. These restrictions do not apply to multi-family attached dwellings when units on sublots.

1. Corrugated metal siding; however, the reuse of pre-fabricated shipping containers is permitted and is not subject to this limitation, subject to compliance with the building code and other applicable codes.
2. Exterior insulation finishing systems (EIFS) is prohibited on the ground floor of a multi-family dwelling (the 25% permission in item 1 above does not apply). This does not apply to multi-family attached dwellings when units on sublots.
3. Plain concrete masonry units (CMU)
4. Plastic
5. T-111 composite plywood siding
6. Vinyl

## 7.4 OPEN SPACE REQUIREMENTS

- A. New construction of a principal building and expansion of a principal building by 5,000 square feet or 20% of the building area, whichever is less, is required to provide on-site open space, except for development on sites of one-half acre or less in size.
- B. The design of open space shall meet the design requirements of Section 16.5.
- C. Development shall provide a minimum of on-site open space as follows:

Table 7-9: Required Open Space					
	IC-1	IC-2	OFC	OG	RC
<b>Total On-Site Open Space</b>	Development shall provide a minimum of 10% on-site open space.				
<b>Public On-Site Open Space (% of Total On-Site Open Space)</b>					
<del>Campus Development (Does not apply to CCRC)</del>	<del>A minimum of 25% of the on-site open space shall be public open space for campus developments.</del>				
Commercial Development	A minimum of 50% of the on-site open space shall be public open space for commercial developments.				
Mixed-Use Development + Campuses <sup>1,2</sup>	A minimum of 25% of the on-site open space shall be public open space for mixed-use developments and campuses.				

<sup>1</sup> For the purposes of required public on-site open space a development shall be considered mixed-use when no more than 25% of the ground floor area is nonresidential.

<sup>2</sup> ~~Does not apply to CCRC.~~

- D. Residential on-site open space may be provided as land dedicated to Mecklenburg County Park and Recreation, a fee-in-lieu provided to Mecklenburg County Park and Recreation, or a combination thereof in accordance with the requirements of Section 16.5.
- E. Nonresidential and mixed-use on-site open space may be provided as land dedicated to Mecklenburg County Park and Recreation, a fee-in-lieu provided to Mecklenburg County Park and Recreation, or a combination thereof in accordance with the requirements of Section 16.5.

## 7.5 ON-SITE PEDESTRIAN CONNECTIVITY REQUIREMENTS

Standards for required on-site pedestrian connectivity are found in Section 16.6.

## 7.6 SUPPLEMENTAL DEVELOPMENT STANDARDS

### A. General Development Standards

General development standards are found in Article 16.

### B. Accessory Structures

Standards for accessory structures are found in Article 17.

### C. Architectural Features

Standards for architectural features are found in Article 18.

### D. Off-Street Parking

Standards for off-street parking and bicycle parking are found in Article 19.

### E. Landscaping and Screening

Landscaping and screening standards are found in Article 20.

### F. Loading and Service

Standards for loading spaces and service areas are found in Article 21.

### G. Signs

Standards for signs are found in Article 22.

### H. Drainage

Standards for drainage are found in Article 24.

## Article 15. Use Regulations

- 15.1 GENERAL USE REGULATIONS
- 15.2 GLOBAL USE MATRIX
- 15.3 USE DEFINITIONS
- 15.4 PRINCIPAL USES: PRESCRIBED CONDITIONS
- 15.5 TEMPORARY USES: PRESCRIBED CONDITIONS
- 15.6 ACCESSORY USES: PRESCRIBED CONDITIONS

### 15.1 GENERAL USE REGULATIONS

- A. No structure or land may be used or occupied unless allowed as a permitted, temporary, or accessory use within the zoning district. These use regulations apply to the use of private property, including City-owned property, but exclude the right-of-way.
- B. All uses shall comply with any applicable federal and state requirements, and any additional federal, state, county, and/or city ordinances.
- C. All uses are defined to be inclusive of specific uses. The following regulations apply:
  - 1. When a use meets a specific definition, it is regulated as such and cannot be regulated as part of a more inclusive use category.
  - 2. A use that is not explicitly listed in the use matrix will be evaluated by the Zoning Administrator to determine if the use is part of a use listed. Temporary uses not explicitly listed in the use matrix may exist no longer than 90 consecutive days.
  - 3. A use that is not listed in the use matrix and cannot be interpreted as part of a use listed in the use matrix is prohibited.
- D. All uses shall comply with any prescribed conditions as applicable. Prescribed conditions apply to certain uses within the use matrix to address additional impacts, apply specific design or siting standards, and/or link to additional regulations outside this Ordinance.

### 15.2 GLOBAL USE MATRIX

- A. Table 15-1: Use Matrix identifies the permitted, temporary, and accessory uses allowed within each zoning district. Uses are defined in Section 15.3.
- B. Table 15-1 shall be applied as follows:
  - 1. An "X" indicates that the use is permitted by-right in the zoning district.
  - 2. A "PC" indicates that the use is allowed in the zoning district and shall comply with the prescribed conditions of this Article (Sections 15.4 through 15.6).
  - 3. A "C" indicates that the use shall require a conditional zoning (Section 37.2).
  - 4. A "C/PC" indicates that the use shall require a conditional zoning (Section 37.2) and also shall comply with the prescribed conditions of this Article (Sections 15.4 through 15.6) ~~and also shall require a conditional zoning (Section 37.2).~~
  - 5. A "PC/C" indicates that the use shall require a conditional zoning (Section 37.2) in certain circumstances as specified in the prescribed conditions for the use, and also shall comply with the prescribed conditions of this Article (Sections 15.4 through 15.6).
  - 56. A shaded blank cell indicates the use is not allowed in the zoning district.

**Table 15-1: Use Matrix**  
**Neighborhood 1 Zoning Districts, Neighborhood 2 Zoning Districts, MHP Zoning District, Commercial Zoning Districts, Campus Zoning Districts**

Uses	Zoning Districts																
	N1-A	N1-B	N1-C	N1-D	N1-E	N1-F	N2-A	N2-B	N2-C	MHP	CG	CR	IC-1	IC-2	OFC	OG	RC
<b>Residential Uses</b>	N1-A	N1-B	N1-C	N1-D	N1-E	N1-F	N2-A	N2-B	N2-C	MHP	CG	CR	IC-1	IC-2	OFC	OG	RC
<u>Continuum Care Retirement Community (CCRC)</u>								PC	PC				PC	PC			PC
Dormitory								PC	PC				PC	PC			X
Dwelling – Duplex	X	X	X	X	X	X	PC	PC			PC		PC/C	PC/C	PC		
Dwelling – Live Work								X	X								X
Dwelling – Manufactured Home										X							
Dwelling – Multi-Family Attached Unit						PC	PC	PC	PC		PC	PC	PC/C	PC/C			PC
Dwelling – Multi-Family Stacked Unit						PC		X	X		PC	PC	PC/C	PC/C			X
Dwelling – Quadraplex	PC	PC	PC	PC	PC	X	PC	PC					PC/C	PC/C			X
Dwelling – Single-Family	X	X	X	X	X	X	PC	PC			PC		PC/C	PC/C	PC		
Dwelling – Triplex	X	X	X	X	X	X	PC	PC					PC/C	PC/C			
Group Home	PC	PC	PC	PC	PC	PC	PC	PC	PC				X	X			PC
Manufactured Home Park										X							
Multi-Dwelling Development						PC	PC	PC	PC		PC	PC	PC/C	PC/C			PC
Residential Care Facility								PC	PC				X	X			X
Single Room Occupancy (SRO)							PC	PC	PC				PC	PC			PC
<b>Commercial Uses</b>	N1-A	N1-B	N1-C	N1-D	N1-E	N1-F	N2-A	N2-B	N2-C	MHP	CG	CR	IC-1	IC-2	OFC	OG	RC
Adult Electronic Gaming Establishment											PC	PC					
Adult Use											PC	PC					
Amusement Facility – Indoor											PC	PC					PC
Amusement Facility – Outdoor											PC	PC					
Animal Care Facility											PC	PC			PC	PC	
Animal Shelter											PC	PC					
Art Gallery											X	X	PCX	PCX	X	X	X
Arts or Fitness Studio											X	X	PC	PC	X	X	X
Bed and Breakfast	PC	PC	PC	PC	PC	PC	PC	PC				X	PC	PC	X	X	X
Broadcasting Facility – No Antennae											X	X	PC	PC	X	X	X
Broadcasting Facility – With Antennae												PC	PC	PC	PC	PC	PC
Car Wash											PC	PC					
Commercial Fitness Center											X	X					X
Commercial Kitchen											PC	PC			PC		PC
Contractor Office with Outdoor Storage																	
Convention Center												X	PC	PC	X		X
Drive-Through Establishment											PC	PC					

**Table 15-1: Use Matrix**  
*Neighborhood 1 Zoning Districts, Neighborhood 2 Zoning Districts, MHP Zoning District, Commercial Zoning Districts, Campus Zoning Districts*

Uses	Zoning Districts																
	N1-A	N1-B	N1-C	N1-D	N1-E	N1-F	N2-A	N2-B	N2-C	MHP	CG	CR	IC-1	IC-2	OFC	OG	RC
Employment/Labor Service Agency											PC	PC			PC	PC	
Financial Institution											X	X	PC	PC	X	X	X
Funeral Home											PC	PC	PC	PC	PC	PC	
Gas Station											C/PC	C/PC	PC	PC			
Greenhouse/Nursery – Retail											X	X					
Greenhouse/Nursery – Wholesale												X					
Heavy Rental and Service Establishment												X					
Heavy Retail Establishment												X					
Hotel/Motel											X	X	PC	PC	X	X	X
Industrial Design											X	X	PC	PC	X	X	X
Kennel																	
Live Performance Venue – Indoor											X	X	PC	PC			X
Lodge/Meeting Hall											X	X	PC	PC	X	X	
Medical/Dental Office											X	X	PC	PC	X	X	X
Micro-Production of Alcohol											PC	PC					PC
Neighborhood Commercial Establishment	PC	PC	PC	PC	PC	PC	PC	PC	PC								
Nightclub											PC	PC					
Office											X	PC	PC	PC	X	X	X
Outdoor Market											X	X					PC
Personal Service Establishment											X	X	PC	PC	X	X	X
Raceway/Dragstrip																	
Reception Facility											PC	PC	PC	PC			
Research and Development (R&D)											X	X	PC	PC	X	X	X
Restaurant/Bar											PC	PC	PC	PC	PC	PC	PC
Retail Goods Establishment											X	X	PC	PC	PC	PC	X
Retail Goods: Showroom											X	X			X		X
Self-Storage Facility: Climate-Controlled											PC	PC					
Self-Storage Facility: Outdoor												PC					
Shooting Range, Indoor												PC					
Specialty Food Service											X	X	PC	PC	X		X
Stadium												C	C/PC	C/PC			
Vehicle Auction Facility																	
Vehicle Dealership: Enclosed											X	X					
Vehicle Dealership: Outdoor											PC	X					
Vehicle Rental: Enclosed											X	X				X	
Vehicle Rental: Outdoor											PC	X					
Vehicle Repair Facility: Major																	

**Table 15-1: Use Matrix**  
*Neighborhood 1 Zoning Districts, Neighborhood 2 Zoning Districts, MHP Zoning District, Commercial Zoning Districts, Campus Zoning Districts*

Uses	Zoning Districts																	
	N1-A	N1-B	N1-C	N1-D	N1-E	N1-F	N2-A	N2-B	N2-C	MHP	CG	CR	IC-1	IC-2	OFC	OG	RC	
Vehicle Repair Facility: Minor											C/PC	C/PC						
<b>Institutional and Governmental Uses</b>	<b>N1-A</b>	<b>N1-B</b>	<b>N1-C</b>	<b>N1-D</b>	<b>N1-E</b>	<b>N1-F</b>	<b>N2-A</b>	<b>N2-B</b>	<b>N2-C</b>	<b>MHP</b>	<b>CG</b>	<b>CR</b>	<b>IC-1</b>	<b>IC-2</b>	<b>OFC</b>	<b>OG</b>	<b>RC</b>	
Adult Care Center	PC	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	PCX	PCX	PC	PC	PC	
Childcare Center	PC	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	PCX	PCX	PC	PC	PC	
Childcare Center, Large	PC	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	PCX	PCX	PC	PC	PC	
Community Center	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	
Correctional Facility													C/PC	C/PC				
Cultural Facility											X	X	X	X	X	X	X	
Educational Facility – Pre-School	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	
Educational Facility – Primary or Secondary	PC	PC	PC	PC	PC	PC	X	X	X		X	X	X	X	X	X	X	
Educational Facility – University or College	PC	PC	PC	PC	PC	PC	X	X	X		X	X	X	X	X	X	X	
Educational Facility – Vocational	PC	PC	PC	PC	PC	PC	X	X	X		X	X	X	X	X	X	X	
Government Office/Facility	PC	PC	PC	PC	PC	PC	X	X	X		X	X	X	X	X	X	X	
Place of Worship	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	
Public Safety Facility	PC	PC	PC	PC	PC	PC	X	X	X		X	X	X	X	X	X	X	
Public Works Facility													PC	PC				
<b>Public Health and Social Service Uses</b>	<b>N1-A</b>	<b>N1-B</b>	<b>N1-C</b>	<b>N1-D</b>	<b>N1-E</b>	<b>N1-F</b>	<b>N2-A</b>	<b>N2-B</b>	<b>N2-C</b>	<b>MHP</b>	<b>CG</b>	<b>CR</b>	<b>IC-1</b>	<b>IC-2</b>	<b>OFC</b>	<b>OG</b>	<b>RC</b>	
Addiction Treatment Facility, Residential													PC	PC				
Alternative Correction Facility													PC	PC				
Children’s Home								X	X				PC	PC				
Domestic Violence Shelter	X	X	X	X	X	X	X	X	X				PCX	PCX				
Drug Treatment Clinic											PC	PC	PC	PC	PC	PC		
Food Bank																		
Food Pantry	PC	PC	PC	PC	PC	PC	PC	PC	PC		X	X	PC	PC	X	X		
Halfway House													PC	PC				
Healthcare Institution											X	X	PC	PC	X	X	X	
Homeless Shelter											PC	PC	PC	PC				
Social Service Facility											X	X	PC	PC	X	X		
<b>Campus Uses</b>	<b>N1-A</b>	<b>N1-B</b>	<b>N1-C</b>	<b>N1-D</b>	<b>N1-E</b>	<b>N1-F</b>	<b>N2-A</b>	<b>N2-B</b>	<b>N2-C</b>	<b>MHP</b>	<b>CG</b>	<b>CR</b>	<b>IC-1</b>	<b>IC-2</b>	<b>OFC</b>		<b>RC</b>	
<del>Continuum Care Retirement Community (CCRC)</del>													PC	PC				
Educational Campus													X	X				
Government Campus													X	X				
Medical Campus													PCX	PCX	PC			
<del>Office Campus</del>															PC			
Religious Campus													PCX	PCX				



**Table 15-1: Use Matrix**  
*Neighborhood 1 Zoning Districts, Neighborhood 2 Zoning Districts, MHP Zoning District, Commercial Zoning Districts, Campus Zoning Districts*

Uses	Zoning Districts																
	N1-A	N1-B	N1-C	N1-D	N1-E	N1-F	N2-A	N2-B	N2-C	MHP	CG	CR	IC-1	IC-2	OFC	OG	RC
Social Service Campus													X	X			
<b>Industrial Uses</b>	<b>N1-A</b>	<b>N1-B</b>	<b>N1-C</b>	<b>N1-D</b>	<b>N1-E</b>	<b>N1-F</b>	<b>N2-A</b>	<b>N2-B</b>	<b>N2-C</b>	<b>MHP</b>	<b>CG</b>	<b>CR</b>	<b>IC-1</b>	<b>IC-2</b>	<b>OFC</b>	<b>OG</b>	<b>RC</b>
Agriculture – Industrial Processes																	
Airport																	
Airstrip																	
Beneficial Fill Site	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Crematorium																	
Industrial, Craft											X	X	PC	PC	PC		PC
Industrial, General																	
Industrial, Light																	PC
Landfill, Land Clearing & Inert Debris (LCID)																	
Light Assembly															PC		PC
Movie Studio											C/PC	C/PC	C/PC	C/PC	C/PC	C/PC	C/PC
Outdoor Storage Yard																	
Quarry																	
Rail Freight Terminal																	
Recycling Collection Center																	
Salvage and/or Junk Yard																	
Solar Farm											X	X					
Truck Terminal																	
Warehouse and Distribution Center																	
Waste Management Facility																	
Wholesale Goods Establishment												X					
Wind Farm																	
<b>Transportation Uses</b>	<b>N1-A</b>	<b>N1-B</b>	<b>N1-C</b>	<b>N1-D</b>	<b>N1-E</b>	<b>N1-F</b>	<b>N2-A</b>	<b>N2-B</b>	<b>N2-C</b>	<b>MHP</b>	<b>CG</b>	<b>CR</b>	<b>IC-1</b>	<b>IC-2</b>	<b>OFC</b>	<b>OG</b>	<b>RC</b>
Parking Lot (Principal Use)											X	X	PC	PC	X	X	
Parking Structure (Principal Use)											X	X	PC	PC	X	X	X
Passenger Terminal												X					
Public Transit Facility	PC	PC	PC	PC	PC	PC	X	X	X		X	X	X	X	X	X	X
Truck Stop																	
Vehicle Operations Facility												X	PC	PC			
<b>Open Space, Recreation, and Agricultural Uses</b>	<b>N1-A</b>	<b>N1-B</b>	<b>N1-C</b>	<b>N1-D</b>	<b>N1-E</b>	<b>N1-F</b>	<b>N2-A</b>	<b>N2-B</b>	<b>N2-C</b>	<b>MHP</b>	<b>CG</b>	<b>CR</b>	<b>IC-1</b>	<b>IC-2</b>	<b>OFC</b>	<b>OG</b>	<b>RC</b>
Boarding Stables, Commercial	PC	PC	PC	PC	PC	PC											
Campground	C/PC	C/PC	C/PC	C/PC	C/PC	C/PC											
Cemetery	PC	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	PC	PC	PC	PC	PC
Community Garden	PC	PC	PC	PC	PC	PC	PC	PC	PC				PC	PC	PC	PC	PC
Conservation Area	PC	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	PC	PC	PC	PC	PC

**Table 15-1: Use Matrix**  
*Neighborhood 1 Zoning Districts, Neighborhood 2 Zoning Districts, MHP Zoning District, Commercial Zoning Districts, Campus Zoning Districts*

Uses	Zoning Districts																
	N1-A	N1-B	N1-C	N1-D	N1-E	N1-F	N2-A	N2-B	N2-C	MHP	CG	CR	IC-1	IC-2	OFC	OG	RC
Driving Range											X	X					
Farm	PC	PC	PC	PC	PC	PC	PC	PC	PC				PC	PC			
Farm, Bona Fide – Charlotte ETJ Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Golf Course	X	X	X	X	X	X	X	X	X		X	X					
Marina	C/PC	C/PC	C/PC	C/PC	C/PC	C/PC	C/PC	C/PC	C/PC								
Private Recreation Club	X	X	X	X	X	X	X	X	X				X	X	X	X	X
Public Park	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
<b>Infrastructure</b>	<b>N1-A</b>	<b>N1-B</b>	<b>N1-C</b>	<b>N1-D</b>	<b>N1-E</b>	<b>N1-F</b>	<b>N2-A</b>	<b>N2-B</b>	<b>N2-C</b>	<b>MHP</b>	<b>CG</b>	<b>CR</b>	<b>IC-1</b>	<b>IC-2</b>	<b>OFC</b>	<b>OG</b>	<b>RC</b>
Utility (Includes Transmission & Distribution)	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Wireless Telecommunications	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
<b>Temporary Uses</b>	<b>N1-A</b>	<b>N1-B</b>	<b>N1-C</b>	<b>N1-D</b>	<b>N1-E</b>	<b>N1-F</b>	<b>N2-A</b>	<b>N2-B</b>	<b>N2-C</b>	<b>MHP</b>	<b>CG</b>	<b>CR</b>	<b>IC-1</b>	<b>IC-2</b>	<b>OFC</b>	<b>OG</b>	<b>RC</b>
Mobile Car Wash											PC	PC					
Mobile Food Vendor	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Mobile Retail Vendor	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Real Estate Project Sales Office	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Temporary Contractor's Office and Contractor's Yard	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Temporary Outdoor Entertainment	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Temporary Outdoor Sales	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Temporary Outdoor Storage Container	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
<b>Accessory Uses</b>	<b>N1-A</b>	<b>N1-B</b>	<b>N1-C</b>	<b>N1-D</b>	<b>N1-E</b>	<b>N1-F</b>	<b>N2-A</b>	<b>N2-B</b>	<b>N2-C</b>	<b>MHP</b>	<b>CG</b>	<b>CR</b>	<b>IC-1</b>	<b>IC-2</b>	<b>OFC</b>	<b>OG</b>	<b>RC</b>
Accessory Drive-Through											PC	PC					
Accessory Shelter	PC	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	PC	PC	PC	PC	PC
Adult Care Home	PC	PC	PC	PC	PC	PC	PC	PC					PC	PC	PC		
Childcare Center, Accessory to Employment											X	X	PC	PC	X	X	X
Childcare Center in Residence	PC	PC	PC	PC	PC	PC	PC	PC					PC	PC	PC		
Childcare Home, Family	PC	PC	PC	PC	PC	PC	PC	PC					PC	PC	PC		
Dwelling – Accessory Unit (ADU)	PC	PC	PC	PC	PC	PC	PC	PC					PC	PC	PC		
Helistop													PC	PC	PC		PC
Home Occupation	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC			PC	PC	PC		
Outdoor Entertainment											PC	PC	PC	PC	PC	PC	PC
Outdoor Sales and Display	PC	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	PC	PC	PC	PC	PC
Outdoor Seating/Activity Area											PC	PC	PC	PC	PC	PC	PC
Private Stables	PC	PC	PC	PC	PC	PC											
Rooming House	PC	PC	PC	PC	PC	PC	PC	PC					PC	PC	PC		

Use Matrix continues on next page for the Manufacturing and Logistics Zoning Districts, Innovation Mixed-Use Zoning District, Neighborhood Center Zoning District, Community Activity Center Zoning Districts, Regional Activity Center Zoning Districts, and Transit Oriented Development Zoning Districts

**Table 15-1: Use Matrix**  
**Manufacturing and Logistics Zoning Districts, Innovation Mixed-Use Zoning District, Neighborhood Center Zoning District,**  
**Community Activity Center Zoning Districts, Regional Activity Center Zoning Districts, Transit Oriented Development Zoning Districts**

Uses	Zoning Districts												
	ML-1	ML-2	IMU	NC	CAC-1	CAC-2	RAC	UC	UE	TOD-UC	TOD-NC	TOD-CC	TOD-TR
<b>Residential Uses</b>	<b>ML-1</b>	<b>ML-2</b>	<b>IMU</b>	<b>NC</b>	<b>CAC-1</b>	<b>CAC-2</b>	<b>RAC</b>	<b>UC</b>	<b>UE</b>	<b>TOD-UC</b>	<b>TOD-NC</b>	<b>TOD-CC</b>	<b>TOD-TR</b>
<u>Continuum Care Retirement Community (CCRC)</u>			X	X	X	X	X	X	X	X	X	X	X
Dormitory			X	X	X	X	X	X	X	X	X	X	X
Dwelling – Duplex													
Dwelling – Live Work			X	X	X	X	X	X	X	X	X	X	X
Dwelling – Manufactured Home													
Dwelling – Multi-Family Attached Unit			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Dwelling – Multi-Family Stacked Unit			X	X	X	X	X	X	X	X	X	X	X
Dwelling – Quadraplex													
Dwelling – Single-Family													
Dwelling – Triplex													
Group Home			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Manufactured Home Park													
Multi-Dwelling Development			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Residential Care Facility			X	X	X	X	X			X	X	X	X
Single Room Occupancy (SRO)			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
<b>Commercial Uses</b>	<b>ML-1</b>	<b>ML-2</b>	<b>IMU</b>	<b>NC</b>	<b>CAC-1</b>	<b>CAC-2</b>	<b>RAC</b>	<b>UC</b>	<b>UE</b>	<b>TOD-UC</b>	<b>TOD-NC</b>	<b>TOD-CC</b>	<b>TOD-TR</b>
Adult Electronic Gaming Establishment	PC	PC											
Adult Use	PC	PC											
Amusement Facility – Indoor			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Amusement Facility – Outdoor	PC												
Animal Care Facility			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Animal Shelter	PC		PC										
Art Gallery			X	X	X	X	X	X	X	X	X	X	X
Arts or Fitness Studio			X	X	X	X	X	X	X	X	X	X	X
Bed and Breakfast													
Broadcasting Facility – No Antennae			X		X	X	X	X	X	X	X	X	X
Broadcasting Facility – With Antennae	PC	PC											
Car Wash													
Commercial Fitness Center	X		X	X	X	X	X	X	X	X	X	X	X
Commercial Kitchen	PC		PC										
Contractor Office with Outdoor Storage	PC	PC											
Convention Center							X	X		X		X	
Drive-Through Establishment	PC	PC											
Employment/Labor Service Agency	PC	PC											
Financial Institution			X	X	X	X	X	X	X	X	X	X	X

**Table 15-1: Use Matrix**  
**Manufacturing and Logistics Zoning Districts, Innovation Mixed-Use Zoning District, Neighborhood Center Zoning District,**  
**Community Activity Center Zoning Districts, Regional Activity Center Zoning Districts, Transit Oriented Development Zoning Districts**

Uses	Zoning Districts												
	ML-1	ML-2	IMU	NC	CAC-1	CAC-2	RAC	UC	UE	TOD-UC	TOD-NC	TOD-CC	TOD-TR
Funeral Home													
Gas Station	C/PC	C/PC	C/PC	C/PC	C/PC	C/PC							C/PC
Greenhouse/Nursery – Retail													
Greenhouse/Nursery – Wholesale	X												
Heavy Rental and Service Establishment	X												
Heavy Retail Establishment	X												
Hotel/Motel			X		X	X	X	X	X	X		X	
Industrial Design	X	X	X	X	X	X	X	X	X	X	X	X	X
Kennel	PC												
Live Performance Venue – Indoor			X	X	X	X	X	X	X	X	X	X	X
Lodge/Meeting Hall			X	X	X	X	X	X	X	X	X	X	X
Medical/Dental Office			X	X	X	X	X	X	X	X	X	X	X
Micro-Production of Alcohol			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Neighborhood Commercial Establishment													
Nightclub			PC		PC	PC	PC	PC	PC	PC	PC	PC	PC
Office	PC	PC	X	X	X	X	X	X	X	X	X	X	X
Outdoor Market			X	X	X	X	X	X	X	X	X	X	X
Personal Service Establishment			X	X	X	X	X	X	X	X	X	X	X
Raceway/Dragstrip		C											
Reception Facility			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Research and Development (R&D)	X	X	X		X	X	X	X	X	X	X	X	X
Restaurant/Bar	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Retail Goods Establishment			X	X	X	X	X	X	X	X	X	X	X
Retail Goods: Showroom	X		X	X	X	X	X	X	X	X	X	X	X
Self-Storage Facility: Climate-Controlled	PC		PC		PC								PC
Self-Storage Facility: Outdoor	PC												
Shooting Range, Indoor	PC	PC	PC										
Specialty Food Service	X		X	X	X	X	X	X	X	X	X	X	X
Stadium	C						C	C	C				
Vehicle Auction Facility	X	X											
Vehicle Dealership: Enclosed			X		X	X	X	X	X				X
Vehicle Dealership: Outdoor	X												
Vehicle Rental: Enclosed			X	X	X	X	X	X	X	X	X	X	X
Vehicle Rental: Outdoor	X	X			PC	PC	PC						
Vehicle Repair Facility: Major	C/PC	C/PC											
Vehicle Repair Facility: Minor	C/PC		C/PC	C/PC	C/PC	C/PC							C/PC
<b>Institutional and Governmental Uses</b>	<b>ML-1</b>	<b>ML-2</b>	<b>IMU</b>	<b>NC</b>	<b>CAC-1</b>	<b>CAC-2</b>	<b>RAC</b>	<b>UC</b>	<b>UE</b>	<b>TOD-UC</b>	<b>TOD-NC</b>	<b>TOD-CC</b>	<b>TOD-TR</b>
Adult Care Center			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC

**Table 15-1: Use Matrix**  
**Manufacturing and Logistics Zoning Districts, Innovation Mixed-Use Zoning District, Neighborhood Center Zoning District,**  
**Community Activity Center Zoning Districts, Regional Activity Center Zoning Districts, Transit Oriented Development Zoning Districts**

Uses	Zoning Districts												
	ML-1	ML-2	IMU	NC	CAC-1	CAC-2	RAC	UC	UE	TOD-UC	TOD-NC	TOD-CC	TOD-TR
Childcare Center			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Childcare Center, Large			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Community Center			X	X	X	X	X	X	X	X	X	X	X
Correctional Facility	C	C						C					
Cultural Facility			X	X	X	X	X	X	X	X	X	X	X
Educational Facility – Pre-School			X	X	X	X	X	X	X	X	X	X	X
Educational Facility – Primary or Secondary			X	X	X	X	X	X	X	X	X	X	X
Educational Facility – University or College			X	X	X	X	X	X	X	X	X	X	X
Educational Facility – Vocational	X	X	X	X	X	X	X	X	X	X	X	X	X
Government Office/Facility	X	X	X	X	X	X	X	X	X	X	X	X	X
Place of Worship			X	X	X	X	X	X	X	X	X	X	X
Public Safety Facility	X	X	X	X	X	X	X	X	X	X	X	X	X
Public Works Facility	X	X											
<b>Public Health and Social Service Uses</b>	<b>ML-1</b>	<b>ML-2</b>	<b>IMU</b>	<b>NC</b>	<b>CAC-1</b>	<b>CAC-2</b>	<b>RAC</b>	<b>UC</b>	<b>UE</b>	<b>TOD-UC</b>	<b>TOD-NC</b>	<b>TOD-CC</b>	<b>TOD-TR</b>
Addiction Treatment Facility, Residential			X		X	X	X	X	X	X	X	X	X
Alternative Correction Facility			PC		PC	PC	PC	PC	PC	PC	PC	PC	PC
Children’s Home			X	X	X	X	X	X	X	X	X	X	X
Domestic Violence Shelter			X	X	X	X	X	X	X	X	X	X	X
Drug Treatment Clinic					PC	PC	PC	PC	PC	PC		PC	
Food Bank	X	X											
Food Pantry	X		X	X	X	X	X	X	X	X	X	X	X
Halfway House			PC		PC	PC	PC	PC	PC	PC	PC	PC	PC
Healthcare Institution			X		X	X	X	X	X	X	X	X	X
Homeless Shelter	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Social Service Facility			X	X	X	X	X	X	X	X	X	X	X
<b>Campus Uses</b>	<b>ML-1</b>	<b>ML-2</b>	<b>IMU</b>	<b>NC</b>	<b>CAC-1</b>	<b>CAC-2</b>	<b>RAC</b>	<b>UC</b>	<b>UE</b>	<b>TOD-UC</b>	<b>TOD-NC</b>	<b>TOD-CC</b>	<b>TOD-TR</b>
<del>Continuum-Care Retirement Community (CCRC)</del>													
Educational Campus													
Government Campus													
Medical Campus													
<del>Office Campus</del>													
Religious Campus													
Social Service Campus													
<b>Industrial Uses</b>	<b>ML-1</b>	<b>ML-2</b>	<b>IMU</b>	<b>NC</b>	<b>CAC-1</b>	<b>CAC-2</b>	<b>RAC</b>	<b>UC</b>	<b>UE</b>	<b>TOD-UC</b>	<b>TOD-NC</b>	<b>TOD-CC</b>	<b>TOD-TR</b>
Agriculture – Industrial Processes		PC											
Airport		X											
Airstrip	PC	PC											
Beneficial Fill Site	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC

**Table 15-1: Use Matrix**  
**Manufacturing and Logistics Zoning Districts, Innovation Mixed-Use Zoning District, Neighborhood Center Zoning District,**  
**Community Activity Center Zoning Districts, Regional Activity Center Zoning Districts, Transit Oriented Development Zoning Districts**

Uses	Zoning Districts												
	ML-1	ML-2	IMU	NC	CAC-1	CAC-2	RAC	UC	UE	TOD-UC	TOD-NC	TOD-CC	TOD-TR
Crematorium	PC	PC											
Industrial, Craft	X	X	PC		PC	PC	PC	PC	PC	PC	PC	PC	PC
Industrial, General		PC											
Industrial, Light	PC	PC	PC										
Landfill, Land Clearing & Inert Debris (LCID)		C/PC											
Light Assembly	X	X	PC										
Movie Studio	PC	PC	C/PC	C/PC	C/PC	C/PC	C/PC	C/PC	C/PC	C/PC	C/PC	C/PC	C/PC
Outdoor Storage Yard	PC	PC											
Quarry		C/PC											
Rail Freight Terminal		X											
Recycling Collection Center	PC	PC											
Salvage and/or Junk Yard		PC											
Solar Farm	X	X											
Truck Terminal		X											
Warehouse and Distribution Center	X	X											
Waste Management Facility		PC											
Wholesale Goods Establishment	X	X											
Wind Farm	X	X											
<b>Transportation Uses</b>	<b>ML-1</b>	<b>ML-2</b>	<b>IMU</b>	<b>NC</b>	<b>CAC-1</b>	<b>CAC-2</b>	<b>RAC</b>	<b>UC</b>	<b>UE</b>	<b>TOD-UC</b>	<b>TOD-NC</b>	<b>TOD-CC</b>	<b>TOD-TR</b>
Parking Lot (Principal Use)	X	X	X	X	X						X		X
Parking Structure (Principal Use)	X	X	X		X	X	X	X	X	X	X	X	
Passenger Terminal			X			X	X	X	X	X		X	
Public Transit Facility	X	X	X	X	X	X	X	X	X	X	X	X	X
Truck Stop	X	X											
Vehicle Operations Facility	X	X											
<b>Open Space, Recreation, and Agricultural Uses</b>	<b>ML-1</b>	<b>ML-2</b>	<b>IMU</b>	<b>NC</b>	<b>CAC-1</b>	<b>CAC-2</b>	<b>RAC</b>	<b>UC</b>	<b>UE</b>	<b>TOD-UC</b>	<b>TOD-NC</b>	<b>TOD-CC</b>	<b>TOD-TR</b>
Boarding Stables, Commercial													
Campground													
Cemetery	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Community Garden			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Conservation Area	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Driving Range	X												
Farm													
Farm, Bona Fide – Charlotte ETJ Only	X	X	X	X	X	X	X	X	X	X	X	X	X
Golf Course							X						
Marina													
Private Recreation Club			X	X	X	X	X	X	X	X	X	X	X
Public Park	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC

**Table 15-1: Use Matrix**  
**Manufacturing and Logistics Zoning Districts, Innovation Mixed-Use Zoning District, Neighborhood Center Zoning District,**  
**Community Activity Center Zoning Districts, Regional Activity Center Zoning Districts, Transit Oriented Development Zoning Districts**

Uses	Zoning Districts												
	ML-1	ML-2	IMU	NC	CAC-1	CAC-2	RAC	UC	UE	TOD-UC	TOD-NC	TOD-CC	TOD-TR
<b>Infrastructure</b>	<b>ML-1</b>	<b>ML-2</b>	<b>IMU</b>	<b>NC</b>	<b>CAC-1</b>	<b>CAC-2</b>	<b>RAC</b>	<b>UC</b>	<b>UE</b>	<b>TOD-UC</b>	<b>TOD-NC</b>	<b>TOD-CC</b>	<b>TOD-TR</b>
Utility (Includes Transmission & Distribution)	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Wireless Telecommunications	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
<b>Temporary Uses</b>	<b>ML-1</b>	<b>ML-2</b>	<b>IMU</b>	<b>NC</b>	<b>CAC-1</b>	<b>CAC-2</b>	<b>RAC</b>	<b>UC</b>	<b>UE</b>	<b>TOD-UC</b>	<b>TOD-NC</b>	<b>TOD-CC</b>	<b>TOD-TR</b>
Mobile Car Wash	PC												
Mobile Food Vendor	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Mobile Retail Vendor	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Real Estate Project Sales Office	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Temporary Contractor's Office and Contractor's Yard	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Temporary Outdoor Entertainment			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Temporary Outdoor Sales			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Temporary Outdoor Storage Container	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
<b>Accessory Uses</b>	<b>ML-1</b>	<b>ML-2</b>	<b>IMU</b>	<b>NC</b>	<b>CAC-1</b>	<b>CAC-2</b>	<b>RAC</b>	<b>UC</b>	<b>UE</b>	<b>TOD-UC</b>	<b>TOD-NC</b>	<b>TOD-CC</b>	<b>TOD-TR</b>
Accessory Drive-Through	PC	PC	PC	PC	PC	PC	PC		PC	PC	PC	PC	PC
Accessory Shelter	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Adult Care Home													
Childcare Center, Accessory to Employment	X	X	X	X	X	X	X	X	X	X	X	X	X
Childcare Center in Residence													
Childcare Home, Family													
Dwelling – Accessory Unit (ADU)													
Helistop	PC	PC					PC	PC	PC	PC		PC	
Home Occupation			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Outdoor Entertainment			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Outdoor Sales and Display	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Outdoor Seating/Activity Area	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Private Stables													
Rooming House													

**End of Use Matrix**

### 15.3 USE DEFINITIONS

The principal, temporary, and accessory uses in Table 15-1 are defined as follows:

**Accessory Drive-Through.** A service window or kiosk with dedicated drive-through lane(s) that allows customers to remain in their vehicle while conducting transactions. An accessory drive-through does not include pedestrian-only service windows or kiosks.

**Accessory Shelter.** A housing shelter in an accessory building located on the same site as a principal building, or located on a site owned, and operated by religious, civic, fraternal, social, institutional, or governmental agency providing free accessory lodging for indigent individuals and/or families with no regular home or residential address.

**Addiction Treatment Facility, Residential.** A licensed care facility that provides 24 hour medical and/or non-medical/therapeutic care of persons seeking rehabilitation and treatment of addiction. Such facilities may include medical detoxification.

**Adult Care Center.** A facility where an individual, agency, or organization provides supervision or care for more than six adults in a place other than their usual place of abode.

**Adult Care Home.** A facility run by an individual residing in a single-family dwelling where housing management provides 24 hour scheduled and unscheduled personal care services care for no more than six adults.

**Adult Electronic Gaming Establishment.** An establishment where patrons utilize electronic machines, including, but not limited to, computers, gaming tables, and gaming terminals to play games dependent on skill or dexterity in exchange, through redemption and/or other distribution, for cash, merchandise, or other items of value. This definition includes, but is not limited to, arcade, fish arcade, fish game(s), fish table(s), skill arcade, and skilled arcade. This definition does not include any lottery endorsed, approved, or sponsored by the State of North Carolina, or any electronic machines that test a patron's skill or dexterity but do not provide the patron an award of cash, merchandise, or other items of value based on their skill or dexterity.

**Adult Use.** Any businesses or enterprises that have as one of their principal business purposes or as a significant portion of their business an emphasis on matter and conduct depicting, describing, or related to anatomical areas and sexual activities as specified below and as may be further specified in North Carolina General Statute 14-202.10. An adult use may also be called an "adult establishment."

**1. Adult Bookstore.** A bookstore:

a. Which receives a majority of its gross income during any calendar month from the sale or rental of publications (including books, magazines, other periodicals, videotapes, compact discs, other photographic, electronic, magnetic, digital, or other imaging medium) which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, as defined in this section; or

b. Having as a preponderance (either in terms of the weight and importance of the material or in terms of greater volume of materials) of its publications (including books, magazines, other periodicals, videotapes, compact discs, other photographic, electronic, magnetic, digital, or other imaging medium) which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, as defined in this section.

**2. Adult Live Entertainment.** Any performance of or involving the actual presence of real people which exhibits specified sexual activities or specified anatomical areas, as defined in this section.

**3. Adult Live Entertainment Business.** Any establishment or business wherein adult live entertainment is shown for observation by patrons.

**4. Adult Motion Picture Theatre.** An enclosed building or premises used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, as defined in this section, for observation by patrons therein. Adult motion picture theatre does not include any adult mini motion picture theatre, as defined in this section.



**5. Adult Mini Motion Picture Theatre.** An enclosed building with viewing booths designed to hold patrons which is used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas as defined in this section, for observation by patrons therein.

**6. Sex Club.** An establishment that allows members to engage in specified sexual activities with other patrons, or the exposure of specified anatomical areas. Sex clubs may include, but are not limited to, rooms for the use of members, provision of sexually oriented devices, and organization of sex-related activities.

**7. Sexually-Oriented Devices.** Without limitation, any artificial or simulated specified anatomical area or other device or paraphernalia that is designed principally for specified sexual activities but shall not mean any contraceptive device.

**8. Specified Anatomical Areas.**

a. Less than completely and opaquely covered: 1) human genitals, pubic region; 2) buttock; or 3) female breast below a point immediately above the top of the areola; or

b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

**9. Specified Sexual Activities.**

a. Human genitals in a state of sexual stimulation or arousal.

b. Acts of human masturbation, sexual intercourse or sodomy.

c. Fondling or other erotic touchings of human genitals, pubic regions, buttocks, or female breasts.

**Agriculture – Industrial Processes.** A use that involves a variety of operations on crops and/or livestock which typically generate significant dust, noise, odors, pollutants, and/or visual impacts that can adversely affect adjacent properties. This includes, but is not limited to, concentrated animal feeding operations (CAFO), slaughterhouses, mills, dairy farms, and commercial composting.

**Airport.** Facilities for the takeoff and landing of aircraft, including but not limited to runways, aircraft storage buildings, cargo storage buildings, helicopter pads, air traffic control facilities, informational facilities and devices, terminal buildings, on airport parking products, and airport auxiliary facilities, including fueling, fences, lighting, and antennae systems, on-premise signs, driveways, and access roads. Airport includes aircraft maintenance facilities, aviation instruction facilities, and heliports when part of a larger airport facility. Airport also includes facilities for the aid and comfort of the traveling public.

**Airstrip.** A runway or landing area designed, used, or intended to be used for the landing and taking off of aircraft.

**Alternative Correctional Facility.** A residential facility for adults or minors that is court ordered as an alternative to incarceration.

**Amusement Facility – Indoor.** A facility for spectator and participatory uses conducted within an enclosed building including, but not limited to, movie theaters, arcades, bowling alleys, skating centers, escape room/physical adventure game facilities, and pool halls. An indoor amusement facility may include additional uses as part of the principal use such as, but not limited to, concession stands, restaurants, and retail sales. Indoor amusement facility does not include stadiums.

**Amusement Facility – Outdoor.** A facility for spectator and participatory uses conducted outdoors or within partially enclosed structures, such as amusement parks, fairgrounds, batting cages, and miniature golf courses. An outdoor amusement facility may include additional uses as part of the principal use such as, but not limited to, concession stands, restaurants, and retail sales. Outdoor amusement facility does not include stadiums.

**Animal Care Facility.** An establishment which provides care for domestic animals, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence, pet grooming facilities, animal training centers and clubs, and pet boarding facilities, where animals are boarded during the day and/or for short-term stays by their owners.

**Animal Shelter.** A facility used to house or contain stray, homeless, abandoned, or unwanted animals and that is owned, operated, or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals. Animal shelters do not include public facilities that shelter and train canine and/or equine units of public safety agencies.

**Art Gallery.** An establishment that sells, loans, and/or displays paintings, sculpture, photographs, video art, or other works of art.

**Arts or Fitness Studio.** An establishment where an art or activity is taught, studied, or practiced such as dance, martial arts, photography, pottery, jewelry-making, music, painting, gymnastics, pilates, or yoga. An art or fitness studio also includes private exercise studios for private sessions with trainers and/or private classes.

**Bed and Breakfast.** A single-family detached dwelling where a permanent resident/property owner provides lodging for a daily fee in guest rooms with no in-room cooking facilities (excluding microwaves and mini-refrigerators) and prepares meals for guests.

**Beneficial Fill Site.** A site operated to recontour land for the purpose of improving land use potential or for other beneficial reuse as defined by the North Carolina Solid Waste Management Rules, 15A NCAC 13B and by N.C.G.S. Chapter 130A. It involves no excavation and accepts only fill material consisting of inert debris or used asphalt or a combination of inert debris and used asphalt. Excavation, grading, and fill activity shall not be considered a beneficial fill site if such activity is confined within the boundaries of a parcel of property or development project and involves uncontaminated soil, gravel, or rock originating on such property or development project.

**Boarding Stables, Commercial.** A building, or multiple buildings, designed for the keeping and maintenance of horses for a fee or other compensation.

**Broadcasting Facility – No Antennae.** Communications facilities for radio, internet, television broadcasting and receiving stations, and studios. Broadcasting facility - no antennae does not include facilities with freestanding radio and television towers, but may include dish antennas.

**Broadcasting Facility – With Antennae.** Communications facilities, including radio, internet, television broadcasting and receiving stations, and studios, and including freestanding antenna towers located outdoors.

**Campground.** Land used for transient occupancy by camping in tents and recreational vehicles, such as camp trailers, travel trailers, motor homes, or similar movable temporary sleeping quarters.

**Car Wash.** An establishment for the washing, cleaning, and detailing of motor vehicles or other light duty equipment, whether automatic, by hand, or self-service. The car wash facility may be within an enclosed structure, an open bay structure, or other configurations.

**Cemetery.** Land and structures, such as columbaria, reserved for the interring of human remains or the interring of animal remains. Cemeteries may include structures for performing religious ceremonies related to the entombment of the deceased, mortuaries, including the sales of items related to the internment of remains, and related accessory structures, such as sheds for the storage of maintenance equipment. Cemeteries may also include crematoriums and embalming facilities.

**Childcare Center.** An individual, agency, or organization, licensed by the North Carolina Department of Health and Human Services, providing supervision or care on a regular basis to between 13 and 79 children who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adult.

**Childcare Center, Accessory to Employment.** An individual, agency, or organization, licensed by the North Carolina Department of Health and Human Services, providing supervision or care on a regular basis to children who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adult. A childcare center, accessory to employment is a facility operated solely for the use of employees of a business or businesses, such as offices, industrial uses, or other employment uses, within the development.

**Childcare Center in Residence.** A facility run by an individual residing in a single family dwelling, that provides supervision or care on a regular basis in the individual's home for six to 12 pre-school children who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adult. A childcare center in residence shall be licensed by the North Carolina Department of Health and Human Services.

**Childcare Center, Large.** An individual, agency, or organization, licensed by the North Carolina Department of Health and Human Services, providing supervision or care on a regular basis to 80 or more children who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adult.

**Childcare Home, Family.** A facility run by an individual that resides in a single-family dwelling that provides supervision or care on a regular basis in the individual's home for eight or fewer children who are not related by blood or marriage to, and are not the legal wards or foster children of, the supervising adult. Family childcare homes shall be licensed by the North Carolina Department of Health and Human Services.

**Children's Home.** A residential facility that provides housing for and care to minors who are wards of the state, whose parents or guardians are deceased or otherwise unable or unwilling to care for them.

**Commercial Fitness Center.** A for-profit facility, 3,000 square feet or greater in gross floor area, that offers a wide range of fitness services, exercise equipment, and related amenities to the public. Such a facility generates revenue via membership fees or pay-per-use charges.

**Commercial Kitchen.** A shared commercial grade kitchen in which individuals or businesses prepare value-added food products and meals, usually paying an hourly, daily, weekly, or monthly rate to lease a space shared by others.

**Community Center.** A facility used as a place of meeting, recreation, or social activity, that is open to the public and is not operated for profit, and offers a variety of educational and community service activities.

**Community Garden.** Land used to grow and harvest food and non-food crops for personal or group use, consumption, or donation, that is managed and maintained by a group of individuals or a nonprofit.

**Conservation Area.** Designated open space that preserves and protects natural features, wildlife, and critical environmental features, as well as undeveloped sites of historical or cultural significance. A conservation area may include opportunities for passive recreation, such as hiking trails and lookout structures, and environmental education facilities.

**Continuum Care Retirement Community (CCRC).** A large-scale residential development that provides continuum of care as residents age. Continuum care retirement community (CCRC) developments include a range of housing and care levels based on senior residents' needs and how those needs progress, from independent living to nursing care. A CCRC development may consist of a range of dwelling types and independent living facilities including single-family, duplex, triplex, quadraplex, and multi-family dwellings, and may include both indoor and outdoor recreational facilities for the use of residents and their guests. [A CCRC may also include other uses as identified in the Use Matrix or supportive uses as otherwise identified by the Zoning Administrator.](#)

**Contractor Office with Outdoor Storage.** Offices for businesses in the conduct of any landscape or building trade or craft, together with land and/or structures used for the storage of equipment, vehicles, machinery, and/or materials related to and used by the trade or craft. A contractor office with no outdoor storage is considered an Office.

**Convention Center.** A facility designed and used for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions, along with other operations such as, but not limited to, temporary outdoor displays and food and beverage preparation and service for on-premise consumption.

**Correctional Facility.** A facility established for the detention of persons by law enforcement.

**Crematorium.** A facility for the cremation of the deceased.

**Cultural Facility.** A facility open to the public that provides access to cultural exhibits and activities including, but not limited to, museums, cultural or historical centers, noncommercial galleries, historical societies, and libraries.

A cultural facility may include additional uses as part of the principal use such as, but not limited to, retail sales of related items and restaurants.

**Domestic Violence Shelter.** A facility that provides temporary shelter, protection, and support for those escaping domestic violence and intimate partner violence, including victims of human trafficking. A domestic violence shelter also accommodates the minor children of such individuals. The facility may also offer a variety of services to help individuals and their children including counseling and legal guidance. Domestic violence shelters may distinguish populations served by age and/or gender.

**Dormitory.** A building intended or used principally for sleeping accommodations that is part of an educational or public institution, including religious institutions. A common kitchen and common gathering rooms for social purposes may also be provided.

**Drive-Through Establishment.** A business where transactions only occur directly with customers via a service window, kiosk, or other configuration where customers remain in their vehicle.

**Driving Range.** A tract of land equipped with distance markers, clubs, balls, and tees for practicing the hitting of golf balls.

**Drug Treatment Clinic.** A licensed facility authorized by the state to administer drugs including, but not limited to, methadone and suboxone, in the treatment, maintenance, or detoxification of persons. Drug treatment clinic also includes needle exchange facilities where injecting drug users (IDUs) may obtain hypodermic needles and associated paraphernalia at little or no cost.

**Dwelling – Accessory Unit (ADU).** An additional dwelling unit associated with and incidental to a principal dwelling. An accessory dwelling unit (ADU) shall include separate cooking and sanitary facilities and is a complete, separate dwelling unit. The ADU may be within or attached to the principal dwelling unit or within a detached accessory structure, such as a garage. ADUs are not permitted in recreational vehicles, travel trailers, campers, or any other type of motor vehicle.

**Dwelling – Duplex.** A structure containing two dwelling units. Units may or may not be on sublots. Duplex dwelling units may be either in a side-by-side or stacked configuration.

**Dwelling – Live/Work.** A principal structure that combines a dwelling unit with a commercial use permitted in the zoning district that is used by one or more of the residents. A live/work dwelling may also include the combination of a dwelling unit with arts-related activities, such as painting, photography, sculpture, music, and film, used by one or more of the residents. Live/work dwellings are subject to the standards for the individual uses contained within this Ordinance.

**Dwelling – Manufactured Home.** A structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning, and electrical systems contained therein. Manufactured home includes any structure that meets all of the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of HUD and complies with the standards established under the Act.

1. For manufactured homes built before June 15, 1976, manufactured home means a portable manufactured housing unit designed for transportation on its own chassis and placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width. Manufactured home also means a double-wide manufactured home, which is two or more portable manufactured housing units designed for transportation on their own chassis that connect on site for placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width.

2. Modular buildings and modular homes are not considered manufactured homes, and refer to a method of construction.

**Dwelling – Multi-Family.** A structure containing five or more dwelling units, with dwelling units either stacked or attached horizontally. A multi-family dwelling may be designated senior living when there are age restrictions in place to limit occupancy.

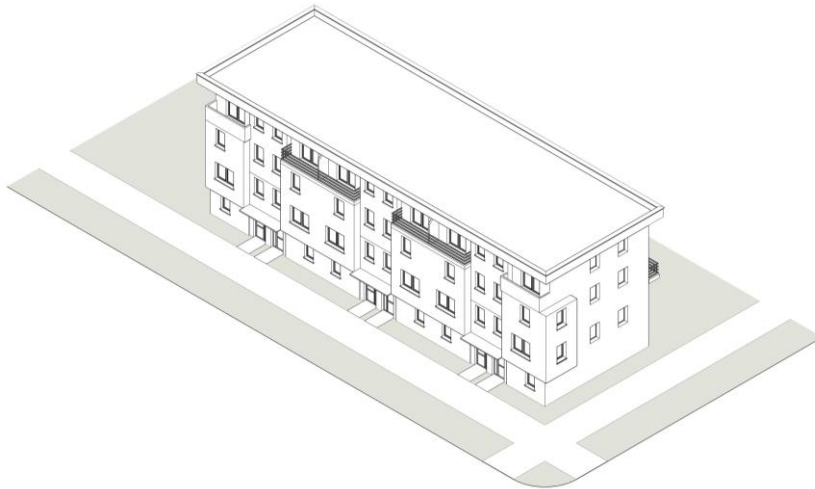
1. **Multi-Family Dwelling Attached Unit.** Attached unit design refers to multi-family residential structure designed with primarily side-by-side dwelling units, each with an individual entry. Units may or may not be on sublots.

#### MULTI-FAMILY DWELLING ATTACHED UNIT



2. **Multi-Family Dwelling Stacked Unit.** Stacked unit design refers to multi-family residential structure designed with multiple dwelling units accessed by one or more common entryways. Units may have individual entrances for ground floor units.

#### MULTI-FAMILY DWELLING STACKED UNIT



**Dwelling – Quadraplex.** A structure containing four dwelling units. Units may or may not be on sublots. Quadraplex dwelling units may be either in a side-by-side or stacked configuration.

**Dwelling – Single-Family.** A structure containing only one dwelling unit.

**Dwelling – Triplex.** A structure containing three dwelling units. Units may or may not be on sublots. Triplex dwelling units may be either in a side-by-side or stacked configuration.

**Educational Campus.** The grounds and buildings of an educational facility, which ~~includes academic buildings, research facilities, dormitories, and other student housing through the educational institution, faculty and staff~~

~~housing, fraternities/sororities, dining halls and cafeterias for the use of students, teachers, and staff, as well as indoor and outdoor recreational facilities, stadiums, broadcast facility, cultural facilities, and auditoriums that may also accommodate the general public. An educational campus may be a primary or secondary school, a university or college, a vocational school, or a combination of such. An Educational Campus may also include other uses as identified in the Use Matrix or supportive uses as otherwise identified by the Zoning Administrator. For university or college campuses, supportive commercial uses, such as retail goods establishments, personal service establishments, financial institutions, childcare centers, and restaurants, are permitted for the primary use of students, teachers, and staff. Fraternities/sororities shall be a chartered fraternal or sororal membership organization or association, used as a residence and/or a dining and recreational facility for members of organizations or associations who are students at a university, which permits the organization or association to use its facilities because of the relationship of such organization or association to the body of students enrolled in such institution.~~

**Educational Facility – Pre-School.** An educational establishment that offers early childhood education prior to the start of required education at the primary school level.

**Educational Facility – Primary or Secondary.** A facility that offers instruction at the elementary, middle, junior, and/or high school levels, including associated indoor or outdoor recreational facilities.

**Educational Facility – University or College.** A facility for post-secondary higher learning that grants associate, bachelor, master, and/or doctoral degrees. Such facilities may include additional uses as part of the principal use such as such as research facilities, dormitories, cafeterias, restaurants, retail sales, childcare facilities, indoor or outdoor recreational facilities, stadiums, and similar uses.

**Educational Facility – Vocational.** A facility that offers instruction in industrial, clerical, computer, managerial, automotive, repair (electrical, plumbing, carpentry, etc.), or commercial skills, or a business conducted as a commercial enterprise, such as a school for general educational development or driving school. Educational facility - vocational also applies to privately operated schools that do not offer a full educational curriculum.

**Employment/Labor Service Agency.** A business that provides employment services for temporary or transient employment of semi-skilled and unskilled workers, and operates as a labor pool where workers gather on-site for job placement.

**Farm.** Land used primarily for the growing of crops, produce, and/or flowers. Horses and/or other livestock may also be raised for personal use.

**Farm, Bona Fide – Charlotte ETJ Only.** A bona fide farm is a farm as defined within N.C.G.S. § 160D-903, or as may be amended, and is located within the Charlotte extraterritorial jurisdiction (ETJ).

**Financial Institution.** A bank, savings and loan, credit union, or mortgage office. Financial Institutions also include alternative financial service (AFS) that are provided outside a traditional banking institution, including check cashing establishments and currency exchanges.

**Food Bank.** A non-profit organization that collects and distributes food to hunger relief organizations. Food is not distributed to individuals from a food bank.

**Food Pantry.** A non-profit organization that provides food directly to individuals. Food pantries receive, buy, store, and distribute food. Food pantries may also prepare meals to be served at no cost to those who receive them.

**Funeral Home.** An establishment where the dead are prepared for burial display and for rituals before burial or cremation, including chapels for the display of the deceased and the conducting of rituals before burial or cremation, and crematoriums.

**Gas Station.** An establishment where fuel for vehicles is stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. A gas station may also include retail uses and an accessory car wash bay.

**Golf Course.** A tract of land design with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, snack-bar, and pro-shop as additional uses as part of the golf course. A driving range may be included as part of a golf course. A private recreation club may include a golf course as part of the principal use.

**Government Campus.** A development designed to accommodate government offices and facilities in one or more buildings. ~~A Government Campus may also include other uses as identified in the Use Matrix or supportive uses as otherwise identified by the Zoning Administrator, including public safety and defense facilities, such as police academies and armories, and correctional facilities. Supportive commercial uses for the primary use of government campus staff and visitors, such as retail goods establishments, personal service establishments, financial institutions, childcare centers, and restaurants, are permitted.~~

**Government Office/Facility.** Offices owned, operated, or occupied by a governmental agency to provide a governmental service to the public, such as city offices and post offices. Government offices/facilities do not include public safety or public works facilities.

**Greenhouse/Nursery – Retail.** An establishment where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are propagated and sold, and may include gardening and landscape supplies and products, such as hardware, garden tools and utensils, paving stones and bricks, and other related items for sale. If all such activities are indoors with no outdoor component (growing, displays, storage, sales), then such use is considered a retail goods establishment.

**Greenhouse/Nursery – Wholesale.** An establishment where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are propagated and sold in bulk to retailers, other professional business users, and/or other wholesalers.

**Group Home.** Group home means a “Family Care Home” as defined in N.C.G.S § 160D-907. A group home is a home with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six resident persons with disabilities. Person with disabilities are defined as a person with a temporary or permanent physical, emotional, or mental disability, including, but not limited to, an intellectual or other developmental disability, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments but not including persons with a mental illness who are dangerous to others as defined in G.S. 122C-3(11)b. In addition, a group home also means a residential use, even if it does not conform to the language above, that provides a residential environment which may require various services, living assistance, or supervision but does not include any facility that provides medical services requiring or comparable to on-site, nursing, physician, or medical care for the occupants which is only permitted in a dependent living facility or healthcare institution.

**Halfway House.** A residential facility for persons who have been institutionalized for criminal conduct and require a group setting to facilitate the transition to society.

**Healthcare Institution.** Facilities for primary health services and medical or surgical care to people, primarily in-patient overnight care, and including related facilities such as laboratories, outpatient facilities, dormitories, educational facilities, cafeterias, retail sales, and similar uses.

**Heavy Rental and Service Establishment.** Rental and/or service establishments of a heavier and larger-scale commercial character typically requiring permanent outdoor service and storage areas and/or partially enclosed structures. Examples of heavy rental and service establishments include truck rental establishments, amusement equipment rental, and rental and repair of heavy equipment.

**Heavy Retail Establishment.** Retail centers of a heavier and/or larger-scale commercial character typically requiring permanent outdoor storage areas and/or partially enclosed structures. Examples of heavy retail establishments include large-scale home improvement centers with outdoor storage and display, lumberyards, recreational vehicle, semi truck, and semi trailer dealerships, and sales of heavy equipment. Wholesale establishments that sell to the general public, including those establishments where membership is required, are considered heavy retail establishments.

**Helistop.** Land or part of a structure used for the landing of helicopters.

**Home Occupation.** An activity carried out for economic gain by a resident, conducted as an accessory use in the resident’s dwelling.

**Homeless Shelter.** A facility that provides overnight, temporary, or transitional shelter and services to the homeless in general.

**Hotel/Motel.** A commercial facility that provides sleeping accommodations for a fee and customary lodging services. Related accessory uses may include, but are not be limited to, meeting facilities, restaurants, bars, and



recreational facilities for the use of guests. A hotel/motel has common facilities for reservations, cleaning services, combined utilities, and on-site management and reception.

**Industrial Design.** An establishment where the design, marketing, and/or brand development of various products are researched and developed typically integrating the fields of art, business, science, and/or engineering. An industrial design establishment may create prototypes and products, but cannot mass manufacture products on the premises.

**Industrial, Craft.** Artisan-related crafts and industrial processes that are more intensive uses, such as metalworking, glassblowing, woodworking, furniture making, and food production that includes preparation, processing, canning, or packaging of food products. Micro-production of alcohol is regulated separately from craft industrial.

**Industrial, General.** Within a wholly enclosed building or out-of-doors, the manufacture, fabrication, processing, reduction, and/or destruction of any article, substance, or commodity, or any other treatment thereof, in such a manner as to change the form, character, and/or appearance. A general industrial use may produce noise, vibrations, illumination, odor, or particulate that is perceptible to adjacent land users.

**Industrial, Light.** Within a wholly enclosed building, the manufacture, fabrication, processing, reduction, and/or destruction of any article, substance, or commodity, or any other treatment thereof in such a manner as to change the form, character, and/or appearance. A light industrial use may also include a showroom, sales of products related to the items manufactured or stored on-site, and/or outdoor storage.

**Kennel.** A facility for the breeding and raising of domestic animals for sale.

**Landfill, Land Clearing, and Inert Debris (LCID).** A facility for the land disposal of inert debris, land clearing debris, yard waste, and untreated and unpainted wood.

**Light Assembly.** The assembly of previously manufactured parts within a fully enclosed structure that does not create noise, smoke, fumes, odors, glare, or health or safety hazards outside the building.

**Live Performance Venue – Indoor.** An indoor facility for the presentation of live entertainment, including musical acts and disc jockeys, theatrical plays, stand-up comedy, and similar performances. Performances are scheduled in advance and tickets are required for admission and available for purchase in advance, though tickets may be purchased at the venue's box office on the day of the performance. A live performance venue may include classroom and/or rehearsal space utilized during hours it is not open to the public for a performance. A live performance venue may include concession stands, including sale of alcohol, but only when it is open to the public for a performance. This does not include any adult use or stadium.

**Lodge/Meeting Hall.** A facility operated by an organization or association for a common purpose, such as, but not limited to, a meeting hall for a fraternal or social organization or a union hall, but not including clubs organized primarily for-profit or to render a service which is customarily carried on as a business.

**Manufactured Home Park.** A parcel of land with single control or unified ownership that has been planned and improved for the placement of manufactured homes for residential use.

**Marina.** A facility with navigable water access for docking or storage of boats or providing services to boats and the occupants thereof. Services may include minor servicing and repair to boats while in the water, sale of fuel and supplies, food, beverages, and entertainment as accessory uses. A yacht club is considered a marina.

**Medical Campus.** The grounds and buildings of a healthcare institution, providing primary health services and medical or surgical care to people, including in-patient overnight care, as well as research and development facilities, medical/dental educational facilities, and medical/dental offices. A Medical Campus may also include other uses as identified in the Use Matrix or supportive uses as otherwise identified by the Zoning Administrator. ~~A medical campus may include dormitories and other housing through the medical institution, dining rooms, cafeterias, gift shops, and pharmacies for the use of staff, patients, and visitors. Supportive commercial uses for the primary use of medical campus staff and visitors, such as retail goods establishments, personal service establishments, financial institutions, childcare centers, and restaurants, are permitted.~~

**Medical/Dental Office.** A facility operated by one or more physicians, dentists, chiropractors, psychiatrists, physical therapists, acupuncturists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis.



**Micro-Production of Alcohol.** A facility for the production and packaging of alcoholic beverages, such as beer, wine, spirits, cider, and mead, for distribution and consumption on-premises. A tasting room is an area within the premises of the production facilities where guests may sample the products. When the production facilities exceed the maximum square footage allowed by any prescribed conditions, the facility is not considered micro-production of alcohol, but rather an industrial use.

**Mobile Car Wash.** A temporary service, and its associated equipment, for the washing, cleaning, and detailing of motor vehicles by hand. A mobile car wash operates from a fixed location to offer services to multiple cars on that site for a limited period of time.

**Mobile Food Vendor.** A motor vehicle or food trailer towed by another vehicle, designed and equipped to sell food and/or beverages directly to consumers. It does not include wholesale food distributors. The vendor physically reports to and operates from an off-site kitchen for servicing, restocking, and maintenance each operating day.

**Mobile Retail Vendor.** A motor vehicle, or trailer towed by another vehicle, designed and equipped to sell goods directly to consumers. It does not include wholesale distributors. The vendor physically reports to and operates from an off-site facility for servicing, restocking, and maintenance.

**Movie Studio.** Facilities for the production of motion pictures and film, including stages, exterior sets, film laboratories, sound recording facilities, construction, repair and storage facilities, caretaker and temporary housing, related commercial vehicles, and accessory fabrication activities.

**Multi-Dwelling Development.** A development consisting of two or more single-family, duplex, triplex, quadraplex, and/or multi-family principal buildings located on a lot or parcel of land under single ownership, and planned and developed with a unified design of buildings and coordinated open space and service areas. Only those dwelling types allowed within the zoning district are allowed within the multi-dwelling development.

**Neighborhood Commercial Establishment.** Select commercial uses located within a residential neighborhood to serve the surrounding residents.

**Nightclub.** An establishment that provides entertainment of a participatory nature, including disc jockeys, by providing a place for dancing designed with an area designated as a dance floor, including any stage area; however, portions of the floor area may be set up for alcohol service, including a bar counter, with or without stools, and other seating areas.

**Office.** An establishment that engages in the processing, manipulation, or application of business information or professional expertise. An office may or may not offer services to the public. An office is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market, nor engaged in the repair or sale of products for immediate purchase and removal from the premise by the purchaser.

~~**Office Campus.** A development of one or more buildings designed to accommodate offices, corporate headquarters, research and development, broadcast facilities, and/or fully enclosed light assembly with no outdoor storage. An office campus may also include hotels/motels, medical/dental offices, and a healthcare institution of 25,000 square feet or less in gross floor area. Supportive commercial uses for the primary use of office campus staff and visitors, such as of retail goods establishments, personal service establishments, financial institutions, childcare centers, and restaurants, are permitted.~~

**Outdoor Entertainment.** Outdoor entertainment as an accessory use means presentation of live entertainment, including musical acts and disc jockeys, theatrical plays, stand-up comedy, and similar live performances, or the presentation of a live or pre-recorded major sporting event, media event, movie, or similar. Outdoor entertainment occurs on the premises of, but outside of, a restaurant, bar, amusement facility, or similar uses. Entertainment occurs outdoors when it is outside a permanently enclosed area.

**Outdoor Market.** A market consisting of booths, tables, platforms, mobile units, or similar displays where producers and/or growers sell fresh food, flowers and plants, value-added products, and artisan wares at stalls or mobile units in a permanent outdoor location. Individual vendors may operate one or more booths, under the supervision of a market proprietor, who rent or otherwise arrange for assigned space(s) for each vendor.

**Outdoor Sales and Display.** Part of a lot used for outdoor sales and/or display of goods accessory to the principal use.

**Outdoor Seating/Activity Area.** An outdoor seating/activity area as an accessory use is located outside the permanent enclosed area, and is used for seating, for food and/or beverage consumption, and/or participatory activities such as trivia or skill games like darts. This includes, but is not limited to, areas such as patios, decks, rooftops, and open areas.

**Outdoor Storage Yard.** The storage of materials, supplies, equipment, vehicles, and similar items outdoors as the principal use of land. Salvage and/or junk yard is a separate use from outdoor storage yard.

**Parking Lot (Principal Use).** A lot, which excludes any public or network-required private street, used for the parking of operable vehicles, whether for compensation or at no charge. A parking lot (principal use) is not accessory to or associated with any other use on the same or any other lot.

**Parking Structure (Principal Use).** A structure or portion of a structure used for the parking of operable vehicles, whether for compensation or at no charge. A parking structure (principal use) is not accessory to or associated with any other use on the same or any other lot.

**Passenger Terminal.** A facility for the assembly and dispersal of travelling passengers by means of intercity rail, bus, or other mode of transit, including offices for such services, and additional uses such as passenger waiting areas, restaurants, and retail establishments. Passenger terminal does not include airport or CATS public transit facilities.

**Personal Service Establishment.** An establishment that provides services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, body modification establishments (e.g., tattoos, piercing, etc.), tanning salons, electronics repair shops, bicycle repair shops, nail salons, laundromats, dry cleaners, and tailors.

**Place of Worship.** A facility where persons regularly assemble for religious purposes and related social events, and may include group housing for persons under religious vows or orders. Places of worship may include additional uses as part of the principal use such as childcare facilities, meeting rooms, food preparation and dining areas, auditoriums, and/or classrooms for religious instruction.

**Private Recreation Club.** An establishment open to members, their families, and invited guests organized and operated for social and recreation purposes and which may include recreation facilities, both indoor and outdoor. Ancillary elements such as restaurants and bars, meeting rooms, and/or similar uses may be included. Examples of a private recreation club include a country club, swim club, tennis club, or YMCA. Commercial fitness centers, and athletic facilities and fields affiliated with educational institutions (public and private), are not considered private recreation clubs.

**Private Stables.** The keeping of equines for private use and not for remuneration, hire, or sale.

**Public Park.** A publicly-owned facility that serves the recreational needs of residents and visitors. Public park includes, but is not limited to, playgrounds, ballfields, football fields, soccer fields, basketball courts, tennis courts, dog parks, skateboard parks, passive recreation areas, and gymnasiums. Public parks may also include noncommercial indoor or outdoor facilities, including zoos, recreational centers, and amphitheaters, additional uses such as, but not limited to, restaurant and retail establishments, and temporary outdoor uses such as festivals and performances. Greenways are not considered a public park (see Article 2 for greenway definition).

**Public Safety Facility.** A facility operated by and for the use of public safety agencies, such as the fire department and the police department, including the dispatch, storage, and maintenance of police and fire vehicles, and training exercises. Public safety facilities include shelter and training facilities for canine and equine units of public safety agencies.

**Public Transit Facility.** Facilities operated as part of the public transit system, which shall include park-and-ride lots, park-and-ride garages, station platforms, bus transfer stations, rideshare mobility hubs, and other transit appurtenances required for the operations and use of public transit service. For the purposes of this Ordinance, bus shelters and rapid transit shelters that are not fully enclosed are not considered buildings.

**Public Works Facility.** A facility operated by and for the use of the municipal public works departments or other governmental agency to provide municipal services, such as but not limited to, the treatment of waste water and potable water; the dispatch, storage, and maintenance of municipal vehicles; and training exercises.

**Quarry.** A type of open pit mine in which dimension stone, rock, construction aggregate, riprap, sand, gravel, or slate is excavated from the ground.

**Raceway/Dragstrip.** A facility built for racing of vehicles that may include grandstands and/or concourses for viewing. A raceway/dragstrip may also include additional uses as part of the principal use such as, but not limited to, concession stands, restaurants, and retail sales.

**Rail Freight Terminal.** A heavy rail facility for freight pick-up or distribution that may include intermodal distribution facilities for truck or shipping transport.

**Real Estate Project Sales Office.** A real estate project sales office is a residential unit, commercial space, or standalone structure within a development that is temporarily used as a sales or leasing office.

**Reception Facility.** A facility that provides hosting and rental services of a banquet hall or similar facilities for private events including, but not limited to, wedding receptions, holiday parties, corporate events, and fundraisers, with food and beverages that are prepared and served on-site or by a caterer to invited guests during intermittent dates and hours of operation. Live entertainment may occur as part of an event. A reception facility is not operated as a restaurant with regular hours of operation.

**Recycling Collection Center.** An area containing one or more recycling containers operated by a unit of local government, or its designee, which is set aside and used by members of the public, including business entities, to collect recyclable materials, such as paper, plastics, glass, and cardboard. A recycling collection center may also collect household chemicals and computer equipment, including, but not limited to, household cleaners, oil-based paints, solvents, cell phones, compact fluorescent light bulbs, and computers.

**Religious Campus.** The grounds and buildings of a place of worship where regular assembly of persons for religious purposes and related social events occurs and which is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes. A Religious Campus may also include other uses as identified in the Use Matrix or supportive uses as otherwise identified by the Zoning Administrator. A religious campus may include supporting office uses, childcare centers, and classrooms for religious study. Supportive commercial uses for the primary use of religious campus staff and visitors, such as retail goods establishments, personal service establishments, and restaurants, are permitted.

**Research and Development (R&D).** A facility where research and development (R&D) are conducted in industries that include, but are not limited to, biotechnology, pharmaceuticals, medical instrumentation or supplies, communication, information technology, electronics and instrumentation, and computer hardware and software.

**Residential Care Facility.** A licensed care facility that provides 24-hour medical and/or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A residential care facility includes nursing care, assisted living, hospice care, and continuum of care facilities. Continuum of care facilities may also include independent living facilities as part of the continuum.

**Restaurant/Bar.** An establishment where food and/or alcoholic beverages are provided to the public for on-premises consumption and/or food may be sold for off-premise consumption through carry-out service.

**Retail Goods Establishment.** An establishment that provides physical goods, products, or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. A retail goods establishment does not include specialty food service.

**Retail Goods Showroom.** An establishment where products are displayed for sale, such as furniture, appliances, carpet, tile, or furnishings. Products are available for purchase but are typically not available for immediate removal from the premises.

**Rooming House.** A single-family detached dwelling where a permanent resident or the property owner makes rooms available to tenants for compensation for a minimum of seven consecutive days, and a common kitchen and common areas are shared between the permanent resident/property owner and tenants.

**Salvage and/or Junk Yard.** A facility used for the abandonment, sale, storage, collection, or baling of scrap metal, other scrap or discarded materials, waste tire processing or collection area, and/or abandoned vehicles or machinery, or parts thereof.

**Self-Storage Facility: Climate-Controlled.** A facility for the storage of personal property where individual renters control and access individual storage spaces located within a fully enclosed building that is climate controlled. Sales of related items, such as moving supplies, and facility management offices may also be included.

**Self-Storage Facility: Outdoor.** A facility for the storage of personal property where individual renters control and access individual storage spaces and where each storage unit has individual access from the outdoors, and which may have areas available for accessory outdoor storage. Sales of related items, such as moving supplies, and facility management offices may also be included.

**Shooting Range, Indoor.** A facility designed or used for shooting at targets with firearms, and which is completely enclosed within a building or structure. Police facilities for the training and practice of officers is not considered an indoor shooting range but rather a public safety facility.

**Single Room Occupancy (SRO).** A residential development where single rooms are rented individually as a permanent and/or primary residence, without kitchen or bathroom amenities in the rooms, for a weekly or monthly period of time for compensation. On-site management is provided on a 24 hour basis. A single room occupancy (SRO) has shared bathroom facilities and may have kitchen facilities, where both types of facilities are freely accessed by all building tenants.

**Social Service Campus.** The grounds and buildings of social service facilities that provide assistance for those recovering from chemical or alcohol dependency; survivors of abuse seeking support; those transitioning from homelessness or prior incarceration; and those with health and disability concerns. A Social Service Campus may also include other uses as identified in the Use Matrix or supportive uses as otherwise identified by the Zoning Administrator. ~~A social service campus includes supporting office uses, medical/dental offices, childcare centers, recreational and exercise facilities, food pantries, and community centers. A social service campus may also include supportive housing such as dormitories, multi-family housing through the social service institution, group homes, children's homes, halfway houses, single room occupancy developments, homeless shelters, and domestic violence shelters.~~

**Social Service Facility.** A service establishment that provides assistance for those recovering from chemical or alcohol dependency; survivors of abuse seeking support; those transitioning from homelessness or prior incarceration; and those with health and disability concerns. It does not include in-patient, overnight, or living quarters for recipients of the service or for the staff. Such service does not include medical examinations or procedures, medical detoxification, dispensing of drugs or medications, or other treatments normally conducted in a medical office.

**Solar Farm.** A ground-mounted solar array operated by a public, private, or cooperative company for the generation, transmission, distribution, storage, or processing of solar energy for the purposes of heating and cooling, electricity generation, and/or water heating. Solar panels as an accessory use, such as those serving a home or business on the same site, are not considered to be a solar farm.

**Specialty Food Service.** A facility that includes preparation, processing, canning, and/or packaging of food products where all processing is completely enclosed and there are no outside impacts or outdoor storage. Such business specializes in the sale of specific food products, such as a coffee roaster or candy maker, and offers areas for retail sales or restaurants that serve the products processed on-site.

**Stadium.** A commercial structure with tiers of seats and/or viewing areas around and/or adjacent to a field, court, or stage, intended to be used for the viewing of athletic events, entertainment, concerts, and other public gathering purposes. Stadiums may be indoor or outdoor.

**Temporary Contractor's Office and Contractor's Yard.** A temporary, portable, or modular structure utilized as a watchman's quarters, construction office, or equipment shed during the construction of a new development. This may include a temporary contractor's yard where materials and equipment are stored in conjunction with a construction project.

**Temporary Outdoor Entertainment.** A temporary entertainment event within an outdoor space, such as but not limited to the performance of live music, festivals, competitions, fireworks shows, carnivals/ circuses, worship services, and others.

**Temporary Outdoor Sales.** Temporary uses, which may include temporary structures, where goods are sold, such as consignment auctions, arts and crafts fairs, plant sales, farmers markets, flea markets, rummage sales,

and holiday sales, such as Christmas tree lots and pumpkin sales lots. This temporary use category does not include outdoor sales related to a retail goods establishment where such goods are part of the establishment's regular items offered for purchase.

**Temporary Outdoor Storage Container.** Temporary self-storage containers that are delivered to a residence or business owner for the purpose of storing belongings, and then may be picked up and returned to a warehouse until called for again.

**Truck Stop.** A facility that provides services to the trucking industry including, but not limited to, dispensing of fuel, repair, truck washes, restaurants, shower facilities, and/or overnight parking, all as part of the facility.

**Truck Terminal.** A facility for the receipt, transfer, short-term storage, and dispatching of goods transported by truck.

**Utility (Includes Transmission and Distribution).** Any facility, infrastructure, and/or equipment used for the generation, transmission, storage, or distribution of electric energy, natural or manufactured gas, water, stormwater, cable television, internet, telephone services, or wastewater, between the point of generation and the end user. A utility does not include wireless telecommunications towers, antennas and/or facilities, satellite dish antennas, waste management facilities, recycling collection facilities, or radio, television, or microwave transmission or relay towers. Utility also includes utility operation facilities where all activity occurs indoors.

**Vehicle Auction Facility.** A facility where vehicles are offered for sale to persons who bid on the vehicles in competition with each other. A vehicle auction facility includes outdoor storage of the vehicles to be sold.

**Vehicle Dealership: Enclosed.** An establishment that sells or leases new or used automobiles, vans, pick-up trucks, motorcycles, and/or all-terrain vehicles (ATV), or other similar motorized transportation vehicles with no outdoor storage or display of such vehicles on-site, including within a parking structure. An enclosed motor vehicle dealership may maintain an inventory of the vehicles for sale or lease off-site. Vehicle dealerships do not include semi truck, semi trailer, trailer, boat, or heavy equipment sales, which are considered heavy retail establishments.

**Vehicle Dealership: Outdoor.** An establishment that sells or leases new or used automobiles, vans, pick-up trucks, motorcycles, and/or all-terrain vehicles (ATV), or other similar motorized transportation vehicles with outdoor storage or display of such vehicles on-site. An outdoor motor vehicle dealership may maintain an additional inventory of the vehicles for sale or lease off-site. Vehicle dealerships do not include semi truck, semi trailer, trailer, boat, or heavy equipment sales, which are considered heavy retail establishments.

**Vehicle Operations Facility.** A facility for the dispatch, storage, and maintenance of vehicle fleets including, but not limited to, emergency medical care vehicles, taxicabs and similar vehicles for hire, school buses, utility vehicles, delivery vehicles, and public transit vehicle operations and maintenance facilities. Vehicle operations facility does not include a public works or public safety facility.

**Vehicle Rental: Enclosed.** An establishment that rents motor vehicles and motorcycles, including incidental parking and servicing of vehicles with no outdoor storage and display of such vehicles on-site, including within a parking structure. An enclosed vehicle rental establishment may maintain an inventory of the vehicles for rent off-site.

**Vehicle Rental: Outdoor.** An establishment that rents motor vehicles and motorcycles, including incidental parking and servicing of vehicles with outdoor storage and display of such vehicles on-site. An outdoor vehicle rental establishment may maintain an additional inventory of the vehicles for rent.

**Vehicle Repair Facility: Major.** A business that provides services in major reconditioning of worn or damaged motor vehicles, motorcycles, all-terrain vehicles (ATV), recreational vehicles and trailers, towing and collision service, including body, frame, or fender straightening or repair, painting of motor vehicles, interior (e.g., upholstery, dashboard, etc.) reconstruction and/or repairs, and restoration services. A major vehicle repair business may also include services considered minor vehicle repair.

**Vehicle Repair Facility: Minor.** A business that provides services in minor repairs to motor vehicles and motorcycles, including repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, tire replacement, wheel servicing, alignment, and balancing, realignment, repair and replacement of shock absorbers, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, and wheel bearings, and similar minor repairs.

**Warehouse and Distribution Center.** An enclosed facility for the storage and distribution of manufactured products, supplies, and/or equipment.

**Waste Management Facility.** Facilities for the recovery, disposal, depositing, processing, or storage of solid waste, including waste that requires special handling, such as hazardous waste and medical waste. Waste management facilities include sanitary landfills, construction and demolition landfills, solid waste collection sites, and solid waste transfer stations.

**Wholesale Goods Establishment.** A business where goods are sold to either retailers, or to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

**Wind Farm.** An energy system operated by a public, private, or cooperative company for the generation, transmission, distribution, or processing of wind energy.

**Wireless Telecommunications.** Towers, antennas, and facilities used to transmit and receive signals that facilitate wireless telecommunications. The following definitions describe the wireless telecommunications infrastructure within the general definition for wireless telecommunications:

1. **Wireless Antenna.** A specific device, the surface of which is used to transmit and/or receive signals transmitted to or from other antennas. This does not include satellite dish antennae.
2. **Wireless Facility.** A structure used to house and protect the equipment necessary for processing telecommunications signals, which may include air conditioning equipment and emergency generators. Facility also includes any necessary equipment that facilitates wireless transmission.
3. **Wireless Tower.** A structure designed and constructed to support one or more wireless telecommunications antennae and including all appurtenant devices attached to it.

## 15.4 PRINCIPAL USES: PRESCRIBED CONDITIONS

### A. Addiction Treatment Center

1. When located in an IC-1 or IC-2 Zoning District, an addiction treatment center shall be a related component intended to serve and support a medical, religious, or social services campus.

### AB. Adult Care Center

1. An adult care center shall be licensed by the North Carolina Department of Health and Human Services.

~~2. When located in an IC-1 or IC-2 Zoning District, an adult care center shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.~~

### ~~B. RESERVED~~

### C. Adult Electronic Gaming Establishment

1. A zoning use permit is required.
2. Minimum spacing requirements for adult electronic gaming establishments are as follows:
  - a. All adult electronic gaming establishments shall be separated by a distance of at least 1,000 feet from any Neighborhood 1 or Neighborhood 2 Place Type, educational facility, place of worship, child care center, or public park. An adult electronic gaming establishment lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent location of any Neighborhood 1 or Neighborhood 2 Place Type, educational facility, place of worship, child care center, or public park within the 1,000 foot separation distance.
  - b. All adult electronic gaming establishments shall be separated by a distance of at least 1,000 feet from any other adult electronic gaming establishments.
  - c. No more than one adult electronic gaming establishments may be located within the same structure.
3. Adult electronic gaming establishments may operate from 8:00 a.m. to 10:00 p.m. (local time) each day, seven days per week.
4. The maximum number of machines/computers/tables/terminals for electronic gaming shall be limited to 20.
5. Along frontages, any windows of an adult electronic gaming establishment shall be clear glass allowing for visibility from the exterior through to the interior, with the exception of window signs as allowed by this Ordinance.
6. Adult electronic gaming establishments shall comply with all applicable federal, state, and local laws, including but not limited to, tax code, building code, fire code, and environmental health regulations.
7. The provisions of this section are not subject to variance by the UDO Board of Adjustment.

### D. Adult Use

1. All adult uses shall be separated by a distance of at least 1,000 feet from any Neighborhood 1 or Neighborhood 2 Place Type, educational facility, place of worship, child care center, or public park. An adult use lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent location of any Neighborhood 1 or Neighborhood 2 Place Type, educational facility, place of worship, child care center, or public park within the 1,000 foot separation distance.
2. All adult uses shall be separated by a distance of at least 1,000 feet from any other adult use.
3. No more than one adult use may be located within the same structure.

#### **E. Agriculture – Industrial Processes**

1. The minimum area for agriculture - industrial processes shall be 20 acres.
2. All animal processing facilities shall be located 250 feet from any lot line.
3. This use is not permitted inside the Airport Noise Disclosure Overlay District.

#### **F. Airstrip**

1. An airstrip and all associated structures shall be located 100 feet from any lot line.
2. No part of the airstrip and any associated structures may be located within a required setback.

#### **G. Alternative Correctional Facility**

1. A zoning use permit is required.
2. An alternative correction facility is subject to the standards for a single-family dwelling unless modified by this section.
3. New alternative correctional facilities shall be separated from existing alternative correctional facilities by a minimum of 800 feet.
4. Alternative correction facilities shall be limited to six residents.
5. When located in an IC-1 or IC-2 Zoning District, an alternative correctional facility shall be a related component intended to serve and support a government or social services campus.

#### **H. Amusement Facility – Indoor**

1. All windows and doors shall remain closed between the hours of 11:00 p.m. and 8:00 a.m.

#### **I. Amusement Facility – Outdoor**

1. When abutting a Neighborhood 1 or Neighborhood 2 Place Type, the outdoor activity area, including outdoor dining areas and outdoor entertainment areas, shall be located a minimum of 200 feet from such lot line. This does not include parking facilities.

#### **J. Animal Care Facility**

1. When abutting a Neighborhood 1 or Neighborhood 2 Place Type, the exterior exercise area shall be located a minimum of 200 feet from such lot line.
2. Animal care facilities shall locate exterior pens, runs, training, and exercise areas to the side or rear of the building.
3. All exterior exercise areas shall be completely fenced.
4. Animal care facilities shall locate all overnight boarding indoors.

#### **K. Animal Shelter**

1. When abutting a Neighborhood 1 or Neighborhood 2 Place Type, the exterior exercise area shall be located a minimum of 200 feet from such lot line.
2. Animal shelters shall locate exterior exercise areas to the side or rear of the building.
3. All exterior pens, runs, training, and exercise areas shall be completely fenced.
4. Animal shelters shall locate all overnight boarding indoors.



### **K.1. Art Gallery**

1. When located in an IC-1 or IC-2 Zoning District, an art gallery shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

### **K.12. Arts or Fitness Studio**

1. When located in an IC-1 or IC-2 Zoning District, an arts or fitness studio shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

### **L. Bed and Breakfast**

1. A zoning use permit is required.
2. Bed and breakfasts are subject to the standards for a single-family dwelling unless modified by this section.
3. The maximum number of guest rooms permitted is as follows:
  - a. Neighborhood 1 Zoning District: Four guest rooms.
  - b. All other zoning districts when permitted: Eight guest rooms.
4. All guest rooms and the occupants of the premises shall be in the principal residential single-family structure. Separate structures, accessory buildings, and garages are not permitted to be used as living units or guest rooms.
5. All guest rooms shall be accessed from the interior of the building. Separate exterior access to guest rooms is prohibited.
6. Guests are limited to a length of stay of no more than seven consecutive days.
7. Bed and breakfasts may provide food service only to guests lodging in the facility.
8. A property may only be used for either a bed and breakfast or rooming house at any one time.

### **M. Beneficial Fill Site**

1. Beneficial fill sites 1/4 acre or greater on one parcel require a zoning use permit and site approval. Beneficial fill sites of less than 1/4 acre on one parcel do not require a zoning use permit or site approval and are exempt from this section, except for items 2, 3, and 4. In addition, item 5 shall be required if the beneficial fill site contains material such as concrete, concrete block, brick, or used asphalt.
2. The site shall be operated only between the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday.
3. Final fill elevation shall match or compliment adjacent surrounding topography. The final contours and drainage patterns of the fill area shall not adversely affect adjacent properties.
4. No fill, which includes used asphalt, shall be placed in any portion of a regulatory floodplain, including both the floodway and flood fringe area.
5. No portion of a beneficial fill site shall be located within 15 feet of any lot line. This includes structures, equipment storage, parking areas, and fill areas. However, during closure of the site, the 15-foot separation area may be filled if necessary to match or compliment adjacent surrounding topography.
6. The location of a beneficial fill site shall be indicated on a recorded plat. A recorded survey of the site is required after completion and must be submitted to the Planning Department.
7. Any such site may not be operated for more than 12 months.

## **N. Boarding Stables, Commercial**

1. The minimum area for a commercial boarding stable shall be two acres.
2. All structures for the keeping and maintenance of animals, equipment, or manure and all manure piles, pits, or bins shall be located a minimum of 50 feet from any lot line.
3. The following activities are permitted as part of the operation of a commercial horse stable:
  - a. Horse auctions.
  - b. Horse breeding.
  - c. Horse clinics.
  - d. Horse demonstrations and exhibitions (horse shows), which may be conducted without a temporary use permit. This excludes spectator sport horse racing, which is prohibited.
  - e. Boarding horses.
  - f. Equine therapy.
  - g. Renting horses for recreational riding.
  - h. Riding lessons.

### **N.1. Broadcasting Facility – No Antennae**

1. When located in an IC-1 or IC-2 Zoning District, a broadcast facility with no antenna shall be a related component intended to serve and support an educational, government, medical, or religious campus.

### **O. Broadcasting Facility – With Antennae**

1. Radio and television tower antennas may exceed the zoning district height limits but shall be separated from any abutting lot line by one foot for every two feet in height above the permitted height.
2. In addition, if a broadcasting facility - with antennae is located on a lot that abuts a Neighborhood 1 or Neighborhood 2 Place Type, the radio or television tower antennas shall be setback from all lot lines a minimum of 110% of the tower height as measured from the base of the antenna.
3. When located in an IC-1 or IC-2 Zoning District, a broadcast facility with an antenna shall be a related component intended to serve and support an educational or government campus.

## **P. Campground**

1. The minimum area for a campground is six acres.
2. Campgrounds shall provide a common recreational area consisting of 100 square feet per campsite or recreational vehicle parking site.
3. Management headquarters, recreational facilities, coin operated laundry facilities, cabins for staff, and other uses and structures customarily associated with the operation of a campground are permitted.
4. Storage of equipment shall be within enclosed structures.
5. Year-round residency is prohibited at any campground. Use of tents or recreational vehicles as a principal residence is prohibited. This excludes any structures erected for an on-site caretaker or manager, which may be a year-round residency.
6. Individual campsites or recreational vehicle parking sites shall be set back a minimum of 100 feet from all lot lines.

**Q. Car Wash**

1. A Class C landscape yard shall be required along the side and rear lot lines, unless Article 20 requires a higher class of landscape yard.

**R. Cemetery**

1. Tombstones, crypts, monuments, columbaria, and mausoleums shall be located a minimum of 25 feet from any side or rear lot line that abuts an Neighborhood 1 or Neighborhood 2 Place Type and a minimum of ten feet from any side or rear lot line that abuts any other lot. In addition, they shall be a minimum of 40 feet from any lot line abutting a public or network-required private street.
2. Crematoriums and funeral homes are only permitted within cemeteries of 100 acres or more.
3. All buildings shall be located a minimum of 100 feet from any lot line that abuts a Neighborhood 1 or Neighborhood 2 Place Type. In addition, cemeteries shall be exempt from the following zoning district standards:
  - a. Minimum build-to zones and build-to percentages
  - b. Building articulation requirements
  - c. Minimum transparency requirements
  - d. Building design standards (excluding building materials)

4. When located in an IC-1 or IC-2 Zoning District, a cemetery shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

**S. Childcare Center**

1. Each facility shall comply with all applicable federal and state regulations. The operator shall be licensed and such license displayed publicly.
2. Outdoor play space and equipment shall be located to the rear or side of the principal building.
3. In the Neighborhood 1 Zoning Districts, primary vehicular access is only permitted via arterial and collector streets, and limited access roadways where allowed.

4. When located in an IC-1 or IC-2 Zoning District, a childcare center shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

**~~T. RESERVED~~**

**U. Childcare Center, Large**

1. In the Neighborhood 1 Zoning Districts, primary vehicular access is only permitted via arterial and collector streets, and limited access roadways where allowed.
2. Each facility shall comply with all applicable federal and state regulations. The operator shall be licensed and such license displayed publicly.
3. Outdoor play space and equipment shall be located to the rear or side of the principal building.

4. When located in an IC-1 or IC-2 Zoning District, a large childcare center shall be a related component intended to serve and support a religious or social services campus.

**U. Children's Home**

1. When located in an IC-1 or IC-2 Zoning District, a children's home shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

## **V. Commercial Kitchen**

1. Outdoor overnight parking and storage of vehicles such as food trucks and trailers associated with a commercial kitchen is prohibited in the IMU, OFC, and RC Zoning Districts.
2. Overnight parking and storage of vehicles such as food trucks and trailers associated with a commercial kitchen are allowed in other zoning districts and require a Class C landscape yard along the side and rear lot lines, unless Article 20 requires a higher class of landscape yard.

## **W. Community Garden**

1. Areas of cultivation and accessory structures shall be set back as follows:
  - a. A minimum of five feet from side and rear lot lines.
  - b. A minimum of ten feet from any lot line abutting a street.
2. Accessory structures shall be limited to 15 feet in height and 120 square feet in area.
3. The keeping of livestock is prohibited.
4. The sale of items grown on-site is prohibited.

## **X. Conservation Area**

1. Conservation areas shall be exempt from the following zoning district standards:
  - a. Minimum lot width and/or area
  - b. Minimum build-to zones and build-to percentages
  - c. Building articulation requirements
  - d. Minimum transparency requirements
  - e. Building design standards (excluding building materials)

## **Y. Continuum Care Retirement Community (CCRC)**

1. To qualify as a continuum care retirement community (CCRC), a development shall include residential care facilities with a minimum combination of at least two of the following uses: independent living, assisted living housing, nursing care facilities, and hospice care, where the average length of stay in these type facilities is more than 45 days.
2. Supportive commercial uses of retail goods establishments, personal service establishments, restaurants, and childcare centers are permitted but are limited to the use of staff, residents, and their guests.

## **Z. Contractor Office with Outdoor Storage**

1. Any outdoor storage area shall be located a minimum of 20 feet from any lot line. However, when abutting an Neighborhood 1 or Neighborhood 2 Place Type, the outdoor storage area shall be located a minimum of 200 feet from a lot line that abuts a Neighborhood 1 or Neighborhood 2 Place Type. No storage is permitted within this setback.
2. A Class C landscape yard is required along all lot lines, unless Article 20 requires a higher class of landscape yard. However, if a higher class of landscape yard is required and does not require a fence or wall, a fence or wall shall still be required.
3. Storage of any kind is prohibited outside the required fence in item 2 above.
4. No items stored within 50 feet of the fence or wall may exceed the height of the fence or wall in the landscape yard.

### **Z.1. Convention Center**

1. When located in an IC-1 or IC-2 Zoning District, a convention center shall be a related component intended to serve and support an educational or medical campus.

### **Z.2. Correctional Facility**

1. When located in an IC-1 or IC-2 Zoning District, a correctional facility shall be a related component intended to serve and support a government campus.

### **AA. Crematorium**

1. A crematorium shall be located a minimum of 400 feet from any lot line abutting a Neighborhood 1 or Neighborhood 2 Place Type.

#### **AA.1. Domestic Violence Shelter**

1. When located in an IC-1 or IC-2 Zoning District, a domestic violence shelter shall be a related component intended to serve and support a religious or social services campus.

### **BB. Dormitory**

1. Dormitories in the Neighborhood 2 Zoning Districts shall be subject to the standards for multi-family dwellings within the zoning district.

2. When located in an IC-1 or IC-2 Zoning District, a dormitory shall be a related component intended to serve and support a educational or religious campus.

### **CC. Drive-Through Establishment**

1. All drive-through establishments, except restaurants, shall provide a minimum of four stacking spaces per lane or bay, unless additional stacking spaces are specifically required by this Ordinance. Restaurants shall provide a minimum of eight stacking spaces per lane or bay. The space at the service window is counted in this minimum number of stacking spaces.

2. A drive-through lane shall have bail out capability for all vehicles that enter the drive-through lane. The bail out lane shall be a minimum width of ten feet in width and run parallel to the drive-through lane. If a bail out lane is also an interior access drive providing access to parking spaces, the bail out lane is limited to a one-way traffic pattern following the direction of the drive-through lane.

3. Drive-through lanes and drive aisles located between the street and the facade of the building shall require parking lot screening per Section 20.5 .

4. A stacking space shall be a minimum of nine feet in width and 18 feet in length.

5. All components of a drive-through including, but not limited to, signs, stacking lanes, trash receptacles, ordering box, and drive up windows, shall be located to the rear or side of the building.

### **DD. Drug Treatment Clinic**

1. All drug treatment clinics shall be separated by a distance of at least 800 feet from any Neighborhood 1 or Neighborhood 2 Place Type.

2. All drug treatment clinics shall be separated by a distance of at least 800 feet from any other drug treatment clinics.

3. When located in an IC-1 or IC-2 Zoning District, a drug treatment clinic shall be a related component intended to serve and support the medical or social services campus.

## EE. Dwelling – Duplex

1. Side-by-side units in a duplex dwelling shall be separated by a common wall of at least 20 feet in depth front-to-back, separating either heated living areas in each unit or abutting garages.
  - a. Passageways, breezeways, carports, storage areas, decks, patios, unenclosed roofs, utility rooms, and similar connections shall not be used as a means of connecting buildings or dwelling units.
2. In the N2-A and N2-B Zoning Districts, duplex dwellings are permitted subject to the standards of the N1-E Zoning District, or as components of a multi-dwelling development.
3. In the CG and OFC Zoning Districts, only duplex dwellings existing legally prior to the June 1, 2023 effective date of this ordinance shall be allowed. These dwellings are subject to the standards of the N1-D Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.
4. When located in an IC-1 or IC-2 Zoning District, a duplex dwelling shall be a related component intended to serve and support an educational, religious, or CCRC campus.
  - a. Duplex dwellings colocated on the same parcel as the campus development they serve and support are subject to the standards of the IC-1 or IC-2 Zoning District, as applicable.
  - b. Duplex dwellings located on an individual parcel(s) separate from the campus development they serve and support are subject to the standards of the N1-D Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.
5. If a duplex dwelling in an IC-1 or IC-2 Zoning District is not a component related to an educational, religious, or CCRC campus, a conditional zoning is required. These dwellings are subject to the standards of the N1-D Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.

## FF. Dwelling – Multi-Family Attached

1. Multi-family attached dwellings are limited to a maximum building length of 150 feet. This maximum building length may be increased to 400 feet if vehicular entrances to garages, including areas used for vehicular access to attached or detached garages, are located to the side or rear of the building.
2. If the zoning district limits maximum building length with a stricter standard, such stricter standard controls.
3. For a site zoned CG or CR and located in a Neighborhood Center, Community Activity Center, or Regional Activity Center Place Type, multi-family attached developments are allowed using the dimensional and design standards and open space requirements of the NC ~~z~~Zoning ~~d~~District.
4. In the N1-F Zoning District, multi-family attached dwelling developments are limited to two principal structures on a lot.
5. When located in an IC-1 or IC-2 Zoning District, a multi-family attached dwelling shall be a related component intended to serve and support an educational, religious, or CCRC campus. These dwellings are subject to the standards of the N2-A Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.
6. If a multi-family attached dwelling in an IC-1 or IC-2 Zoning District is not a component related to an educational, religious, or CCRC campus, a conditional zoning is required. These dwellings are subject to the standards of the N2-A Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.

### FF.1. Dwelling – Multi-Family Stacked

1. For a site zoned CG or CR and located in a Neighborhood Center, Community Activity Center, or Regional Activity Center Place Type, multi-family stacked developments are allowed using the dimensional and design standards and open space requirements of the NC ~~z~~Zoning ~~d~~District.

2. In the N1-F Zoning District, multi-family stacked dwelling developments are limited to one principal structure on a lot.

3. When located in an IC-1 or IC-2 Zoning District, a multi-family stacked dwelling shall be a related component intended to serve and support an educational, religious, or CCRC campus. These dwellings are subject to the standards of the N2-B Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.

4. If a multi-family stacked dwelling in an IC-1 or IC-2 Zoning District is not a component related to an educational, religious, or CCRC campus, a conditional zoning is required. These dwellings are subject to the standards of the N2-B Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.

#### **GG. Dwelling – Quadraplex**

1. Side-by-side units in a quadraplex dwelling shall be separated by a common wall of at least 20 feet in depth front-to-back, separating either heated living areas in each unit or abutting garages.

a. Passageways, breezeways, carports, storage areas, decks, patios, unenclosed roofs, utility rooms, and similar connections shall not be used as a means of connecting buildings or dwelling units.

2. In the Neighborhood 1 Zoning Districts, quadraplex dwellings are permitted only as follows:

a. Quadraplex dwellings are permitted only on arterial streets and a minimum of one unit within the structure shall be set aside for households earning 80% AMI or less for a 15-year affordability period. This restriction does not apply to the N1-F Zoning District.

b. In the case of a through lot, a quadraplex is only permitted if both frontages abut arterial streets.

3. In the N2-A and N2-B Zoning Districts, quadraplex dwellings are permitted subject to the standards of the N1-E Zoning District, or as components of a multi-dwelling development.

4. When located in an IC-1 or IC-2 Zoning District, a quadraplex dwelling shall be a related component intended to serve and support an educational, religious, or CCRC campus.

a. Quadraplex dwellings colocated on the same parcel as the campus development they serve and support are subject to the standards of the IC-1 or IC-2 Zoning District, as applicable.

b. Quadraplex dwellings located on an individual parcel(s) separate from the campus development they serve and support are subject to the standards of the N1-E Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.

5. If a quadraplex dwelling in an IC-1 or IC-2 Zoning District is not a component related to an educational, religious, or CCRC campus, a conditional zoning is required. These dwellings are subject to the standards of the N1-E Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.

#### **HH. Dwelling – Single-Family**

1. In the N2-A and N2-B Zoning Districts, single-family dwellings are permitted subject to the standards of the N1-E Zoning District, or as components of a multi-dwelling development.

2. In the CG and OFC Zoning Districts, only single-family dwellings existing legally prior to the June 1, 2023 effective date of this ordinance shall be allowed. These dwellings are subject to the standards of the N1-D Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.

3. When located in an IC-1 or IC-2 Zoning District, a single-family dwelling shall be a related component intended to serve and support an educational, religious, or CCRC campus.

a. Single-family dwellings colocated on the same parcel as the campus development they serve and support are subject to the standards of the IC-1 or IC-2 Zoning District, as applicable.

b. Single-family dwellings located on an individual parcel(s) separate from the campus development they serve and support are subject to the standards of the N1-D Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.

4. If a single-family in an IC-1 or IC-2 Zoning District is not a component related to an educational, religious, or CCRC campus, a conditional zoning is required. These dwellings are subject to the standards of the N1-D Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.

## **II. RESERVED**

### **JJ. Dwelling – Triplex**

1. Side-by-side units in a triplex dwelling shall be separated by a common wall of at least 20 feet in depth front-to-back, separating either heated living areas in each unit or abutting garages.

a. Passageways, breezeways, carports, storage areas, decks, patios, unenclosed roofs, utility rooms, and similar connections shall not be used as a means of connecting buildings or dwelling units.

2. In the N2-A and N2-B Zoning Districts, triplex dwellings are permitted subject to the standards of the N1-E Zoning District, or as components of a multi-dwelling development.

3. When located in an IC-1 or IC-2 Zoning District, a triplex dwelling shall be a related component intended to serve and support an educational, religious, or CCRC campus.

a. Triplex dwellings colocated on the same parcel as the campus development they serve and support are subject to the standards of the IC-1 or IC-2 Zoning District, as applicable.

b. Triplex dwellings located on an individual parcel(s) separate from the campus development they serve and support are subject to the standards of the N1-E Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.

4. If a triplex dwelling in an IC-1 or IC-2 Zoning District is not a component related to an educational, religious, or CCRC campus, a conditional zoning is required. These dwellings are subject to the standards of the N1-E Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.

### **KK. Educational Facility – Primary or Secondary**

1. In the Neighborhood 1 Zoning Districts, primary vehicular access is only permitted via arterial and collector streets, and limited access roadways where allowed.

### **LL. Educational Facility – University or College**

1. In the Neighborhood 1 Zoning Districts, primary vehicular access is only permitted via arterial and collector streets, and limited access roadways where allowed.

### **MM. Educational Facility – Vocational**

1. In the Neighborhood 1 Zoning Districts, primary vehicular access is only permitted via arterial and collector streets, and limited access roadways where allowed.

### **NN. Employment/Labor Service Agency**

1. An employment/labor service agency shall be separated by a distance of at least 800 feet from any other employment/labor service agency.

2. On-site management shall be required during the hours of operation. The manager shall be accessible to clients, law enforcement personnel, and any other individuals who need to establish communication upon or about the premises.



3. The employment/labor service agency shall provide adequate seating for clients in an accessible waiting area. The waiting area shall allow for access to restrooms and water during the hours of operation.

#### ~~OO. RESERVED~~

#### **PPOO. Farm**

1. Activities that are considered an agriculture - industrial process, as defined in this section, are prohibited.
2. All structures for the keeping of animals shall be located 100 feet from any lot line.
3. Farmstands for the sale of items grown on the farm are permitted.
4. All manure may only be stored in appropriate containers. The containers shall be located at least 250 feet from any from any lot line. A pile containing putrescible refuse and/or manure is prohibited. Spreading of manure is prohibited.

5. When located in an IC-1 or IC-2 Zoning District, a farm shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

#### **PP. Financial Institution**

1. When located in an IC-1 or IC-2 Zoning District, a financial institution shall be a related component intended to serve and support an educational, government, medical, or CCRC campus.

#### **QQ. Food Pantry**

1. A food pantry in the Neighborhood 1 and Neighborhood 2 Zoning Districts is permitted as an accessory use to an established nonresidential principal use.

2. When located in an IC-1 or IC-2 Zoning District, a food pantry shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

#### **RR. Funeral Home**

1. Funeral homes shall have primary vehicular access from a collector or arterial street.

#### **SS. Gas Station**

1. Gas station canopies may be located in required build-to zones but shall be located a minimum of 15 feet from any required frontage setback line.
2. Gas stations must meet the standards of the district with the exception of minimum building length as a percentage of lot width along a frontage, minimum ground floor height, and minimum building height.

3. When located in an IC-1 or IC-2 Zoning District, a gas station shall be a related component intended to serve and support an educational, government, or medical campus. The gas station is intended only for the fueling of fleet vehicles associated with the campus and shall not include retail components.

#### **TT. Government Office/Facility**

1. In the Neighborhood 1 Zoning Districts, primary vehicular access is only permitted via arterial and collector streets, and limited access roadways where allowed.

#### **UU. Group Home**

1. A zoning use permit is required.
2. A group home is subject to the standards for a single-family dwelling unless modified by this section.
3. Group homes shall be licensed by the state.

4. Group homes in the Neighborhood 1 Zoning Districts shall be limited to a maximum of six residents. Group homes in all other zoning districts shall be limited to ten residents.

5. New group homes shall be separated from existing group homes in an Neighborhood 1 Place Type by a distance of 800 feet. This standard does not apply in circumstances when the sites are separated by an arterial, major topographical feature such as a major stream floodway, or by major nonresidential or public uses such as a public park, educational facility, place of worship, or commercial area.

## **VV. Halfway House**

1. Each halfway house shall identify a manager to act as a 24 hour contact.

2. Halfway houses shall be limited to ten residents.

3. The manager contact information shall be printed legibly and posted in such a way as to be conspicuous and readable from the exterior of each building to a person at the front entrance of a building. The posting shall contain the address of the property, the name of the manager of the property, and the phone number of the manager.

4. When located in an IC-1 or IC-2 Zoning District, a halfway house shall be a related component intended to serve and support a social services campus.

### **VV.1. Healthcare Institution**

1. When located in an IC-1 or IC-2 Zoning District, a healthcare institution shall be a related component intended to serve and support an educational, medical, or CCRC campus.

## **WW. Homeless Shelter**

1. New homeless shelters shall be separated from existing homeless shelters by a minimum of 800 feet. This separation requirement does not apply in the Commercial Zoning Districts and the Manufacturing and Logistics Zoning Districts.

2. Each homeless shelter shall identify a manager to act as a 24-hour contact.

3. The manager contact information shall be printed legibly and posted in such a way as to be conspicuous and readable from the exterior of each building to a person at the front entrance of a building. The posting shall contain the address of the property, the name of the manager of the property, and the phone number of the manager.

4. When located in an IC-1 or IC-2 Zoning District, a homeless shelter shall be a related component intended to serve and support a government, religious, or social services CCRC campus.

### **WW.1. Hotel/Motel**

1. When located in an IC-1 or IC-2 Zoning District, a hotel/motel shall be a related component intended to serve and support an educational or medical campus.

## **XX. Industrial, Craft**

1. In the IMU and RC Zoning Districts, the following apply:

a. Each craft industrial use is limited to a maximum gross square footage of 30,000 square feet.

b. To encourage the adaptive reuse of older or underutilized buildings, this maximum area is increased to 60,000 square feet if the use is located in a building constructed prior to 1980.

c. Outside storage is prohibited. All business, servicing, processing, and storage uses shall be fully enclosed.

2. When located in an IC-1 or IC-2 Zoning District, craft industrial shall be a related component intended to serve and support an educational campus.

## **XX.1. Industrial Design**

1. When located in an IC-1 or IC-2 Zoning District, industrial design shall be a related component intended to serve and support an educational or medical campus.

## **YY. Industrial, General**

1. All outdoor storage and activity areas shall be located a minimum of 30 feet from any lot line. However, when abutting a Neighborhood 1 or Neighborhood 2 Place Type, the outdoor storage and activity areas shall be located a minimum of 200 feet from the lot line that abuts a Neighborhood 1 or Neighborhood 2 Place Type. No storage is permitted within this setback.
2. All outdoor storage and activity areas require a Class C landscape yard along all lot lines, unless Article 20 requires a higher class of landscape yard. However, if a higher class of landscape yard is required and does not require a fence or wall, a fence or wall shall still be required. Storage of any kind is prohibited outside the fence.
3. No items stored within 30 feet of the fence or wall may exceed the height of the fence or wall.

## **ZZ. Industrial, Light**

1. In the IMU and RC Zoning Districts, the following apply:
  - a. Outside storage is prohibited. All business, servicing, processing, and storage uses shall be fully enclosed.
  - b. Light industrial uses are limited to a maximum gross square footage of 30,000 square feet.
  - c. To encourage the adaptive reuse of older or underutilized buildings, this maximum area is increased to 60,000 square feet if the use is located in a building constructed prior to 1980.
2. All outdoor storage and activity areas shall be located a minimum of 30 feet from any lot line. However, when abutting a Neighborhood 1 or Neighborhood 2 Place Type, the outdoor storage and activity areas shall be located a minimum of 200 feet from the lot line that abuts a Neighborhood 1 or Neighborhood 2 Place Type. No storage is permitted within this setback.
3. All outdoor storage areas require a Class C landscape yard along all lot lines, unless Article 20 requires a higher class of landscape yard. However, if a higher class of landscape yard is required and does not require a fence or wall, a fence or wall shall still be required. Storage of any kind is prohibited outside the fence.
4. No items stored within 30 feet of the fence or wall may exceed the height of the fence or wall.

## **AAA. Kennel**

1. Any structure for the keeping of animals that is not completely enclosed shall be located between the principal structure and the side or rear lot line.
2. No more than 20% of the established rear setback shall be occupied by such structures. Such structures shall be located ten feet from any lot line.
3. When abutting a Neighborhood 1 or Neighborhood 2 Place Type, any exterior exercise area shall be located a minimum of 200 feet from such lot line.
4. Kennels shall locate exterior pens, runs, training, and exercise areas shall be located between the principal structure and the side or rear lot line.
5. All exterior exercise areas shall be completely fenced.

## **BBB. Landfill, Land Clearing, and Inert Debris (LCID)**

1. Any LCID landfill shall obtain approval and comply with the size, siting, operational standards, and notice by recordation requirements of the State of North Carolina.

2. An LCID landfill may not be operated for more than 12 months except where no portion of the landfill is located within 400 feet of property located in a Neighborhood 1 or Neighborhood 2 Place Type.
3. The location of an LCID landfill shall be indicated on any required final subdivision plat.
4. No operational portion of the LCID landfill may be located within 50 feet of any property lines. This includes structures, equipment storage, parking areas and fill areas; however, access drives may cross this area. The actual fill area shall be located at least 400 feet from any Neighborhood 1 or Neighborhood 2 Place Type or from an existing residential building in any other place type.
5. Primary vehicular access shall only be permitted via arterial streets and limited access roadways where allowed.
6. Operation of an LCID landfill is limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday, if the site is within 400 feet of any Neighborhood 1 or Neighborhood 2 Place Type or a property with an existing residential building in any other place type.
7. All LCID landfills shall be lined with a geomembrane liner and leachate collection system subject to the standards of the Code of North Carolina, Department of Environmental Quality, equal to or exceeding the criteria for Municipal Solid Waste (MSW) Landfill Units.
8. All LCID landfills shall comply with the groundwater well and surface water requirements of MSW Landfill Units as defined by the Code of North Carolina, Department of Environmental Quality, equal to or exceeding the criteria for MSW Landfill Units.

### **CCC. Light Assembly**

1. In the IMU and RC Zoning Districts, outside storage is prohibited, and all business, servicing, processing, and storage uses shall be fully enclosed.

#### **CCC.1. Live Performance Venue – Indoor**

1. When located in an IC-1 or IC-2 Zoning District, an indoor live performance venue shall be a related component intended to serve and support an educational campus.

#### **CCC.2. Lodge/Meeting Hall**

1. When located in an IC-1 or IC-2 Zoning District, a lodge/meeting hall shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

### **DDD. Marina**

1. Marinas may include caretaker's residences, docks, fueling and supply facilities, launching and storage facilities, boat servicing facilities, parking areas, maintenance areas, restaurants, boat lifts, launching ramps, boat charter services, and incidental retail sales associated with the principal use.
2. Along any lot line that abuts a use other than another marina, a Class B landscape yard is required, unless Article 20 requires a higher class of landscape yard.
3. Areas used for the drydock/outdoor storage of boats shall be screened along all lot lines by a Class B landscape yard unless Article 20 requires a higher class of landscape yard.

#### **EEE. Medical/Dental Office**

1. When located in an IC-1 or IC-2 Zoning District, a medical/dental office shall be a related component intended to serve and support an educational, medical, social services, or CCRC campus.

#### **~~EEE. Medical Campus~~**

- ~~1. A medical campus may include standalone medical/dental offices, drug treatment clinics, and similar health services.~~

~~2.—A medical campus may include residential care facilities, residential addiction treatment facilities, and similar facilities. Long-term stay housing for patient families is permitted.~~

~~3.—Supportive commercial uses primarily serving medical campus staff, patients, and visitors of the medical campus, such as retail goods establishments, personal service establishments, financial institutions, childcare centers, and restaurants, are permitted but shall be located to minimize attracting outside customers.~~

#### **FFF. Micro-Production of Alcohol**

1. The establishment shall include a restaurant, bar, and/or tasting room within the same building. The minimum size of the restaurant, bar, and/or tasting room shall be 20% of the total square footage of the use or 1,500 square feet, whichever is less.
2. Facilities may include retail areas for the purchase of beverages manufactured on-site and related items.
3. The maximum area that can be used for beverage production within a building is 30,000 square feet. To encourage the adaptive reuse of older or underutilized buildings, this maximum area is increased to 60,000 square feet if the establishment is located in a building constructed prior to 1980.

#### **GGG. Movie Studio**

1. A movie studio is not subject to the design standards of a zoning district.

#### **HHH. Multi-Dwelling Development**

1. For a site zoned CG or CR and located in a Neighborhood Center, Community Activity Center, or Regional Activity Center Place Type, multi-dwelling developments are allowed using the dimensional and design standards and open space requirements of the NC ~~z~~Zoning ~~d~~District unless modified by this section.
2. Each dwelling type in a multi-dwelling development shall meet zoning district dimensional and design standards unless modified by this section.
  - a. Every residential building on the site shall be separated on every side from any other building by at least ten feet.
  - b. All portions of every residential building shall be located within 400 feet of a public street, network-required private street, or non-network required private street that has direct access to the building.
  - c. Where a multi-dwelling development is served by non-network required private streets, angled parking areas directly adjoining the non-network required private streets will be permitted on one side of the street. Such parking areas may be alternated from one side of the street to the other. The combined length of such parking areas may not exceed 50% of the length of the adjoining roadway. All other angled parking areas shall be clearly separated from the non-network required private street by at least a barrier island. Any angled parking areas on network-required private streets shall be developed per the standards of the Charlotte Land Development Standards Manual (CLDSM) and with the approval of the Charlotte Department of Transportation (CDOT).
  - d. Non-network private streets, similar interior vehicular circulation streets, alleys, and surface parking areas on the site shall be no closer than 15 feet to any side of a residential building used for entry into the building and will be no closer than five feet to any other face of a building.
  - e. Architectural features such as stoops, stairs, chimneys, bay windows, balconies, and roof overhangs may extend into the 15 foot area of item d above, but in no case may they be closer than five feet to the non-network required private street, alley, and/or surface parking area. No structural support elements may be located in this area.
  - f. Parking pads and driveways shall have a minimum length of 20 feet, measured from the back of the sidewalk, back of curb, or edge of pavement, whichever is greater. Along non-network private streets without sidewalks, private drives, and alleys, the driveway apron may be reduced to no more than seven feet behind the back of curb or edge of pavement.

3. In the N1-F Zoning District, multi-dwelling developments are limited to two principal structures on a lot.
4. On development sites of 30 acres or more in the N2-A and N2-B Zoning Districts, a mix of dwelling types is required. No one dwelling type may constitute more than 90% of the total units in the development.
5. When located in an IC-1 or IC-2 Zoning District, a multi-dwelling development shall be a related component intended to serve and support an educational, religious, or CCRC campus. These dwellings are subject to the standards of the N2-B Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.
6. If a multi-dwelling development in an IC-1 or IC-2 Zoning District is not a component related to an educational, religious, or CCRC campus, a conditional zoning is required. These dwellings are subject to the standards of the N2-B Zoning District, as well as other applicable provisions (such as, but not limited to, those governing accessory structures) of this ordinance.

### III. Neighborhood Commercial Establishment

1. In the Neighborhood 1 and Neighborhood 2 Zoning Districts, neighborhood commercial establishments are allowed within existing structures that are nonresidential in their original construction and/or current use as of the effective date of this Ordinance. Such structures cannot be expanded.
2. In the Neighborhood 2 Zoning Districts, new neighborhood commercial establishments are permitted on the ground floor of multi-family stacked dwellings.
3. In the Neighborhood 2 Zoning Districts, new neighborhood commercial establishments are permitted as freestanding structures subject to the following:
  - a. Shall be located on corner lots.
  - b. Shall be limited to a maximum gross square footage of 9,000 square feet.
  - c. Shall be limited to a maximum of 48 feet in height.
4. Neighborhood commercial establishments are not subject to the minimum lot sizes for nonresidential uses in Neighborhood 1 and Neighborhood 2 Zoning Districts. All other nonresidential zoning district standards apply.
5. The following commercial uses are permitted within a neighborhood commercial establishment.
  - a. Adult care center
  - b. Animal care facility with no outdoor component
  - c. Art gallery
  - d. Art or fitness studio
  - e. Childcare center; any separation requirements for childcare centers do not apply when allowed within a neighborhood commercial establishment
  - f. Medical/dental office
  - g. Office
  - h. Personal service establishment
  - i. Restaurant/bar; sale of alcohol is prohibited in the Neighborhood 1 Zoning Districts
  - j. Retail goods establishment; sale of alcohol is prohibited in the Neighborhood 1 Zoning Districts
  - k. Specialty food service

6 No off-street parking is required when the neighborhood commercial establishment is located within an existing building located in a Neighborhood 1 Zoning District. However, any off-street parking currently provided shall be retained.

7. Accessory drive-throughs are prohibited.

8. Outdoor seating/activity areas and outdoor sales and display are permitted as an accessory use to a neighborhood commercial establishment. Outside storage is prohibited.

9. Outdoor entertainment, as an accessory use, is prohibited as part of a neighborhood commercial establishment in the Neighborhood 1 Zoning Districts.

#### **JJJ. Nightclub**

1. All windows and doors shall remain closed between the hours of 11:00 p.m. and 8:00 a.m.

2. All nightclubs shall be separated from any Neighborhood 1 Place Type by a distance of at least 200 feet.

#### **KKK. Office**

1. In the CR, ML-1, and ML-2 Zoning Districts, an office use is limited to 25% of gross floor area of a building.

2. When located in an IC-1 or IC-2 Zoning District, an office shall be a related component intended to serve and support an educational, medical, social services, or CCRC campus.

#### **~~LLL. Office Campus~~**

~~1. Supportive commercial uses for the primary use of office campus staff and visitors, such as retail goods establishments, personal service establishments, financial institutions, childcare centers, and restaurants, are permitted but shall be located to minimize attracting outside customers.~~

#### **MMM. RESERVED**

#### **~~NNNLLL. Outdoor Storage Yard~~**

1. The outdoor storage yard shall be located a minimum of 15 feet from any lot line except where properties zoned the ML-1 or ML-2 Zoning District abut. However, when abutting a Neighborhood 1 and Neighborhood 2 Place Type, the outdoor storage yard shall be located a minimum of 200 feet from the lot line that abuts a Neighborhood 1 or Neighborhood 2 Place Type. No storage is permitted within this separation.

2. The outdoor area requires a Class C landscape yard along all lot lines, unless Article 20 requires a higher class of landscape yard. However, if a higher class of landscape yard is required and does not require a fence or wall, a fence or wall shall still be required. In addition, when abutting a Manufacturing and Logistics Place Type, a landscape yard is not required but a fence shall be required.

3. Storage of any kind is prohibited outside the required fence in item 2 above.

4. No items stored within 30 feet of the fence or wall may exceed the height of the fence or wall.

#### **MMM. Parking Lot (Principal Use)**

1. When located in an IC-1 or IC-2 Zoning District, a parking lot as a principal use shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

#### **NNN. Parking Structure (Principal Use)**

1. When located in an IC-1 or IC-2 Zoning District, a parking structure as a principal use shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

### **NNN.1. Personal Service Establishment**

1. When located in an IC-1 or IC-2 Zoning District, a personal service establishment shall be a related component intended to serve and support an educational, medical, social services, or CCRC campus.

### **OOO. Public Park**

1. Public parks shall be exempt from the following zoning district standards:
  - a. Minimum lot width and/or area
  - b. Minimum build-to zones and build-to percentages
  - c. Building articulation requirements
  - d. Minimum transparency requirements
  - e. Building design standards (excluding building materials)

### **PPP. Public Safety Facility**

1. In the Neighborhood 1 Zoning Districts, primary vehicular access is only permitted via arterial and collector streets, and limited access roadways where allowed.

### **QQQ. Public Transit Facility**

1. In the Neighborhood 1 Zoning Districts, primary vehicular access is only permitted via arterial and collector streets, and limited access roadways where allowed.

### **QQQ.1. Public Works Facility**

1. When located in an IC-1 or IC-2 Zoning District, a public works facility shall be a related component intended to serve and support a government campus.

### **RRR. Quarry**

1. The minimum area for a quarry shall be 100 acres.
2. A plan shall be submitted that specifies the anticipated future use of the property, upon the cessation of quarrying activities. The plan shall include provisions for the property owner to create a reserve fund in accordance with the applicable state statutes.
3. Required minimum setback from any lot line to:
  - a. Any building or extraction area, road, driveway or pit: 200 feet
  - b. Any crushing of rock, processing of stone, gravel, or other material: 300 feet
  - c. Any blasting: 500 feet
4. A Class A landscape yard is required along all lot lines.
5. During operation of the quarry, the following safety features shall be required:
  - a. **Rock Quarries**
    - i. From the edge of the pit, an area 20 feet wide shall be maintained free of any soil cover.
    - ii. From a point 20 feet from the edge of the pit, the soil cover, if less than 20 feet in depth, shall be graded back to a slope of one foot vertical or less, to one foot horizontal from the rock level to the top of the soil cover.



iii. If the soil cover to be stripped away exceeds 20 feet in depth, a ditch eight feet wide and three feet deep, at least ten feet back from the edge of the pit, may be substituted for the backsloping. If the pit has reached its maximum expansion in any direction, however, the permanent fence as described in item 9 below, in connection with termination of quarrying operations, will suffice instead of the backsloping or ditching in that particular area.

**b. Gravel Quarries and Sand Quarries**

When the pit exceeds a depth of 20 feet from the surface of the ground, all dense underbrush shall be removed from the soil cover for a distance of 20 feet from the edge of the pit.

6. Blasting is prohibited on Sunday, and may not occur earlier than 7:00 a.m. or later than 7:00 p.m. on any other day.
7. Vehicular access to the facility shall be provided from an arterial street.
8. A metal fence and gate shall be constructed at the entrance to the quarry site and be closed when the quarry is not in operation. All access driveways, which serve the site for ingress or egress, shall be wide enough to accommodate two lanes of traffic.
9. Upon termination of quarry operations at any pit that exceeds a depth of 20 feet from the surface of the ground, either the pit shall be backfilled to the slope of one foot vertical, or less, to one foot horizontal from the bottom of the pit to the surface of the ground, or a fence designed to prevent access shall be erected and maintained around the pit, or the site shall be otherwise reclaimed in accordance with the reuse plan for the property. If a fence is used, it shall be a minimum six feet high, and a maximum of eight feet high.

**SSS. Reception Facility**

1. A general admission fee or any other monetary donations (payment at the door to the general public) for entrance is prohibited, with the exception of fundraisers or events for bona fide non-profit organizations, places of worship, or educational facilities.
2. All windows and doors shall remain closed between the hours of 11:00 p.m. and 8:00 a.m.
3. When located in an IC-1 or IC-2 Zoning District, a reception facility shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

**TTT. Recycling Collection Center**

1. All recycling collection containers that are not within an enclosed building shall be located a minimum of 30 feet from any lot line.
2. A Class B landscape yard is required along all lot lines. A solid fence a minimum of six feet to a maximum of eight feet in height is required with exceptions for ingress/egress, which shall be gated.
3. Storage of any kind is prohibited outside the required fence in item 2 above.

**~~UUU. Religious Campus~~**

- ~~1.—A religious campus may include supportive housing, such as dormitories, group homes, children’s homes, halfway houses, homeless shelters, and domestic violence shelters.~~
- ~~2.—A religious campus may include community centers and food pantries.~~
- ~~3.—Supportive nonresidential uses primarily serving religious campus staff and the congregation, such as retail goods establishments and restaurants, are permitted but shall be located to minimize attracting outside customers.~~

**UUU. Research and Development (R&D)**

1. When located in an IC-1 or IC-2 Zoning District, research and development shall be a related component intended to serve and support an educational or medical campus.

## **VVV. Residential Care Facility**

1. Residential care facilities in the Neighborhood 2 Zoning Districts shall be subject to the standards for multi-family dwellings within the zoning district.

## **WWW. Restaurant/Bar**

1. Incidental entertainment, which is defined as live or pre-recorded background music, is permitted within a permanent enclosed area.
2. All windows and doors shall remain closed between the hours of 11:00 p.m. and 8:00 a.m.
3. When located in an IC-1 or IC-2 Zoning District, a restaurant/bar shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus. All restaurants/bars shall not exceed 10% of the gross floor area (GFA) of the building(s) they occupy.

## **~~XXX. RESERVED~~**

## **XXX. Retail Goods Establishment**

1. When located in an IC-1 or IC-2 Zoning District, a retail goods establishment shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus. Retail Goods Establishments shall be located on the ground floor of a multi-story building.
2. When located in an OFC or OG Zoning District, a retail goods establishment shall be limited to 40% of the ground floor of a multi-story building.

## **YYY. Salvage and/or Junk Yard**

1. All outdoor storage and processing areas shall be located a minimum of 200 feet from any lot line except for a lot in a Manufacturing and Logistics Place Type.
2. A salvage and/or junk yard shall be located a minimum of 1,000 feet from any lot in a Neighborhood 1 or Neighborhood 2 Place Type.
3. Screening is required as follows:
  - a. A Class A landscape yard is required along all rear and side lot lines. In Zone 1 of the landscape yard, a solid fence a minimum of six feet to a maximum of eight feet in height is required.
  - b. A Class B landscape yard is required along all lot lines abutting a street. A solid fence a minimum of six feet to a maximum of eight feet in height is required with exceptions for ingress/egress, which shall be gated.

## **ZZZ. Self-Storage Facility: Climate-Controlled**

1. Storage units cannot be used as a residence, office, or principal place of business.
2. No plumbing connections are permitted in self-storage units with the exception of those needed for fire safety.
3. All self-storage activities shall be conducted exclusively indoors. Individual storage units may be accessed from inside the building only.
4. Any ground floor facade abutting a street shall be wrapped with active uses. Active use spaces shall be a minimum of 20 feet in width and 20 feet in depth. Individual spaces shall be furnished with water, sewer, and electrical service, or such services shall be stubbed into each individual active use bay for a future connection. This is not required in the Manufacturing and Logistics Zoning Districts or Commercial Zoning Districts.
5. Access to loading areas shall be located to the side or rear of the building.

#### **AAAA. Self-Storage Facility: Outdoor**

1. Storage units cannot be used as a residence, office, or principal place of business.
2. No plumbing connections are permitted in self-storage units with the exception of those needed for fire safety.
3. Outdoor self-storage facilities should be oriented so that storage unit access doors do not face the public right-of-way.
4. Outdoor self-storage facilities may include an area for storage of motor vehicles, recreational vehicles, and marine recreational vehicles. Storage areas shall be located to the side or rear of the facility and shall be a minimum of 30 feet from any lot line.
5. If storage areas for vehicles are provided as described in item 4 above, they shall be screened with a Class C landscape yard along all lot lines, unless Article 20 requires a higher class of landscape yard.

#### **BBBB. Shooting Range, Indoor**

1. The indoor training and shooting facilities shall be located in a building where it is the sole use within the structure.

#### **CCCC. Single Room Occupancy (SRO)**

1. Rooming units shall be a minimum of 80 square feet, not to exceed 450 square feet total.
2. Rooming units in single room occupancy residences shall be limited to one occupant per room.
3. The building shall contain common space such as recreation areas, lounges, living rooms, and dining rooms at a rate of five square feet per rooming unit, but totaling not less than 250 square feet. Bathrooms, laundries, hallways, the main lobby, vending areas, and kitchens shall not be counted as common space.
4. Rooming units in each building shall be accessed through one primary location, unless the building is being rehabilitated or converted from an existing structure with multiple entrances, or from a campus with multiple buildings.
5. On-site management shall be provided on a 24 hour basis per building. Adequate on-site management includes having an employee on premises twenty-four hours a day. The employee shall be accessible to residents, law enforcement personnel, and any other individuals who need to establish communication upon or about the premises. Adequate on-site management also requires that the employee has the authority to exercise control over the premises to ensure that the use of the premises does not result in littering, nuisance activities, noise, or other activities that interfere with the peaceful enjoyment and use of surrounding properties.
6. Utilities shall be mass metered.
7. A maximum of 120 units are permitted, and a minimum of 11 units is required.
8. All buildings, outdoor active recreation facilities, and off-street parking and service areas require a Class C landscape yard along all lot lines that abut an Neighborhood 1 Place Type.

##### **CCCC.1. Social Service Facility**

1. When located in an IC-1 or IC-2 Zoning District, a social service facility shall be a related component intended to serve and support a social services campus.

##### **CCCC.2. Specialty Food Service**

1. When located in an IC-1 or IC-2 Zoning District, a specialty food service shall be a related component intended to serve and support an educational campus.

##### **CCCC.3. Stadium**

1. When located in an IC-1 or IC-2 Zoning District, a stadium shall be a related component intended to serve and support an educational campus.

2. A conditional zoning shall be required for any stadium within 1,000 feet of any lot in a Neighborhood 1 or Neighborhood 2 Place Type or exceeding a spectator capacity of 2,500 seats.

**DDDD. Utility (Includes Transmission and Distribution)**

**1. Utility Buildings**

- a. Minimum building height regulations do not apply to utility buildings.
- b. Building design standards for structures on a site apply, unless it can be shown that incorporating certain elements impacts operations and/ or creates a public safety issue. The Zoning Administrator shall approve the exceptions to design standards.

**2. Utility Equipment (Principal Use of Site)**

- a. Utility equipment shall be set back 20 feet from all required setback lines.
- b. Utility equipment shall be screened along all lot lines by a Class C landscape yard, unless Article 20 requires a higher class of landscape yard.
- c. For electrical substations, a solid wall of a minimum of 12 feet and a maximum of 15 feet is required as part of the Class C landscape yard.
- d. The Zoning Administrator has the authority to approve alternative methods for screening that meet the intent of the solid wall requirement.

3. When located in an IC-1 or IC-2 Zoning District, a utility equipment use shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

**EEEE. Vehicle Dealership: Outdoor**

- 1. In the CG Zoning District, outdoor vehicle dealerships shall be less than two acres in lot area.

**EEEE.1. Vehicle Operations Facility**

1. When located in an IC-1 or IC-2 Zoning District, a vehicle operations facility shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

**FFFF. Vehicle Rental: Outdoor**

- 1. In the CG Zoning District, outdoor vehicle rental establishments shall be less than two acres in lot area.

**GGGG. Vehicle Repair Facility: Major**

- 1. Repair of vehicles is prohibited outdoors. Storage of all merchandise, auto parts, and supplies shall be within an enclosed structure.
- 2. Vehicle repair facilities shall be screened along interior side and rear lot lines with a Class C landscape yard, unless a higher class of landscape yard is required by Article 20. The landscape yard is not required where such side or rear lot abuts a Manufacturing and Logistics Place Type.
- 3. No partially dismantled, wrecked, junked, or discarded vehicles may be stored outdoors on the premises. This standard does not apply to vehicles under repair.
- 4. No vehicles may be stored on site for more than 90 days.
- 5. The sale of new or used vehicles is prohibited unless it is a permitted use in the zoning district.

6. No motor vehicles may be stored and no repair work may be conducted in any public or network-required private street.

#### **HHHH. Vehicle Repair Facility: Minor**

1. Repair of vehicles is prohibited outdoors. Storage of all merchandise, auto parts, and supplies shall be within an enclosed structure.
2. Vehicle repair facilities shall be screened along interior side and rear lot lines with a Class C landscape yard, unless a higher class of landscape yard is required by Article 20. The landscape yard is not required where such side or rear lot abuts a Manufacturing and Logistics Place Type.
3. No partially dismantled, wrecked, junked, or discarded vehicles may be stored outdoors on the premises. This standard does not apply to vehicles under repair.
4. No vehicles may be stored on site for more than 90 days.
5. The sale of new or used vehicles is prohibited unless it is a permitted use in the zoning district.
6. No motor vehicles may be stored and no repair work may be conducted in any public or network-required private street.

#### **III. Waste Management Facility**

1. All outdoor waste storage and processing areas shall be located a minimum of 200 feet from any lot line except for a lot in a Manufacturing and Logistics Place Type. For the purposes of this standard, the more restrictive conditions between the North Carolina Department of Environmental Quality (NC DEQ) or the City shall apply and control.
2. A waste management facility shall be located a minimum of 1,000 feet from any lot in a Neighborhood 1 or Neighborhood 2 Place Type. For the purposes of this standard, the more restrictive conditions between the NC DEQ or the City shall apply and control.
3. Screening is required as follows:
  - a. A Class A landscape yard is required along all rear and side lot lines. In Zone 1 of the landscape yard a solid fence a minimum of six feet to a maximum of eight feet in height is required.
  - b. A Class B landscape yard is required along all lot lines abutting a street. A solid fence a minimum of six feet to a maximum of eight feet in height is required with exceptions for ingress/egress, which shall be gated.

#### **JJJJ. Wireless Telecommunications**

##### **1. General Standards for Wireless Telecommunications Systems**

- a. Wireless telecommunications systems shall not be lit or marked unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).
- b. Commercial advertising is prohibited on all components. Only signs that are part of the equipment as manufactured or warning signs is permitted.

##### **2. Standards for Wireless Telecommunications Towers**

- a. The maximum height of a wireless telecommunications tower is the minimum needed to function satisfactorily, evidence of which shall be provided to the Zoning Administrator.
- b. All wireless communication towers located in a Neighborhood 1 or Neighborhood 2 Zoning District or within 400 feet of a lot within a Neighborhood 1 or Neighborhood 2 Place Type shall be required to meet concealment standards. Such concealment methods are encouraged in all zoning districts. Wireless communication towers are considered to meet concealment standards as follows:

###### **i. Canister Design**

All antennas on the tower shall be encased within canisters with the following provisions:

- (A) The canisters shall be of a diameter no greater than 12 feet and all canisters shall be the same diameter.
- (B) There shall be an under mount on the canisters that screens the view of the antennas from the ground.
- (C) The tower and canisters shall be painted or constructed of the same color.

**ii. Tree Design**

The tower may be designed as a tree to blend with more natural surroundings. At a minimum the following standards shall be met:

- (A) Branches of the tree design shall screen antennas and shall extend 12 inches beyond the edge of the antennas.
- (B) Mounts and antennas shall be painted green to match the branches.

c. All wireless communication towers shall meet the following setback requirements:

i. When located in a Neighborhood 1 or Neighborhood 2 Zoning District or when abutting a lot within a Neighborhood 1 or Neighborhood 2 Place Type, towers shall be setback from all lot lines a minimum of 110% of the tower height.

ii. In all other locations, towers shall meet the setback of the zoning district.

d. Wireless communication towers are prohibited as a second principal use on any lot that contains a single-family, duplex, triplex, or quadraplex dwelling.

e. All towers shall be designed and equipped with the technological and structural capability to accommodate multiple wireless communications carriers for towers. At a minimum, colocation capability is required as follows:

- i. For towers up to 150 in height: A minimum of two carriers
- ii. For towers over 150 in height: A minimum of three carriers

f. All wireless telecommunication towers shall be monopole construction and be painted or constructed of a neutral color that blends in with the sky including, but not limited to, galvanized silver or gray finish.

g. The use of guyed towers is prohibited. Towers shall be monopoles, meaning self-supporting with no wires, cables, or beams.

**3. Standards for Wireless Telecommunications Antennas**

a. Wireless communication antennas are permitted atop any building or structure, with the exception of prohibited on single-family, duplex, triplex, or quadraplex dwellings.

b. No wireless communication antenna may extend more than 20 feet above the roof of the structure.

c. Wireless telecommunication antennas on a tower shall be mounted at least 30 feet above grade, as measured to the base of the antenna.

d. All wireless communication antennas located in a Neighborhood 1 or Neighborhood 2 Zoning District or within 400 feet of a lot within a Neighborhood 1 or Neighborhood 2 Place Type shall be required to meet concealment standards. Such concealment methods are encouraged in all zoning districts. Wireless communication antennas are considered to meet concealment standards as follows:

**i. Stealth Design**

(A) Wireless telecommunications antennas shall be enclosed, camouflaged, screened, obscured, or otherwise not readily apparent to a casual observer.

(B) Wireless telecommunication antennas shall be located on or in structures already permitted within zoning districts, such as water towers, clock towers, streetlights, penthouses, parapet walls (shall be behind the parapet wall), and steeples, and shall be designed to blend in with the structure.

**ii. Colocation**

(A) Antennas that colocate on existing wireless telecommunications towers are considered to meet the requirement of concealment. However, such antennas cannot increase the overall height of the existing wireless telecommunications tower.

(B) Antennas that colocate may be mounted in the same manner as other antennas on the tower. Where antennas are located within canisters on a tower, new antennas that colocate on the tower shall be within canisters (see item 2 above).

**4. Standards for Wireless Telecommunications Facilities**

a. Wireless telecommunication facilities shall be limited to 500 square feet in gross floor area and 15 feet in height. The building height limitation may be waived by the Zoning Administrator up to a maximum height of 25 feet in order to accommodate architectural design, screening, or similar special needs.

b. Wireless telecommunication facilities shall be screened by a Class C landscape yard along all street frontages and lot lines. The fence shall be designed so that it is not easily climbable.

c. Safety devices shall be installed and maintained as needed in order to make the facility inaccessible to the public.

**5. Abandoned Wireless Telecommunication Systems**

Any wireless telecommunication system component that is unused for a continuous period of 12 months shall be removed by the tower owner or the property owner.

**6. Nonconforming Wireless Telecommunication Systems**

a. A properly permitted wireless telecommunication systems may remain in its present location and design.

b. If a wireless telecommunication tower and/or facility is replaced, it shall meet all prescribed conditions. The changing of, additions to, or removal of antenna on an existing tower as well as the colocation of additional carriers on an existing tower shall be permitted and shall not require the tower to be brought into compliance.

**15.5 TEMPORARY USES: PRESCRIBED CONDITIONS**

**A. Mobile Car Wash**

1. A zoning use permit is required.
2. A zoning use permit is valid for 90 consecutive calendar days.

**B. Mobile Food Vendor**

1. A zoning use permit is required.
2. A zoning use permit is valid for 365 consecutive calendar days, and may be renewed on an annual basis.
3. A mobile food vendor in the Neighborhood 1 and Neighborhood 2 Zoning Districts shall be permitted as an accessory use to an established nonresidential principal use.
4. Mobile food vendors shall not be located in a required sight distance triangle, shall not block driveways or other access to buildings, and shall not be located within a required setback.

5. The property owner shall submit a site plan for zoning review by the Zoning Administrator, CDOT, and the City of Charlotte Fire Department if four or more vendors locate on a site. Any site plan approval is valid for the duration of the use.

**C. Mobile Retail Vendor**

1. A zoning use permit is required.
2. A zoning use permit is valid for 365 consecutive calendar days, and may be renewed on an annual basis.
3. A mobile retail vendor in the Neighborhood 1 and Neighborhood 2 Zoning Districts is permitted as an accessory use to an established nonresidential principal use.
4. Mobile retail vendors shall not be located in a required sight distance triangle, shall not block driveways or other access to buildings, and shall not be located within a required setback.
5. The property owner shall submit a site plan for zoning review by the Zoning Administrator, CDOT, and the City of Charlotte Fire Department if four or more vendors locate on a site. Any site plan approval is valid for the duration of the use.

**D. Real Estate Project Sales Office**

1. A temporary standalone real estate sales office shall be subject to the following:
  - a. A development is limited to one temporary standalone real estate sales office, which shall not be located in any required setback.
  - b. All standalone temporary real estate sales offices shall be closed and removed within 30 days after the sale or lease of the last unit of the development.
2. Temporary real estate sales offices within the development shall be closed within 30 days after the sale or rental of the last unit of the development.
3. These standards do not apply to permanent leasing offices.

**E. Temporary Contractor's Office and Contractor's Yard**

1. A temporary contractor's office is allowed incidental to a construction project and requires a zoning use permit. The zoning use permit is valid for the life of the project.
2. A temporary contractor's office is allowed within required setbacks with Zoning Administrator approval if they determine there is no other feasible location, and placement in a setback shall not negatively impact circulation and abutting properties.
3. The temporary contractor's office and/or yard shall be removed within 30 days of completion of the construction project.
4. Temporary contractor yards shall be secured on all sides by a fence a minimum of six feet to a maximum of eight feet in height. Fencing is not required on shared lot lines if the abutting lot also has a fence or other barrier that prohibits entry onto the lot.

**F. Temporary Outdoor Entertainment**

1. A zoning use permit is required.
2. A temporary outdoor entertainment event in the Neighborhood 1 and Neighborhood 2 Zoning Districts is permitted as an accessory use to an established nonresidential principal use.
3. A temporary outdoor entertainment event, including all sale and display items, shall not be located in any required setback.



4. The operator of the temporary outdoor entertainment event shall receive a zoning use permit that describes the type of event involved, and the duration of the event. Depending on the type of entertainment event, additional City or County permits may be required.
5. No one event may be longer than 14 calendar days, including set-up and breakdown time. The Zoning Administrator is authorized to extend the duration of the temporary outdoor entertainment permit beyond 14 days if there is a unique situation that warrants a time extension.
6. The event cannot locate in any minimum required parking spaces for other businesses on the site when such businesses are open.

#### **G. Temporary Outdoor Sales**

1. A zoning use permit is required.
2. Temporary outdoor sales in the Neighborhood 1 and Neighborhood 2 Zoning Districts are permitted only when sponsored by an institutional use within the district, such as a place of worship or educational facility, and takes place on the lot of such use.
3. Temporary outdoor sales, including all sale and display items, shall not be located in any required build-to zone, required setback, or sight distance triangle.
4. Any operator of a temporary outdoor sales event shall receive a zoning use permit that describes the type of event involved and the duration of the event.
5. No one event may be longer than 14 calendar days, including set-up and breakdown time. The Zoning Administrator is authorized to extend the duration of the temporary outdoor sales permit beyond 14 days. Temporary seasonal sales, such as outdoor produce, farmer's markets, holiday and Christmas tree sales, or pumpkin patches, are allowed 90 days per sale.
6. Hours of operation are limited to between 8:00 a.m. and 9:00 p.m.
7. The temporary outdoor sales event cannot locate in any minimum required parking spaces for other businesses on the site when such businesses are open.

#### **H. Temporary Outdoor Storage Container**

1. The use of an outdoor storage container is limited to no more than 90 calendar days.
2. The 90 day limit may be waived by the Zoning Administrator if there is a unique situation that warrants a time extension.

### **15.6 ACCESSORY USES: PRESCRIBED CONDITIONS**

#### **A. Accessory Drive-Through**

1. All establishments with an accessory drive-through, except restaurants, shall provide a minimum of four stacking spaces per lane or bay. Restaurants shall provide a minimum of six stacking spaces per lane or bay. The space located at the service window shall be counted in this minimum number of stacking spaces.
2. A stacking space shall be a minimum of nine feet in width and 18 feet in length.
3. All components of an accessory drive-through including, but not limited to, signs, stacking lanes, trash receptacles, ordering box, and drive-up windows, shall be located to the rear or side of the building.
4. Drive-through lanes and circulation may not be placed between the street and the front façade of the building; however, this does not apply in the Commercial Zoning Districts, and the Manufacturing and Logistics Zoning Districts. In the Commercial Zoning Districts and the Manufacturing and Logistics Zoning Districts drive-through lanes and drive aisles located between the street and the façade of the building shall require parking lot screening per Section 20.5.

5. A drive-through lane shall have bail out capability for all vehicles that enter the drive-through lane. The bail out lane shall be a minimum width of ten feet in width and run parallel to the drive-through lane. If a bail out lane is also an interior access drive providing access to parking spaces, the bail out lane is limited to a one-way traffic pattern following the direction of the drive-through lane.

6. For all zoning districts except the Commercial Zoning Districts and the Manufacturing and Logistics Zoning Districts, an accessory drive-through will only be allowed if an accessory drive-through was located and in operation on the site on June 1, 2023.

7. For a restaurant/bar principal use to have an accessory drive-through, a minimum of 24 seats, indoor or outdoor, shall be required.

## **B. Accessory Shelter**

1. An accessory shelter shall be limited to no more than 15 individuals at any one time.

2. An accessory shelter shall only operate a maximum of two days/nights per week.

3. When located in an IC-1 or IC-2 Zoning District, an accessory shelter shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

## **C. Adult Care Home**

1. A zoning use permit is required.

2. An adult care home is subject to the standards for a single-family dwelling unless modified by this section.

3. An adult care home shall be licensed by the North Carolina Department of Health and Human Services.

4. New adult care homes in an Neighborhood 1 Zoning District shall be separated from any existing adult care homes by a distance of 800 feet. This standard does not apply when the sites are separated by an arterial, Limited Access road, Parkway, Boulevard, or Avenue or a major topographical feature such as a major stream floodway.

### **C.1. Childcare Center, Accessory to Employment**

1. When located in an IC-1 or IC-2 Zoning District, a childcare center, accessory to employment, shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

## **D. Childcare Center in Residence**

1. A zoning use permit is required.

2. Childcare centers in residence are subject to the standards for a single-family dwelling unless modified by this section.

3. A single-family dwelling containing a childcare center in residence shall be the primary residence of the operator/primary caregiver.

4. New childcare center in residence shall be separated from existing family childcare homes and existing childcare center in residence in an Neighborhood 1 Place Type by a distance of 400 feet. This does not include childcare centers operating as part of a place of worship.

5. Outdoor play space and play equipment shall be located to the rear of the principal structure.

6. A childcare center in residence shall be limited to a maximum of two employees that reside outside of the residence at any one time.

7. The operator's children are not included in the count of the number of children allowed.

**E. Childcare Home, Family**

1. A zoning use permit is required.
2. A family childcare home is subject to the standards for a single-family dwelling unless modified by this section. The family childcare home shall be operated by a permanent resident of the dwelling with the permission of the property owner or by the property owner.
3. New family childcare homes shall be separated from existing family childcare homes and childcare center in residence in the Neighborhood 1 Place Type by a distance of 400 feet. This does not include childcare centers operating as an accessory use to a place of worship.
4. Outdoor play space and play equipment shall be located to the rear of the principal structure.
5. A family childcare home shall be limited to a maximum of one employee that resides outside of the residence at any one time.
6. The operator's children are not included in the count of the number of children allowed.

**F. Dwelling – Accessory Unit (ADU)**

1. The accessory dwelling unit (ADU) shall be clearly subordinate to the principal residential use.
2. An ADU is permitted as follows:
  - a. In conjunction with a single-family dwelling in any zoning district.
  - b. In conjunction with a duplex dwelling in any zoning district when each unit of the duplex is not located on a subplot.
3. Only one ADU shall be permitted on the lot.
4. The ADU and its associated principal dwelling shall be under the same ownership.
5. The ADU shall not be served by a driveway separate from that serving the principal dwelling. However, if the ADU is within an accessory structure and located on a corner lot or a lot that abuts an alley, a separate driveway may be provided from the side street or the alley, whichever applies.
6. An ADU located within the principal dwelling shall comply with the following additional requirements:
  - a. The ADU shall have a total floor area no greater than 40% of the total floor area of the principal residential use.
  - b. The ADU shall not be internally accessible from the principal residential use.
7. An ADU located within an accessory structure shall comply with the following additional requirements:
  - a. The ADU shall have a total floor area no greater than 50% of the total floor area of the principal residential use.
  - b. The structure shall not exceed the height of the principal dwelling.
  - c. The ADU may be in the established rear or side setback but shall not be any closer to any rear or side lot line than the dimension of the required side setback of the zoning district of the subject property.
  - d. Heating, ventilation, or air conditioning equipment serving an ADU within an accessory structure and architectural features such as cornices, eaves, steps, gutters, and fire escapes may encroach into the required side and rear setbacks of the accessory dwelling unit by no more than 50% of the required side and rear setbacks.

## **G. Helistop**

1. A helistop shall be designed and constructed in accordance with all federal and state regulations.
2. A helistop shall be located at least 400 feet from a lot line of any property located in the Neighborhood 1 Place Type.
3. When located in an IC-1 or IC-2 Zoning District, a helistop shall be a related component intended to serve and support a government or medical campus.

## **H. Home Occupation**

1. A zoning use permit is required.
2. A home occupation shall be incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.
3. No internal or external alterations inconsistent with the residential use of the building will be permitted. With the exception of a permitted sign, there shall be no evidence on the exterior of the premises or visible from the exterior of the premises that the property is used in any way other than for a dwelling. No display of products shall be visible from the street.
4. The home occupation and all related activity, including storage, equipment, and display, shall be conducted completely within a principal building or accessory structure.
5. No toxic, explosive, flammable, combustible, corrosive, etiologic, radioactive, or other restricted materials may be used or stored on-site.
6. No home occupation may dispense medication from the dwelling. No home occupation may engage in any activity that uses, stores, and/or requires the disposal of biohazardous material.
7. There shall be no perceptible noise, odor, smoke, electrical interference, vibration, or other nuisance emanating from the structure where the home occupation is located in excess of that normally associated with residential use.
8. Only residents of the dwelling may be engaged in work activities at the residence. If the home occupation has other employees, those employees may not come to the residence for work purposes, including pick-up of materials, vehicles, assignments, and/or similar purposes.
9. The home occupation cannot create greater vehicular or pedestrian traffic than is average for a residential area. The home occupation and any related activity shall not create any traffic hazards or nuisances in public rights-of-way.
10. Signs are permitted in accordance with Article 22.
11. Clients or business-related visitors shall be by appointment and limited to the timeframe of 7:00 a.m. to 8:00 p.m.
12. The storage of tractor trailers, semi-trucks, or heavy equipment, such as construction equipment used in a commercial business, is prohibited.
13. Repair and service of any vehicles, any type of heavy machinery or any type of engine, is prohibited. Small electronic repair, such as computers, is allowed.
14. Rental services, where any materials for rent are stored on-site and customers visit the residence to pick-up and return the product, are prohibited.
15. Dispatching services, where workers report to the home for dispatching, are prohibited.
16. The number of vehicles used by clients or business-related visitors shall be limited to two at any given time.

## **I. Outdoor Entertainment**

1. If at any time between the hours of 11:00 p.m. and 8:00 a.m., any outdoor entertainment occurs, it shall meet the following:

- a. The outdoor entertainment shall be separated by a distance of at least 100 feet from a lot line of any property located in the Neighborhood 1 Place Type.
- b. Distances are measured from the closest edge of any outdoor entertainment to the nearest lot line of property located in an Neighborhood 1 Place Type.

2. When located in an IC-1 or IC-2 Zoning District, outdoor entertainment shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

## **J. Outdoor Sales and Display**

1. Retail goods establishments are permitted to have accessory outdoor sales and display of merchandise.
2. In the Neighborhood 1 and Neighborhood 2 Zoning Districts, outdoor sales and display is only permitted as an accessory use to a Neighborhood Commercial Establishment.
3. All outdoor display of merchandise shall be located adjacent to the storefront and not in drive aisles, loading zones, or fire lanes. It may be located in a parking lot so long as the minimum number of required parking spaces remain available for use.
4. No display may be placed within three feet of either side of an active door or within 15 feet directly in front of an active door.
5. A minimum clear width for pedestrian traffic of eight feet shall be provided and maintained along any interior private sidewalk.
6. Outdoor sales and display shall be prohibited in a required sidewalk or path.

7. When located in an IC-1 or IC-2 Zoning District, outdoor sales and display shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

## **K. Outdoor Seating/Activity Area**

1. At-grade outdoor seating areas may be located within a required frontage setback, but shall be located behind any sidewalk, path, and planting strip. It may be allowed within an amenity zone with approval from CDOT when such amenity zone is on public property.
2. If at any time between the hours of 11:00 p.m. and 8:00 a.m., food and/or beverages are consumed in an outdoor seating/activity area, it shall meet the following:
  - a. The outdoor seating/activity area shall be separated by a distance of at least 100 feet from a lot line of any property located in the Neighborhood 1 Place Type.
  - b. Distances are measured from the closest edge of any outdoor seating/activity area to the nearest lot line of property located in a Neighborhood 1 Place Type.

3. When located in an IC-1 or IC-2 Zoning District, an outdoor seating/activity area shall be a related component intended to serve and support an educational, government, medical, religious, social services, or CCRC campus.

## **L. Private Stables**

1. A minimum lot size of one acre is required.
2. All structures for the keeping and maintenance of animals, equipment, or manure, and all manure piles, pits, or bins shall be located at least 50 feet from any lot line.

## **M. Rooming House**

1. A zoning use permit is required.
2. The rooming house shall be operated by a permanent resident of the dwelling with the permission of the property owner or by the property owner.
3. A rooming house is subject to the standards for a single-family dwelling unless modified by this section.
4. The property owner shall reside within the dwelling.
5. All rooming units shall be in the principal residential structure. Separate structures, accessory structures, accessory dwelling units, and garages are not permitted to be used as rooming units.
6. There shall be no separate private entrance for any of the rooming units.
7. A maximum of five boarders is permitted.
8. No signs are permitted.
9. A property may only be used for a bed and breakfast or rooming house at any one time.

## Article 16. General Development Regulations

- 16.1 LOT DEVELOPMENT RESTRICTIONS
- 16.2 EXTERIOR LIGHTING
- 16.3 DEVELOPMENT BONUS
- 16.4 AFFORDABLE HOUSING DEVELOPMENT ALLOWANCES
- 16.5 DESIGN OF ON-SITE OPEN SPACE
- 16.6 ON-SITE PEDESTRIAN CONNECTIVITY
- 16.7 PERFORMANCE STANDARDS

### 16.1 LOT DEVELOPMENT RESTRICTIONS

#### A. Number of Structures on a Lot

1. Lots used for single-family, duplex, triplex, and quadraplex dwellings are limited to one principal structure per lot unless specifically permitted as follows:
  - a. Such dwellings are part of a multi-dwelling development.
  - b. Such dwellings are part of a cottage court development in a Neighborhood 1 Zoning District.
2. For all other uses, there may be more than one principal building on a lot, but all buildings shall comply with all standards of the zoning district.

#### B. Every Lot Shall Abut a Street

No building, structure, or use of land may be placed on a lot that does not abut a public street with the following exceptions:

1. Land that meets the use definition and any applicable prescribed conditions for a farm in Article 15.
2. A single-family detached dwelling may be constructed on a lot existing prior to June 1, 2023 that does not abut a street, provided that the lot is at least two acres in size, and that the lot is provided with access to a public street by a permanent recorded or platted easement at least 20 feet in width for the exclusive use of the dwelling. Such easement shall be maintained in a condition passable for emergency and service vehicles.
3. Buildings within a cottage court development.
4. Buildings within a multi-dwelling development may be placed on a lot that does not abut a street, provided that each building is within 400 feet of a public, network-required private, or non-network required private street that furnishes direct access to the property.
5. Lots within a nonresidential or mixed-use development site need not abut a street so long as the overall development site abuts a public, network-required private, or non-network required private street and is designed in such a manner that access is furnished to all interior lots or building sites. Vehicular access to interior lots or building sites shall only be across property zoned for such development.
6. Driveways providing access to uses which are located on lots not abutting a street may cross through any zoning district, except for the following zoning districts: Neighborhood 1 Zoning Districts, Neighborhood 2 Zoning Districts, and the MHP Zoning District.
7. For cul-de-sac lots, the minimum lot frontage at the right-of-way shall be no less than 15 feet.

[8. Single-family, duplex, triplex, and quadraplex dwellings collocated on the same parcel as the campus development they serve and support and per the prescribed conditions of Section 15.4.](#)

#### C. Flag Lots Prohibited

The creation of new flag lots shall be prohibited.

#### D. Elevated Pedestrian Walkways

Elevated pedestrian walkways, including those over public rights-of-way and public access easements, may be located in a required setback provided they do not create a visual obstruction for motor vehicle traffic and have all

other applicable government agency approvals for the location over the public right-of-way or public access easement. These walkways shall be as nearly perpendicular to the required setback as possible.

#### **E. Interpretation of Irregular Lot Setbacks**

The location of required setbacks on irregularly shaped lots will be determined by the Zoning Administrator. The determination will be based on the spirit and intent of this Ordinance to achieve an appropriate spacing and location of buildings on individual lots.

#### **F. Setback Limitations**

No building, structure, or use shall be located within any required setback except as otherwise allowed by this ordinance.

### **16.2 EXTERIOR LIGHTING**

The following exterior lighting requirements apply to lighting for multi-family dwellings, mixed-use development, and nonresidential uses on private property. These lighting regulations do not apply to lighting in the right-of-way or the illumination of signs.

#### **A. Maximum Lighting Regulations**

The maximum allowable foot-candle is as follows:

1. Any lot abutting a Neighborhood 1 or Neighborhood 2 Place Type: Zero foot-candle at the lot line.
2. Any lot abutting any other Place Type: One foot-candle at the lot line.

#### **B. Lighting Design**

1. All lighting shall be of full cut-off or semi cut-off luminaire design.
2. The maximum total height of a freestanding full cut off or semi cut off luminaire is 26 feet. However, in the Commercial Place Type and Manufacturing and Logistics Place Type, a luminaire is limited to a maximum total height of 35 feet.
3. Flashing lighting is prohibited.
4. All exterior lighting shall be located, screened, or shielded in a manner as not to cause glare or impair the vision of motorists.

#### **C. Exceptions to Lighting Standards**

1. When additional security lighting is required per federal, state, or local regulations that exceeds the standards of this section, the lighting is permitted to meet the requirements of such regulations.
2. All temporary emergency lighting required by public safety agencies, other emergency services, or construction are not subject to the requirements of this section.
3. Because of unique requirements for nighttime visibility and limited hours of operation, outdoor recreational fields such as, but not limited to, football fields, soccer fields, baseball fields, driving ranges, and other similar uses are subject to the following:
  - a. Recreational fields are permitted a total luminaire height of 65 feet in any zoning district. Luminaires greater than 65 feet in total height may only be approved by the Zoning Administrator when a taller height will result in less light trespass to adjacent lots.
  - b. All lighting shall be directed onto the field or range.
  - c. The recreational field lighting shall be extinguished one hour following the end of a scheduled event or the close of the business to the public, whichever is applicable.
  - d. Lighting outside the recreational field, such as for parking areas, shall comply with the requirements of items 16.2.A and 16.2.B above. Lighting outside the recreational field is not subject to the timeframe limitation of item c above.



4. Certain temporary uses may use lighting that does not meet the requirements of this section. When such temporary uses are allowed, approval of the lighting plan is required as part of the temporary use approval.

### **16.3 DEVELOPMENT BONUS**

To achieve the “Maximum Height with Bonus” standard or to reduce the required open space within the UE, RAC, CAC-1, CAC-2, NC, IMU, TOD-UC, TOD-CC, TOD-NC, TOD-TR, N2-C, CG, CR, IC-1, IC-2, OFC, OG, and RC Zoning Districts, a development shall meet the standards as described below and in Table 16-1: Bonus Menu.

#### **A. Bonus Menu**

Additional building height or a reduction in required on-site open space shall be allowed through a voluntary bonus system. In order to obtain a development bonus, one or more actions in Table 16-1 are required.

#### **B. Bonus Actions**

##### **1. Height Bonus**

- a. With the exception of certain affordable housing bonuses, bonuses for additional height correlate to the number of points acquired per Table 16-1. Points may be earned in one or more categories. A height bonus for affordable housing is applied as indicated in Table 16-1.
- b. For the building height bonus, one point is required for one foot of additional building height. The final height of the building cannot exceed the “Maximum Height with Bonus” standard indicated in the zoning district standards. Unless specifically indicated otherwise, building height bonus points may be distributed to one or more buildings on the lot.

##### **2. Open Space Reduction**

- a. Reduction of required on-site open space (Section 16.5) may only be achieved through the provision of affordable housing, as indicated in Table 16-1.
- b. The reduction of required on-site open space (Section 16.5) is applied to the lot as a whole.

#### **C. Administration**

Administration requirements are found in the UDO Zoning Administration Manual.

Table 16-1: Bonus Menu

Economic Mobility	
Qualifying Action	Bonus Awarded
<p><b>1</b></p> <p><b>Affordable Housing Provided On-Site</b></p> <p>Devote percentage of gross floor area* of building receiving bonus to affordable housing, using local unit size averages.</p> <p>Affordable housing units shall be set aside for households earning the averages of Area Median Income (AMI) shown in the “Bonus Awarded” column for a 30-year affordability period.</p> <p>* Gross floor area does not include floor area in parking structures.</p>	<p><b>UE, RAC, CAC-1, CAC-2, NC, IMU, TOD-UC, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, IC-2, and RC Zoning Districts:</b></p> <p><b>Open Space Bonus</b> For every 1% of gross floor area, receive a 10% reduction of open space requirement, up to a maximum of 50% reduction of open space requirement total</p> <p><b>AND</b></p> <p><b>Height Bonus:</b> 3 points for every 1% of gross floor area, up to 15 points total - Where an average of 80% Area Median Income (AMI) or less, with up to 20% of the affordable units set aside for households earning above 80% up to 110% AMI</p> <p>5 points for every 1% of gross floor area, up to 25 points total - Where an average of 60% Area Median Income (AMI) or less, with up to 20% of the affordable units set aside for households earning above 60% up to 110% AMI</p>
<p><b>2</b></p> <p><b>Affordable Housing (80% Area Median Income (AMI) or less) Provided On-Site with Fee-In-Lieu, Offsite Housing, and Land Donation Options</b></p> <p>For onsite affordable housing, devote 10% of gross floor area* of each floor having occupiable space above the maximum (without bonus) permitted building height to affordable housing, using local unit size averages.</p> <p>Affordable housing units shall be set aside for households earning an average of 80% Area Median Income (AMI) or less for a 30-year affordability period. In calculating the average, up to 20% of these affordable units may be set aside for households earning above 80% up to 110% AMI.</p> <p>Options to providing on-site affordable housing through fees-in-lieu, offsite housing within one mile walk distance of the subject site, and donation of land are found in the UDO Zoning Administration Manual.</p> <p>Affordable housing provided through fee-in-lieu shall go to the Charlotte Affordable Housing Trust Fund.</p> <p>* Gross floor area does not include floor area in parking structures.</p> <p>The height of unoccupiable space above the top floor may be included in this bonus as follows:</p> <ol style="list-style-type: none"> <li>1. Additional height above the top occupied floor may be achieved by calculating the gross floor area as if it were occupiable space and including additional affordable units accordingly. Such additional height shall be no greater than the average floor to floor height of occupiable floors below; or</li> <li>2. Other bonus options of this table may be used.</li> </ol>	<p><b>UE, RAC, CAC-1, CAC-2, NC, IMU, TOD-UC, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, IC-2, RC, OFC, <u>OG</u>, CG, and CR Zoning Districts:</b></p> <p>Additional floors so long as each additional floor meets the 10% requirement up to the “Maximum Height with Bonus” standard indicated in the zoning district standards</p>

Table 16-1: Bonus Menu

<p>3</p>	<p><b>Affordable Housing (60% Area Median Income (AMI) or less) Provided On-Site with Fee-In-Lieu, Offsite Housing, and Land Donation Options</b></p> <p>For onsite affordable housing, devote 5% of gross floor area* of each floor having occupiable space above the maximum (without bonus) permitted building height to affordable housing, using local unit size averages.</p> <p>Affordable housing units shall be set aside for households earning an average of 60% Area Median Income (AMI) or less for a 30-year affordability period. In calculating the average, up to 20% of these affordable units may be set aside for households earning above 60% up to 110% AMI.</p> <p>Options to providing on-site affordable housing through fees-in-lieu, offsite housing within one mile walk distance of the subject site, and donation of land are found in the UDO Zoning Administration Manual.</p> <p>Affordable housing provided through fee-in-lieu shall go to the Charlotte Affordable Housing Trust Fund.</p> <p>* Gross floor area does not include floor area in parking structures.</p> <p>The height of unoccupiable space above the top floor may be included in this bonus as follows:</p> <ol style="list-style-type: none"> <li>1. Additional height above the top occupied floor may be achieved by calculating the gross floor area as if it were occupiable space and including additional affordable units accordingly. Such additional height shall be no greater than the average floor to floor height of occupiable floors below; or</li> <li>2. Other bonus options of this table may be used.</li> </ol>	<p><b>UE, RAC, CAC-1, CAC-2, NC, IMU, TOD-UC, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, IC-2, OFC, <u>OG</u>, RC, CG, and CR Zoning Districts:</b> Additional floors so long as each additional floor meets the 5% requirement up to the “Maximum Height with Bonus” standard indicated in the zoning district standards</p>
<p>4</p>	<p><b>Affordable Housing Equitable Clean Energy Projects: Fee Program</b> (Affordable Housing Equitable Clean Energy Projects: Fees will go towards supporting clean energy projects in affordable housing, including energy efficiency work and other clean energy solutions. Funds will be managed alongside City of Charlotte Housing Programs in Department of Housing and Neighborhood Services.)</p> <p>The fee calculation is based on 10% of the gross floor area* of each floor having occupiable space above the maximum (without bonus) permitted building height.</p> <p>* Gross floor area does not include floor area in parking structures.</p>	<p><b>UE, RAC, CAC-1, CAC-2, NC, IMU, TOD-UC, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, IC-2, RC, OFC, <u>OG</u>, CG, and CR Zoning Districts:</b></p> <p><b>Height Bonus:</b> Additional height per floor up to the “Maximum Height with Bonus” standard indicated in the zoning district standards</p>
<p>5</p>	<p><b>Charlotte Business INclusion Targets Met</b> (Charlotte Business INclusion is a City Procurement program that seeks to enhance competition and participation of small, minority and women owned firms in City contracting and to promote economic growth and development in the City of Charlotte.)</p>	<p><b>UE, RAC, IC-2, RC, and TOD-UC Zoning Districts: 20 points</b></p> <p><b>CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, <u>OG</u>, CG, and CR Zoning Districts: 12 points</b></p> <p>For every percentage point met above The Business INclusion target, 1 additional point will be given.</p>

Table 16-1: Bonus Menu

Environmental		
Qualifying Action		Bonus Awarded
6	<p><b>Additional Open Space</b> 5% in total lot area of public open space in addition to that required by Section 16.5 and any other Ordinance requirements.</p>	<p>UE, RAC, IC-2, RC, and TOD-UC Zoning Districts: 15 Points</p> <p>CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, <u>OG</u>, CG, and CR Zoning Districts: 10 Points</p>
7a	<p><b>Electric Vehicle (EV) Charging Stations</b> For parking facilities with more than 25 spaces, EV charging stations are provided as follows above the requirements of Article 19 (all three categories required): EV-Capable 20% EV-Ready 10% EVSE-Installed 2% or 1 space for development with 26-50 parking spaces</p>	<p>UE, RAC, CAC-1, CAC-2, NC, IMU, TOD-UC, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, IC-2, RC, OFC, <u>OG</u>, CG, and CR Zoning Districts: 10 points</p>
7b	<p><b>Electric Vehicle (EV) Charging Stations</b> For parking facilities with more than 25 spaces, EV charging stations are provided as follows above the requirements of Article 19 (all three categories required): EV-Capable 30% EV-Ready 15% EVSE-Installed 6%</p>	<p>UE, RAC, CAC-1, CAC-2, NC, IMU, TOD-UC, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, IC-2, RC, OFC, <u>OG</u>, CG, and CR Zoning Districts: 20 points</p>
High Performance Construction		
Qualifying Action		Bonus Awarded
8a	<p><b>High Performance Construction: Tier 1</b> Building is LEED Certified, Energy Star Certified, NGBS Bronze, or One Green Globe using the most recent version of certification.</p> <p>The bonus shall be applied per each qualifying building receiving the certification.</p>	<p>UE, RAC, IC-2, RC, and TOD-UC Zoning Districts: 15 points</p> <p>CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, <u>OG</u>, CG, and CR Zoning Districts: 10 points</p>
8b	<p><b>High Performance Construction: Tier 2</b> Building is LEED Silver, NGBS Silver, or Two Green Globes using the most recent version of certification.</p> <p>The bonus shall be applied per each qualifying building receiving the certification.</p>	<p>UE, RAC, IC-2, RC, and TOD-UC Zoning Districts: 20 points</p> <p>CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, <u>OG</u>, CG, and CR Zoning Districts: 15 points</p>
8c	<p><b>High Performance Construction: Tier 3</b> Building is LEED Gold, NGBS Gold, or Three Green Globes using the most recent version of certification.</p> <p>The bonus shall be applied per each qualifying building receiving the certification.</p>	<p>UE, RAC, IC-2, RC, and TOD-UC Zoning Districts: 25 points</p> <p>CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, <u>OG</u>, CG, and CR Zoning Districts: 20 points</p>
8d	<p><b>High Performance Construction: Tier 4</b> Building is LEED Platinum, NGBS Emerald, or Four Green Globes using the most recent version of certification.</p> <p>The bonus shall be applied per each qualifying building receiving the certification.</p>	<p>UE, RAC, IC-2, RC, and TOD-UC Zoning Districts: 30 points</p> <p>CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, <u>OG</u>, CG, and CR Zoning Districts: 25 points</p>

Table 16-1: Bonus Menu		
Transportation Improvements		
Qualifying Action		Bonus Awarded
9	<b>New Street Connection</b> New public or network-required private (built to public standards) street beyond those required by this Ordinance.	<b>UE, RAC, IC-2, RC, and TOD-UC Zoning Districts:</b> 120 points  <b>CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, <u>OG</u>, CG, and CR Zoning Districts:</b> 40 points
10	<b>Dedication of Future Transit Rights of Way Along Transit Corridors (Per 100 Linear Feet)</b>	<b>UE, RAC, CAC-2, IC-2, RC, IMU, TOD-UC, TOD-CC, and N2-C Zoning Districts:</b> 6 points  <b>CAC-1, NC, CG, CR, IC-1, OFC, <u>OG</u>, TOD-NC, and TOD-TR Zoning Districts:</b> 4 points
11	<b>Multimodal Mitigation</b> Provision of additional mitigation points (as defined in the Comprehensive Transportation Review) above required tier/points.	<b>UE, RAC, IC-2, RC, TOD-UC, CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, <u>OG</u>, CG, and CR Zoning Districts:</b> 1 point for every 1 point of additional multimodal mitigation
12	<b>Transportation Demand Management (TDM) Mitigation</b> Provision of additional mitigation points (as defined in the Comprehensive Transportation Review) above required tier/points.	<b>UE, RAC, IC-2, RC, TOD-UC, CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, <u>OG</u>, CG, and CR Zoning Districts:</b> 1 point for every 1 point of additional TDM mitigation
Enhanced Micromobility Facility		
Qualifying Action		Bonus Awarded
13	<b>Electronic Micromobility Lockers</b> All required short-term bicycle spaces are provided in secure lockers with a locking mechanism that are accessed by electronic card or other similar security feature.	<b>UE, RAC, IC-2, RC, and TOD-UC Zoning Districts:</b> 10 points  <b>CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, IC-1, OFC, <u>OG</u>, CG, CR, and N2-C Zoning Districts:</b> 5 points

#### 16.4 AFFORDABLE HOUSING DEVELOPMENT ALLOWANCES

The purpose of the development allowances provided below is to encourage the development of affordable housing within the City and the ETJ.

**A.** Affordable housing developments that meet the following requirements shall be permitted the additional development allowances listed in item B below.

1. Affordability period: 30 years
2. Minimum units of affordable housing: Five units
3. Percentage of development (one of the following):
  - a. 15% at 60% AMI; or
  - b. 30% at 80% AMI; or
  - c. 20% at 80% AMI in areas of high housing cost per the UDO Zoning Administration Manual

**B.** Those affordable housing developments that meet the requirements of item A above shall be permitted the following development allowances:

1. If zoned the N2-A Zoning District, to build to the N2-B Zoning District standards.
2. If zoned the N2-C or NC Zoning District, to build to the N2-A or N2-B Zoning District standards.

3. A new street, in whole or in part, shall not be required, per Section 32.5, if that street or a portion of such street does not provide access to the affordable housing development, as determined by the SSI Administrator, and that street does not connect to an existing street on an abutting property. In lieu of construction the street or portion of such street, right-of-way shall be dedicated for future construction of the street or portion of such street.

4. Projects may use Tier 1 Green Area Credits per Section 20.15.

5. Where mitigation is required for removal of heritage trees, planting of twice the number of required mitigation trees shall be allowed in lieu of the mitigation fee per Article 20. The mitigation trees may also be counted towards perimeter tree plantings per Section 20.17.C when they meet all perimeter tree planting requirements.

C. Where 20% of units are provided at 60% AMI or below for 15 years, with a minimum of five units of affordable housing, costs related to construction of sidewalks required on public streets per Section 32.7.D shall be reimbursed by the City.

D. In the N1-A, N1-B, N1-C, and N1-D Zoning Districts, voluntary mixed-income residential developments per Section 4.5.B may receive a bonus allowing for the development of property in accordance with the standards of the next zoning district of greater intensity in exchange for setting aside affordable housing units.

## 16.5 DESIGN OF ON-SITE OPEN SPACE

### A. Open Space Requirements

1. When required within the zoning district regulations, open space shall meet the design requirements of Table 16-2: Design of Open Space, organized by type of open space.

2. Driveways, parking areas, required bicycle parking areas, above ground utility areas, mailboxes, and landscape yards do not count toward on-site open space requirements. However, sidewalks that traverse a required open space area shall count towards the minimum required open space.

3. The following may be counted toward open space requirements when they meet the minimum requirements of this article and any applicable articles listed below:

a. Amenitized tree areas per Article 20.

b. 50% of the open space may be tree save areas per Article 20, so long as such tree save area abuts the remaining required open space and includes allowed amenities to provide passive recreation.

c. A green roof per Article 20 that is designed to allow passive recreation.

d. Internal trees per Article 20.

e. Water supply water quality buffer per Article 23.

f. Post-construction water quality buffer per Article 25.

g. SWIM water quality buffer per Article 26.

h. Floodplain per Article 27.

i. Areas for greenways or parks per Article 32 offered for dedication and accepted by Mecklenburg County Park and Recreation.

4. The area used to calculate the required open space does not include existing and dedicated street rights-of-ways, utility easements, existing ponds and lakes, and railroad easements and rights-of-way.

5. When located within a required on-site open space area, a commercial structure no greater than 500 square feet in gross floor area or 10% of the total open space area, whichever is less, is allowed and may be included in the calculation of total on-site open space. The use of such commercial structure shall be a use allowed within the zoning district as per the Use Matrix in Article 15.

**B. Exemptions from Required On-Site Open Space**

1. Uses within the categories of Open Space, Recreation, and Agricultural Uses, Infrastructure Uses, or Transportation Uses in the Use Matrix in Article 15 are not required to provide on-site open space.
2. Single-family, duplex, triplex, and quadruplex dwellings are not required to provide on-site open space.

**C. Open Space Dedication and Fee-in-Lieu Alternatives**

When open space is required within the zoning district regulations, as an alternative to the required on-site open space, the property owner may select one of the following options, or a combination thereof, per the UDO Zoning Administration Manual:

1. Dedicate land required for on-site open space to Mecklenburg County Park and Recreation, so long as the land meets Park and Recreation standards. If selecting this option, and dedicating all required on-site open space, the amount of open space dedicated may be reduced by 10%.
2. Provide a fee-in-lieu of the required on-site open space to Mecklenburg County Park and Recreation, so long as the fee is accepted by Park and Recreation. The payment of such funds shall be used to acquire or develop recreation areas in the surrounding area for which the fee-in-lieu is paid.

<b>Table 16-2: Design of Open Space</b>			
<b>Design Requirement</b>	<b>Public</b>	<b>Common</b>	<b>Private</b>
Open space shall have a minimum width and a minimum length of 10 feet.	✓	✓	
Open space areas shall have a minimum width and a minimum length of ten feet, unless located on balconies, porches, or decks, in which case a minimum dimension of ten feet on one side and seven feet on the other is required.			✓
Open space shall be located outdoors or in the open air but may be under a roof, canopy, or screened. Open space may be located on the ground, decks, galleries, porches, terraces, patios, or roofs.	✓	✓	✓
A minimum of 25% of total required open space area shall be contiguous.	✓	✓	
Open space shall abut a frontage on at least one side for a minimum width of ten feet. Parkway and Limited Access frontages shall not be used to meet this requirement. In the case of a lot with only Parkway and/or Limited Access frontages, this requirement does not apply.	✓		
Open space may abut a parking lot on one side only.	✓	✓	✓
Open space shall be located a minimum of 15 feet from loading docks, loading spaces, or solid waste and recycling service areas.	✓	✓	✓
When located adjacent to a sidewalk or shared use path along a street, the surface area of the open space shall not be more than an average of 24 inches lower nor 24 inches higher than the elevation of such adjacent sidewalk or shared use path for a minimum of ten feet from the edge of such sidewalk or shared use path along a street. In cases of unusual topography, the Zoning Administrator may modify this provision.	✓		
When located at ground level, the required open space area shall be substantially covered in a combination of at least two of the following: 1) grass and groundcover; 2) shrubs and trees; or 3) usable outdoor hardscape features, such as courtyards, seating areas, patios, fountains/water features.	✓	✓	✓
Circulation within the open space area shall connect pedestrians to rights-of-ways that abut the open space, entrances to adjacent buildings, and any design features, such as seating areas. Such circulation paths are considered part of open space.	✓		
Outdoor amenities, such as grills, pools, tennis courts, or playgrounds, are permitted as part of the required open space.		✓	
Where possible, open space should be connected to abutting public parks and greenways in coordination with Mecklenburg County Park and Recreation.	✓	✓	



## 16.6 ON-SITE PEDESTRIAN CONNECTIVITY

### A. Residential Developments

Residential dwellings require a pedestrian connection from the primary entry as follows:

1. Single-family, duplex, triplex, and quadruplex dwellings: For new construction, a pedestrian connection that is a minimum of four feet in width is required from the primary entry to the adjacent public sidewalk or on-site driveway. This includes a connection to a required public sidewalk not yet constructed.
2. All other residential dwellings and developments: For new construction or a change of use from a nonresidential use to a residential use, a pedestrian connection that is a minimum of five feet in width is required to the adjacent public sidewalk, between buildings, and from buildings to all on-site facilities (parking areas, bicycle facilities, plazas, and open space, etc.). This includes a connection to a required public sidewalk not yet constructed. A connection from an individual residential dwelling to the common pedestrian connection to the public sidewalk shall be a minimum of four feet in width.

### B. Nonresidential and Mixed-Use Developments

Pedestrian connections are required for new construction or a change of use as follows:

1. A pedestrian connection that is a minimum of five feet in width is required from the primary entry to the adjacent public sidewalk. This includes a connection to a required public sidewalk not yet constructed. An individual sidewalk connection will not be required for a nonresidential building if it would result in a sidewalk length of 1,320 feet or more.
2. Internal sidewalk connections are required between buildings and from buildings to all on-site facilities (parking areas, bicycle facilities, plazas, and open space, etc.). All internal sidewalks shall have a hard surface constructed of concrete, asphalt, or other similar material and shall be at least five feet in width. In the event that such connection would disturb or impair any significant environmental features of the site, this requirement may be modified by the Zoning Administrator.

## 16.7 PERFORMANCE STANDARDS

All uses shall comply with the performance standards established in this section unless any federal, state, or local law, ordinance, or regulation establishes a more restrictive standard, in which case, the more restrictive standard applies.

### A. Noise

No use shall be operated so as to generate recurring noises that are unreasonably loud, cause injury, or create a nuisance to any person of ordinary sensitivities. Within the City's boundaries, noise occurring activities shall also be in conformance with Chapter 15, Article III of the City Code. The standards of Chapter 15, Article III of the City Code shall apply in the City's ETJ.

### B. Vibration

No use shall be operated so as to generate inherent or recurring ground vibrations detectable at the property line which create a nuisance to any person of ordinary sensitivities on another property.

### C. Dust

Dust, borne by the wind from sources such as storage areas, yards, roads, conveying equipment and the like, within lot boundaries, shall be mitigated by appropriate landscape, screening, sheltering, paving, fencing, wetting, collecting, or other acceptable means.

### D. Odors and Fumes

No use shall emit fumes, gasses, or odors in concentrations or amounts that cause injury or create a nuisance to any person of ordinary sensitivities on another property.



## Article 19. Off-Street Vehicle & Bicycle Parking

- 19.1 PURPOSE
- 19.2 VEHICLE PARKING SPACE REQUIREMENTS
- 19.3 REQUIRED ELECTRIC VEHICLE CHARGING STATIONS
- 19.4 REQUIRED BICYCLE PARKING
- 19.5 DESIGN OF VEHICLE PARKING SPACES
- 19.6 DESIGN OF SURFACE PARKING AND PARKING LOTS
- 19.7 DESIGN OF PARKING STRUCTURES
- 19.8 DESIGN OF UNDERGROUND PARKING STRUCTURES
- 19.9 DESIGN OF BICYCLE PARKING
- 19.10 VALET PARKING REQUIREMENTS
- 19.11 COMMERCIAL VEHICLE STORAGE
- 19.12 PASSENGER VEHICLE STORAGE, DISPLAY, AND SALE OR TRADE
- 19.13 PARKING AND STORAGE OF VEHICLES ON VACANT LOTS

### 19.1 PURPOSE

The purpose of the off-street vehicle and bicycle parking regulations is to:

- A. Manage parking to meet the intent and context of the various Place Types, utilizing tools such as minimum vehicle parking requirements and limits on the maximum amount of vehicle parking to be provided on-site.
- B. Ensure safe and efficient parking facility design.
- C. Provide bicycle parking and electric vehicle infrastructure to implement the City's goals of increasing the use of zero carbon energy sources and alternative modes of transportation.

### 19.2 VEHICLE PARKING SPACE REQUIREMENTS

#### A. Vehicle Parking Space Tier System

- 1. Table 19-1: Vehicle Parking Requirements are structured in a three-tier system as follows:
  - a. Tier 1: A minimum number of off-street parking spaces are required. There are no off-street parking space maximums.
  - b. Tier 2: A minimum number of off-street parking spaces are required. There are also off-street parking space maximums.
  - c. Tier 3: A minimum number of off-street parking spaces are required for a limited number of uses and locations, but most uses do not have a minimum parking requirement. There are also off-street parking space maximums.
    - i. Tier 3 required parking minimums may be reduced or eliminated upon Planning Director approval of a Parking Demand Management Assessment, as described in the Charlotte Streets Manual.
- 2. The tier that is applicable to each zoning district is identified in Table 19-1.
- 3. Where a cell is blank and shaded, no minimum and/or maximum parking is required.

#### B. Calculation of Vehicle Parking Spaces

Vehicle parking spaces are calculated by the principal use of the lot. When more than one principal use occupies the same lot, the number of spaces is the sum of the separate requirements for each principal use.

#### C. Minimum Off-Street Parking Space Requirements

- 1. When minimum off-street parking spaces are required by Table 19-1, the minimum vehicle parking requirements apply when any of the following occurs:
  - a. New construction of a principal building.
  - b. Expansion of an existing principal building resulting in a requirement of more than ten additional spaces.

c. Change of use or expansion of an existing use resulting in a requirement of more than ten additional spaces.

2. For existing parking facilities, the number of off-street vehicle spaces shall not be reduced below any minimum parking requirements of this Ordinance. If the number of such existing spaces is already less than the minimum required, it shall not be further reduced. However, if required streetscape improvements, curb relocation, or other requirements of this Ordinance cause the elimination of off-street parking spaces, these spaces need not be replaced.

#### **D. Minimum Off-Street Parking Space Flexibilities**

##### **1. On-Street Parking Spaces**

Existing on-street parking spaces abutting the property may be counted toward required minimum off-street parking spaces. New on-street parking spaces abutting the property may also count toward required minimum off-street parking.

a. Where on-street parking spaces are unmarked, the number of parking spaces is calculated by dividing the length of the on-street parking area abutting the property by the length required for a parallel parking space in the Charlotte Land Development Standards Manual (CLDSM).

b. Where on-street parking spaces are marked, each marked space counts as one required parking space, including any space where at least 50% of the length is abutting the property.

c. Spaces shall be accessible to the public 24 hours a day.

d. In the event that the city or state removes any such on-street parking that was allowed to count toward the minimum required, the existing use will not be required to make up the difference and the parking will not be made nonconforming.

##### **2. Public Parking Reduction**

Development sites located within 1,000 feet walking distance of public parking facilities may be granted a 20% reduction from the minimum parking requirement. Public parking facilities shall be owned or operated by a government agency or municipal service district, or developed as a public-private partnership, but do not include "park and ride" facilities for public transit.

##### **3. Existing Structures or Tree Preservation**

In the event that the required minimum parking spaces cannot be placed on the lot without the demolition of an existing structure or causing damage to significant trees on the site or in the public right-of-way, the Zoning Administrator may authorize up to a 25% reduction in the total number of minimum parking spaces required on the lot. In the case of significant trees, the Zoning Administrator shall consult with the Chief Urban Forester prior to authorization of the reduction.

a. The Zoning Administrator may issue such an authorization only upon the request of the applicant and only upon determining that the reduction in the number of required parking spaces will not unreasonably increase parking congestion along public streets or in parking areas located on nearby lots.

b. If such authorization is granted, the applicant shall not demolish or remove the existing structure or trees unless the full required number of off-street parking spaces are provided on the lot.

c. The Zoning Administrator may request measures be taken to help mitigate the reduction in parking. These mitigations may include, but are not limited to, pedestrian connections to public sidewalks and additional bicycle parking accommodations.

#### **E. Parking Maximum Limitations for Existing Facilities**

In the Transit Oriented Development Zoning Districts and the UC Zoning District, when at least 50% of the parking lot area is reconstructed, such parking lot shall meet any required parking maximums. Resealing, repaving, resurfacing, and/or re-striping of an existing parking lot are not considered reconstruction.

#### **F. Spaces Exempt from Parking Maximums**

Spaces reserved for the following are not included in calculating parking maximums:

1. Required accessible parking spaces in compliance with City, state, and federal standards.
2. EVSE-Installed electric vehicle charging stations (Section 19.3).
3. The following pick-up/drop-off spaces, which shall be marked as reserved:
  - a. Ride-hailing service vehicles.
  - b. Quick-commerce delivery vehicles.
  - c. Safe exchange zones, such as designated spaces in public areas for receipt of goods purchased online.
4. On-street parking spaces abutting the site.
5. On-site visitor spaces for multi-family dwellings to a maximum exception of ten spaces or 10% of the total number of on-site dwelling units (in spaces), whichever is greater. All such spaces shall be marked as available for visitor use.

#### **G. Permissions to Exceed Parking Maximums**

1. A parking maximum may be exceeded by up to 25% if one or more of the following are met:
  - a. 10% of the total number of spaces are provided for public use 24 hours a day and seven days a week.
  - b. 20% of the total number of spaces are provided for public use as shared spaces available from 8:00 a.m. to 6:00 p.m., Monday through Friday.
  - c. 20% of the total number of spaces are provided for public use as shared spaces available from 6:00 p.m. to 8:00 a.m., seven days a week.
2. When public use spaces are provided in order to exceed a parking maximum, the following apply:
  - a. When located within a parking structure, public use spaces shall be located within the first two floors of the structure.
  - b. Signage shall be provided that indicates the location of public use spaces.
  - c. Shared spaces that are not available 24 hours a day and seven days a week shall be clearly marked with the hours of availability for public use.
  - d. The facility may charge for the use of for public parking spaces.
3. Public transit facilities shall be exempt from parking maximums.

#### **H. Alternative Parking Near Existing Transit Stations**

Any property within one-half mile walking distance of an existing rapid transit station may use the Tier 3 parking standards, unless the property is located in a Neighborhood 1 Place Type. If Tier 3 parking standards are used, such standards shall be used in their entirety, including any applicable parking minimums and maximums.

#### **I. Accessible Spaces**

All parking facilities shall comply with City, state, and federal requirements for accessible parking spaces.

Table 19-1: Vehicle Parking Requirements

Uses	TIER 1 Neighborhood 1 Zoning Districts, N2-A, MHP, ML-1, ML-2, IC-1, OFC, <b>OG</b> Zoning Districts		TIER 2 N2-B, N2-C, IMU, IC-2, RC, NC, CAC-1, CG, CR Zoning Districts		TIER 3 CAC-2, TOD-UC, TOD-NC, TOD-CC, TOD-TR, RAC, UC, UE Zoning Districts	
	Minimum	Maximum <i>Tier 1 does not have a parking maximum</i>	Minimum	Maximum <i>Applies to both parking lots and parking structures</i>	Minimum <i>Applies only when within 400' of a Neighborhood 1 Place Type</i>	Maximum <i>Applies to both parking lots and parking structures</i>
<b>Residential Uses</b>						
<b>RESIDENTIAL USE unless listed below</b>	<b>1/dwelling unit</b>		<b>1/dwelling unit</b>	<b>2 /dwelling unit</b>		<b>2/dwelling unit</b>
Dormitory	1/2 dorm rooms		1/4 dorm rooms	1/dorm room		1/dorm room
Dwelling – Duplex	1.5/dwelling unit		1/dwelling unit	No limit on enclosed/garage spaces; 2 unenclosed/dwelling unit		No limit on enclosed/garage spaces; 2 unenclosed/dwelling unit
Dwelling - Live/Work	1/dwelling unit + 1/500sf GFA of commercial space		1/dwelling unit + 1/1,000sf GFA of commercial space	2/dwelling unit + 1/250sf GFA of commercial space		2/dwelling unit + 1/250sf GFA of commercial space
Dwelling - Manufactured Home	1/manufactured home		1/manufactured home	2/manufactured home		2/manufactured home
Dwelling – Multi-Family Attached When Units Not on Sublots <i>Also applies to residential component of mixed-use development</i>	1.5/dwelling unit; For senior living – 0.25/dwelling unit		1/dwelling unit; For senior living – 0.25/dwelling unit	1/bedroom/studio unit; For senior living – 0.75/dwelling unit	1/dwelling unit; For senior living – 0.25/dwelling unit	1/bedroom/studio unit; For senior living – 0.75/dwelling unit
Dwelling – Multi-Family Attached When Units on Sublots	1.5/dwelling unit		1/dwelling unit	No limit on enclosed/garage spaces; 2 unenclosed/dwelling unit		No limit on enclosed/garage spaces; 2 unenclosed/dwelling unit
Dwelling – Multi-Family Stacked <i>Also applies to residential component of mixed-use development</i>	1.5/dwelling unit; For senior living – 0.25/dwelling unit		1/dwelling unit; For senior living – 0.25/dwelling unit	1/bedroom/studio unit; For senior living – 0.75/dwelling unit	1/dwelling unit; For senior living – 0.25/dwelling unit	1/bedroom/studio unit; For senior living – 0.75/dwelling unit
Dwelling - Multi-Dwelling Development	<i>Based on dwelling types in development</i>		<i>Based on dwelling types in development</i>	<i>Based on dwelling types in development</i>		<i>Based on dwelling types in development</i>
Dwelling – Single-Family	2/dwelling unit		1/dwelling unit	No limit on enclosed/garage spaces;		No limit on enclosed/garage spaces;

Table 19-1: Vehicle Parking Requirements

Uses	TIER 1 Neighborhood 1 Zoning Districts, N2-A, MHP, ML-1, ML-2, IC-1, OFC, <b>OG</b> Zoning Districts		TIER 2 N2-B, N2-C, IMU, IC-2, RC, NC, CAC-1, CG, CR Zoning Districts		TIER 3 CAC-2, TOD-UC, TOD-NC, TOD-CC, TOD-TR, RAC, UC, UE Zoning Districts	
	Minimum	Maximum <i>Tier 1 does not have a parking maximum</i>	Minimum	Maximum <i>Applies to both parking lots and parking structures</i>	Minimum <i>Applies only when within 400' of a Neighborhood 1 Place Type</i>	Maximum <i>Applies to both parking lots and parking structures</i>
				2 unenclosed/dwelling unit		2 unenclosed/dwelling unit
Dwelling – Triplex	1.5/dwelling unit		1/dwelling unit	No limit on enclosed/garage spaces; 2 unenclosed/dwelling unit		No limit on enclosed/garage spaces; 2 unenclosed/dwelling unit
Dwelling – Quadraplex	1.5/dwelling unit		1/dwelling unit	No limit on enclosed/garage spaces; 2 unenclosed/dwelling unit		No limit on enclosed/garage spaces; 2 unenclosed/dwelling unit
Fraternity/Sorority Facility	1/bedroom		0.5/bedroom	2/bedroom		1/bedroom
Group Home	1/2 residents		1/4 residents	6 spaces		6 spaces
Manufactured Home Park	1/manufactured site		1/manufactured site	2/manufactured site		2/manufactured site
Residential Care Facility	1/bed		0.5/bed	1.5/bed		1/bed
Single Room Occupancy (SRO)	0.2/rooming unit		0.2/rooming unit	1/rooming unit		1/rooming unit

Table 19-1: Vehicle Parking Requirements

Uses	TIER 1 Neighborhood 1 Zoning Districts, N2-A, MHP, ML-1, ML-2, IC-1, OFC, <u>OG</u> Zoning Districts		TIER 2 N2-B, N2-C, IMU, IC-2, RC, NC, CAC-1, CG, CR Zoning Districts		TIER 3 CAC-2, TOD-UC, TOD-NC, TOD-CC, TOD-TR, RAC, UC, UE Zoning Districts	
	Minimum	Maximum <i>Tier 1 does not have a parking maximum</i>	Minimum	Maximum <i>Applies to both parking lots and parking structures</i>	Minimum <i>Applies only when within 400' of a Neighborhood 1 Place Type</i>	Maximum <i>Applies to both parking lots and parking structures</i>
<b>Commercial Uses</b>						
<b>COMMERCIAL USE unless listed below</b>	<b>1/750sf GFA</b>		<b>1/1,000sf GFA</b>	<b>1/250sf GFA</b>		<b>1/250sf GFA</b>
Amusement Facility - Indoor	1/750sf GFA + 50% of outdoor area		1/1,000sf GFA + 50% of outdoor area	1/250sf GFA + 50% of outdoor area		1/250sf GFA + 50% of outdoor area
Amusement Facility - Outdoor	1/1,500sf GFA + outdoor area		1/2,000sf GFA + outdoor area	1/250sf GFA + outdoor area		1/250sf GFA + outdoor area
Bed and Breakfast	1 space + .5/room		1 space + .5/room	1 space + 1/room		1 space + 1/room
Car Wash	1/wash bay		0.5/wash bay	2/wash bay		2/wash bay
Drive-Through Establishment	1 space		1 space	2 spaces		2 spaces
Gas Station	1/pump island + 1/500sf GFA of retail		1/pump island + 1/1,000sf GFA of retail	1/250sf GFA of retail		1/250sf GFA of retail
Greenhouse/Nursery - Wholesale	1/750sf of office area + 1/10,000sf of growing area (indoor + outdoor)		1/1,000sf of office area + 1/10,000sf of growing area (indoor + outdoor)	1/250sf of office area + 1/10,000sf of growing area (indoor + outdoor)		1/250sf of office area + 1/10,000sf of growing area (indoor + outdoor)
Heavy Rental and Service Establishment	1/750sf GFA + 1/10,000sf of outdoor area		1/1,000sf GFA + 1/10,000sf of outdoor area	1/250sf GFA + 1/10,000sf of outdoor area		1/250sf GFA + 1/10,000sf of outdoor area
Heavy Retail Establishment	1/750sf GFA + 1/10,000sf of outdoor area		1/1,000sf GFA + 1/10,000sf of outdoor area	1/250sf GFA + 1/10,000sf of outdoor area		1/250sf GFA + 1/10,000sf of outdoor area
Hotel/Motel	1/guest room		0.5/guest room	1.5/guest room		1.5/guest room
Kennel	1 space		1 space	2 spaces		2 spaces
Live Performance Venue - Indoor	1/750sf GFA + 50% of outdoor area;		1/1,000sf GFA + 50% of outdoor area;	1/250sf GFA + 50% of outdoor area	1/500sf GFA + 50% of outdoor area	1/250sf GFA + 50% of outdoor area

Table 19-1: Vehicle Parking Requirements

Uses	TIER 1 Neighborhood 1 Zoning Districts, N2-A, MHP, ML-1, ML-2, IC-1, OFC, <u>OG</u> Zoning Districts		TIER 2 N2-B, N2-C, IMU, IC-2, RC, NC, CAC-1, CG, CR Zoning Districts		TIER 3 CAC-2, TOD-UC, TOD-NC, TOD-CC, TOD-TR, RAC, UC, UE Zoning Districts	
	Minimum	Maximum <i>Tier 1 does not have a parking maximum</i>	Minimum	Maximum <i>Applies to both parking lots and parking structures</i>	Minimum <i>Applies only when within 400' of a Neighborhood 1 Place Type</i>	Maximum <i>Applies to both parking lots and parking structures</i>
	Unless within 400' of a Neighborhood 1 Place Type, then 1/500sf GFA + 50% of outdoor area		Unless within 400' of a Neighborhood 1 Place Type, then 1/500sf GFA + 50% of outdoor area			
Micro-Production of Alcohol	1/750sf GFA + 50% of outdoor area - excludes brewing facilities; Unless within 400' of a Neighborhood 1 Place Type, then 1/500sf GFA + 50% of outdoor area - excludes brewing facilities		1/1,000sf GFA + 50% of outdoor area - excludes brewing facilities; Unless within 400' of a Neighborhood 1 Place Type, then 1/500sf GFA + 50% of outdoor area - excludes brewing facilities	1/250sf GFA + 50% of outdoor area - excludes brewing facilities	1/500sf GFA + 50% of outdoor area - excludes brewing facilities	1/250sf GFA + 50% of outdoor area - excludes brewing facilities
Neighborhood Commercial Establishment <i>Applies to new construction only (See Article 15 for establishment in existing buildings)</i>	1/750sf GFA		1/1,000sf GFA	1/250sf GFA		1/250sf GFA
Nightclub	1/750sf GFA + 50% of outdoor area; Unless within 400' of a Neighborhood 1 Place Type, then 1/500sf GFA + 50% of outdoor area		1/1,000sf GFA + 50% of outdoor area; Unless within 400' of a Neighborhood 1 Place Type, then 1/500sf GFA + 50% of outdoor area	1/250sf GFA + 50% of outdoor area	1/500sf GFA + 50% of outdoor area	1/250sf GFA + 50% of outdoor area
Outdoor Market	1/750sf of lot area for market		1/1,000sf of lot area for market	1/250sf of lot area for market		1/250sf of lot area for market
Raceway/Dragstrip	1/5 persons at persons capacity		1/10 persons at persons capacity	<i>Per conditional zoning</i>		<i>Per conditional zoning</i>

Table 19-1: Vehicle Parking Requirements

Uses	TIER 1 Neighborhood 1 Zoning Districts, N2-A, MHP, ML-1, ML-2, IC-1, OFC, <u>OG</u> Zoning Districts		TIER 2 N2-B, N2-C, IMU, IC-2, RC, NC, CAC-1, CG, CR Zoning Districts		TIER 3 CAC-2, TOD-UC, TOD-NC, TOD-CC, TOD-TR, RAC, UC, UE Zoning Districts	
	Minimum	Maximum <i>Tier 1 does not have a parking maximum</i>	Minimum	Maximum <i>Applies to both parking lots and parking structures</i>	Minimum <i>Applies only when within 400' of a Neighborhood 1 Place Type</i>	Maximum <i>Applies to both parking lots and parking structures</i>
Restaurant/Bar	1/750sf GFA + 50% of outdoor area; Unless within 400' of a Neighborhood 1 Place Type, then 1/500sf GFA + 50% of outdoor area		1/1,000sf GFA + 50% of outdoor area; Unless within 400' of a Neighborhood 1 Place Type, then 1/500sf GFA + 50% of outdoor area	1/250sf GFA + 50% of outdoor area	1/500sf GFA + 50% of outdoor area	1/250sf GFA + 50% of outdoor area
Self-Storage Facility: Climate-Controlled	1/25 storage units		1/40 storage units	1/10 storage units		1/10 storage units
Self-Storage Facility: Outdoor	1/25 storage units		1/40 storage units	1/10 storage units		1/10 storage units
Stadium	1/5 persons at persons capacity		1/10 persons at persons capacity	<i>Per conditional zoning</i>		<i>Per conditional zoning</i>
Vehicle Auction Facility	1/10,000sf of lot area		1/15,000sf of lot area	1/5,000sf of lot area		1/5,000sf of lot area
Vehicle Dealership: Enclosed	1/750sf GFA + 4 per service bay		1/1,000sf GFA + 4 per service bay	1/250sf GFA + 6 per service bay		1/250sf GFA + 6 per service bay
Vehicle Dealership: Outdoor	1/750sf GFA of indoor area + 4 per service bay		1/1,000sf GFA of indoor area + 4 per service bay	1/250sf GFA of indoor area + 6 per service bay		1/250sf GFA of indoor area + 6 per service bay
Vehicle Rental: Enclosed	1/750sf GFA of indoor area - excludes indoor storage of vehicles		1/1,000sf GFA of indoor area - excludes indoor storage of vehicles	1/250sf GFA of indoor area - excludes indoor storage of vehicles		1/250sf GFA of indoor area - excludes indoor storage of vehicles
Vehicle Rental: Outdoor	1/750sf GFA of indoor area		1/1,000sf GFA of indoor area	1/250sf GFA of indoor area		1/250sf GFA of indoor area
Vehicle Repair Facility: Major	4/service bay		2/service bay	6/service bay		6/service bay
Vehicle Repair Facility: Minor	4/service bay		2/service bay	6/service bay		6/service bay



Table 19-1: Vehicle Parking Requirements

Uses	TIER 1 Neighborhood 1 Zoning Districts, N2-A, MHP, ML-1, ML-2, IC-1, OFC, <b>OG</b> Zoning Districts		TIER 2 N2-B, N2-C, IMU, IC-2, RC, NC, CAC-1, CG, CR Zoning Districts		TIER 3 CAC-2, TOD-UC, TOD-NC, TOD-CC, TOD-TR, RAC, UC, UE Zoning Districts	
	Minimum	Maximum <i>Tier 1 does not have a parking maximum</i>	Minimum	Maximum <i>Applies to both parking lots and parking structures</i>	Minimum <i>Applies only when within 400' of a Neighborhood 1 Place Type</i>	Maximum <i>Applies to both parking lots and parking structures</i>
<b>Institutional and Government Uses</b>						
<b>INSTITUTIONAL AND GOVERNMENT USE unless listed below</b>	<b>1/750sf GFA</b>		<b>1/1,000sf GFA</b>	<b>1/300sf GFA</b>		<b>1/300sf GFA</b>
Correctional Facility	1/10,000sf GFA		1/15,000sf GFA	<i>Per conditional zoning</i>		<i>Per conditional zoning</i>
Educational Facility - Pre-School	2/classroom		1/classroom	3/classroom		3/classroom
Educational Facility - Primary or Secondary	2/classroom		1/classroom	3/classroom		3/classroom
Educational Facility - University or College	1/1,000sf GFA		1/2,000sf GFA	1/300sf GFA		1/300sf GFA
Educational Facility - Vocational	1/1,000sf GFA		1/2,000sf GFA	1/300sf GFA		1/300sf GFA
Government Office/Facility	1/750sf GFA		1/1,000sf GFA	1/300sf GFA		1/300sf GFA
Place of Worship	1/4 seats of largest public assembly area		1/8 seats of largest public assembly area	1/6 seats of largest public assembly area		1/8seats of largest public assembly area
<b>Public Health and Social Service Uses</b>						
<b>PUBLIC HEALTH AND SOCIAL SERVICE USE unless listed below</b>	<b>1/750sf GFA</b>		<b>1/1,000sf GFA</b>	<b>1/250sf GFA</b>		<b>1/250sf GFA</b>
Addiction Treatment Facility, Residential	1/bed		0.5/bed	1.5/bed		1/bed
Alternative Correction Facility	1/bedroom		0.5/bedroom	6 spaces		6 spaces
Children's Home	2 spaces		2 spaces	6 spaces		6 spaces
Domestic Violence Shelter	2 spaces		2 spaces	6 spaces		6 spaces
Food Bank	1/750sf of office area + 1/15,000sf GFA of warehouse		1/1,000sf of office area + 1/15,000sf GFA of warehouse	1/250sf of office area + 1/15,000sf GFA of warehouse		1/250sf of office area + 1/15,000sf GFA of warehouse
Halfway House	0.2/bedroom		0.2/bedroom	6 spaces		6 spaces
Healthcare Institution	2.5/patient room		2/patient room	5/patient room		5/patient room
Homeless Shelter	2 spaces		2 spaces	6 spaces		6 spaces

Table 19-1: Vehicle Parking Requirements

Uses	TIER 1 Neighborhood 1 Zoning Districts, N2-A, MHP, ML-1, ML-2, IC-1, OFC, <u>OG</u> Zoning Districts		TIER 2 N2-B, N2-C, IMU, IC-2, RC, NC, CAC-1, CG, CR Zoning Districts		TIER 3 CAC-2, TOD-UC, TOD-NC, TOD-CC, TOD-TR, RAC, UC, UE Zoning Districts	
	Minimum	Maximum <i>Tier 1 does not have a parking maximum</i>	Minimum	Maximum <i>Applies to both parking lots and parking structures</i>	Minimum <i>Applies only when within 400' of a Neighborhood 1 Place Type</i>	Maximum <i>Applies to both parking lots and parking structures</i>
<b>Campus Uses</b>						
<b>CAMPUS USE unless listed below</b>	<b>1/1,500sf GFA of nonresidential area ± .5/unit of residential component</b>		<b>1/2,000sf GFA of nonresidential area ± .5/unit of residential component</b>	<b>1/500sf GFA of nonresidential area ± 1/unit of residential component</b>		<b>1/500sf GFA of nonresidential area ± 1/unit of residential component</b>
Government Campus	1/750sf GFA		1/1,000sf GFA	1/300sf GFA		1/300sf GFA
Office Campus	1/750sf GFA		1/1,000sf GFA	1/300sf GFA		1/300sf GFA
<b>Industrial Uses</b>						
<b>INDUSTRIAL USE unless listed below</b>	<b>1/1,000sf GFA up to 40,000sf, then 1/2,500sf for additional GFA above 40,000sf</b>		<b>1/2,000sf GFA up to 40,000sf, then 1/4,000sf for additional GFA above 40,000sf</b>	<b>1/500sf GFA up to 40,000sf, then 1/1,250sf for additional GFA above 40,000sf</b>		<b>1/500sf GFA up to 40,000sf, then 1/1,250sf for additional GFA above 40,000sf</b>
Airport						
Airstrip	1 space		1 space	4 spaces		4 spaces
Beneficial Fill Site						
Crematorium	1/750sf GFA		1/1,000sf GFA	1/250sf GFA		1/250sf GFA
Industrial, Craft	1/1,000sf GFA		1/1,500sf GFA	1/250sf GFA		1/250sf GFA
Landfill, Land Clearing & Inert Debris (LCID)						
Movie Studio	1/1,000sf GFA up to 40,000sf, then 1/2,500sf for additional GFA above 40,000sf		1/2,000sf GFA up to 40,000sf, then 1/4,000sf for additional GFA above 40,000sf	<i>Per conditional zoning</i>		<i>Per conditional zoning</i>
Outdoor Storage Yard	1/20,000sf of lot area		1/20,000sf of lot area	1/10,000sf of lot area		1/10,000sf of lot area

Table 19-1: Vehicle Parking Requirements

Uses	TIER 1 Neighborhood 1 Zoning Districts, N2-A, MHP, ML-1, ML-2, IC-1, OFC, <b>OG</b> Zoning Districts		TIER 2 N2-B, N2-C, IMU, IC-2, RC, NC, CAC-1, CG, CR Zoning Districts		TIER 3 CAC-2, TOD-UC, TOD-NC, TOD-CC, TOD-TR, RAC, UC, UE Zoning Districts	
	Minimum	Maximum <i>Tier 1 does not have a parking maximum</i>	Minimum	Maximum <i>Applies to both parking lots and parking structures</i>	Minimum <i>Applies only when within 400' of a Neighborhood 1 Place Type</i>	Maximum <i>Applies to both parking lots and parking structures</i>
Quarry						
Recycling Collection Center	1/750sf of office area		1/1,000sf of office area	1/250sf of office area		1/250sf of office area
Rail Freight Terminal	1/750sf of office area		1/1,000sf of office area	1/250sf of office area		1/1,000sf of office area
Salvage and/or Junk Yard	1/750sf of office area		1/1,000sf of office area	1/250sf of office area		1/250sf of office area
Solar Farm						
Truck Terminal	1/750sf of office area		1/1,000sf of office area	1/250sf of office area		1/250sf of office area
Warehouse and Distribution Center	1/750sf of office area + 1/15,000sf GFA of warehouse		1/1,000sf of office area + 1/15,000sf GFA of warehouse	1/250sf of office area + 1/7,500sf GFA of warehouse		1/250sf of office area + 1/7,500sf GFA of warehouse
Waste Management Facility	1/750sf of office area		1/1,000sf of office area	1/250sf of office area		1/250sf of office area
Wind Farm						

Table 19-1: Vehicle Parking Requirements

Uses	TIER 1 Neighborhood 1 Zoning Districts, N2-A, MHP, ML-1, ML-2, IC-1, OFC, <u>OG</u> Zoning Districts		TIER 2 N2-B, N2-C, IMU, IC-2, RC, NC, CAC-1, CG, CR Zoning Districts		TIER 3 CAC-2, TOD-UC, TOD-NC, TOD-CC, TOD-TR, RAC, UC, UE Zoning Districts	
	Minimum	Maximum <i>Tier 1 does not have a parking maximum</i>	Minimum	Maximum <i>Applies to both parking lots and parking structures</i>	Minimum <i>Applies only when within 400' of a Neighborhood 1 Place Type</i>	Maximum <i>Applies to both parking lots and parking structures</i>
<b>Transportation Uses</b>						
<b>TRANSPORTATION USES unless listed below</b>	<i>(None)</i>		<i>(None)</i>	<i>(None)</i>		<i>(None)</i>
Passenger Terminal	1/2,000sf GFA		1/4,000sf GFA	1/2,000sf GFA		1/2,000sf GFA
Truck Stop	1/500sf GFA of structure +1 truck space/10,000sf of outdoor area					
Vehicle Operations Facility	1/1,000sf GFA up to 40,000sf, then 1/2,500sf for additional GFA above 40,000sf +1/10,000sf of outdoor area		1/2,000sf GFA up to 40,000sf, then 1/4,000sf for additional GFA above 40,000sf +1/10,000sf of outdoor area	1/500sf GFA up to 40,000sf, then 1/1,250sf for additional GFA above 40,000sf +1/5,000sf of outdoor area		1/500sf GFA up to 40,000sf, then 1/1,250sf for additional GFA above 40,000sf +1/5,000sf of outdoor area
<b>Open Space, Recreation, and Agricultural Uses</b>						
<b>OPEN SPACE, RECREATION, AND AGRICULTURAL USES unless listed below</b>	<i>(None)</i>		<i>(None)</i>	<i>(None)</i>		<i>(None)</i>
Agriculture - Industrial Processes	1/1,000sf GFA up to 40,000sf, then 1/2,500sf for additional GFA above 40,000sf		1/2,000sf GFA up to 40,000sf, then 1/4,000sf for additional GFA above 40,000sf	1/500sf GFA up to 40,000sf, then 1/1,250sf for additional GFA above 40,000sf		1/500sf GFA up to 40,000sf, then 1/1,250sf for additional GFA above 40,000sf
Boarding Stables, Commercial	1/4 stalls		1/6 stalls	1/stall		1/stall
Campground	1/4 campsites		1/6 campsites	1/campsite		1/campsite
Cemetery	1/750sf GFA of office, chapel/parlor, and facilities		1/1,000sf GFA of office, chapel/parlor, and facilities	1/250sf GFA of office, chapel/parlor, and facilities		1/250sf GFA of office, chapel/parlor, and facilities

Table 19-1: Vehicle Parking Requirements

Uses	TIER 1 Neighborhood 1 Zoning Districts, N2-A, MHP, ML-1, ML-2, IC-1, OFC, <b>OG</b> Zoning Districts		TIER 2 N2-B, N2-C, IMU, IC-2, RC, NC, CAC-1, CG, CR Zoning Districts		TIER 3 CAC-2, TOD-UC, TOD-NC, TOD-CC, TOD-TR, RAC, UC, UE Zoning Districts	
	Minimum	Maximum <i>Tier 1 does not have a parking maximum</i>	Minimum	Maximum <i>Applies to both parking lots and parking structures</i>	Minimum <i>Applies only when within 400' of a Neighborhood 1 Place Type</i>	Maximum <i>Applies to both parking lots and parking structures</i>
Golf Course	2/hole		1/hole	4/hole		4/hole
Driving Range	1/tee		0.5/tee	2/tee		2/tee
Marina, Commercial	1/4 slips		1/6 slips	1/2 slips		1/2 slips
Private Recreation Club	1/750sf GFA		1/1,000sf GFA	1/250sf GFA		1/250sf GFA
Recreational Vehicle (RV) Park	4 spaces		4 spaces	8 spaces		8 spaces
<b>Infrastructure Uses</b>						
<b>INFRASTRUCTURE USES</b>	<i>(None)</i>		<i>(None)</i>	<i>(None)</i>		<i>(None)</i>
<b>Temporary Uses</b>						
<b>TEMPORARY USES</b>	<i>(None)</i>		<i>(None)</i>	<i>(None)</i>		<i>(None)</i>
<b>Accessory Uses</b>						
<b>ACCESSORY USES unless listed below</b>	<i>(None)</i>		<i>(None)</i>	<i>(None)</i>		<i>(None)</i>
Adult Care Home	<i>(None)</i>		<i>(None)</i>	1 space		1 space
Childcare Center in Residence	<i>(None)</i>		<i>(None)</i>	1 space		1 space
Family Childcare Home	<i>(None)</i>		<i>(None)</i>	1 space		1 space
Rooming House	1/2 rooming units		1/4 rooming units	1/rooming unit		1/rooming unit

### 19.3 REQUIRED ELECTRIC VEHICLE CHARGING STATIONS

A. Electric vehicle (EV) charging stations are required per Table 19-2: Required EV Charging Stations for:

1. Multi-family stacked dwellings
2. The residential component of mixed-use developments
3. Hotels
4. Parking lots and parking structures as a principal use

B. There are two types of electric vehicle (EV) charging stations required by this article: EV-Capable and EVSE-Installed. The types of electric vehicle (EV) charging stations are defined in Article 2.

Table 19-2: Required EV Charging Stations		
Total Number of Provided Off-Street Parking Spaces	EV-Capable Spaces	EVSE-Installed Spaces
0-9 spaces	None	None
10-25 spaces	20% of spaces (rounded up)	None
26-50 spaces	20% of spaces (rounded up)	1 space
More than 50 spaces	20% of spaces (rounded up)	2% of spaces (rounded up)

C. In determining the number of required EV charging stations, when the result contains a fraction, any fraction is counted as one parking space.

D. For the residential component of mixed-use developments, the number of required EV charging stations shall be applied on a one-to-one ratio to the number of residential units in the development. However, where the number of parking spaces in a development is less than the number of residential units, the required EV spaces will be based on the total number of spaces provided.

E. EV charging stations shall only count toward a development's parking maximum if spaces are EV-Capable. EVSE-Installed stations do not count toward parking maximums.

F. Where a parking minimum is required, EVSE-Installed stations shall count as two spaces.

G. Any EVSE-Installed stations provided in addition to the required EVSE-Installed stations may be counted toward the EV-Capable requirement as two EV-Capable stations.

### 19.4 REQUIRED BICYCLE PARKING

A. When bicycle parking spaces are required by Table 19-3: Bicycle Parking Requirements, such bicycle parking shall be installed when any of the following occurs:

1. New construction of a principal building.
2. Expansion of an existing principal building resulting in a requirement of more than five additional bicycle spaces.
3. Change of use or expansion of an existing use resulting in a requirement of more than five additional bicycle spaces.

B. Of those uses required to provide bicycle spaces, Table 19-3 will indicate that some uses are required to provide long-term spaces. The required number of long-term spaces is a percentage of the required total bicycle spaces. All other required bicycle spaces shall be designed as short-term spaces. Where a cell is blank and shaded, no short-term and/or long-term bicycle parking is required.

C. For uses where bicycle parking is required, a minimum of two short-term bicycle spaces shall be provided. In no case are more than 30 short-term bicycle parking spaces required to be provided.

D. If short-term spaces are capped as per item C above, the number of long-term spaces required shall continue to be calculated based upon the required number of short-term spaces, disregarding the cap. In the case of nonresidential uses, no more than 50 long-term bicycle parking spaces are required to be provided.

E. Long-term bicycle parking is not required in either of the following conditions:

1. The entire nonresidential development has a gross floor area of 5,000 square feet or less. This does not apply to residential development.
2. Five or fewer bicycle spaces are required.

F. Bicycle parking located in the public right-of-way shall be subject to approval by the Charlotte Department of Transportation (CDOT) or the North Carolina Department of Transportation (NCDOT), as applicable. A requirement to provide bicycle parking does not imply that a right-of-way encroachment will be granted.

Table 19-3: Bicycle Parking Requirements		
Uses	Required Bicycle Spaces	Required % Long-Term Bicycle Spaces
<b>Residential Uses</b>		
<b>RESIDENTIAL USES unless listed below</b>	<b>(None required)</b>	<b>(None required)</b>
Dormitory	1/4 dorm rooms	80%
Dwelling – Multi-Family Stacked and Multi-Family Attached When Units Not on Sublots <i>Also applies to residential component of mixed-use development</i>	1/5 dwelling units	80%
Fraternity/Sorority Facility	1/5 bedrooms	80%
Multi-Dwelling Development	<i>As required by dwelling type</i>	<i>As required by dwelling type</i>
Residential Care Facility	1/8 rooms	25%
Rooming House	1/5 rooming units	80%
Single Room Occupancy (SRO)	1/5 rooming units	80%
<b>Commercial Uses</b>		
<b>COMMERCIAL USES unless listed below</b>	<b>1/1,500sf GFA</b>	<b>25%</b>
Amusement Facility - Outdoor	1/3,000sf of lot area	25%
Bed and Breakfast		
Car Wash	1/bay	
Commercial Kitchen	1/3,000sf GFA	25%
Contractor Office with Outdoor Storage	1/1,500sf GFA of office area	
Convention Center	1/3,000sf GFA	25%
Drive-Through Establishment	2 spaces	
Gas Station	1/1,500sf GFA of retail area	25%
Greenhouse/Nursery - Wholesale	1/3,000sf of lot area	25%
Heavy Rental and Service Establishment	1/3,000sf of lot area	25%
Heavy Retail Establishment	1/3,000sf of lot area	25%
Hotel/Motel	1/20 rooms	25%
Kennel		
Neighborhood Commercial Establishment <i>Applies to new construction only (See Article 15 for establishment in existing buildings)</i>	1/1,500sf GFA	25%
Outdoor Market	1/3,000sf of lot area	
Raceway/Dragstrip	<i>Per conditional zoning</i>	<i>Per conditional zoning</i>
Retail Goods: Showroom	1/3,000sf of lot area	25%
Self-Storage Facility: Climate-Controlled	4 spaces	
Self-Storage Facility: Outdoor	4 spaces	
Stadium	<i>Per conditional zoning</i>	<i>Per conditional zoning</i>
Vehicle Auction Facility	4 spaces	

Table 19-3: Bicycle Parking Requirements		
Uses	Required Bicycle Spaces	Required % Long-Term Bicycle Spaces
Vehicle Dealership: Enclosed	4 spaces with no service facilities; 8 spaces with service facilities	
Vehicle Dealership: Outdoor	4 spaces with no service facilities; 8 spaces with service facilities	
Vehicle Rental: Enclosed	4 spaces	
Vehicle Rental: Outdoor	4 spaces	
Vehicle Repair Facility: Major	4 spaces	
Vehicle Repair Facility: Minor	4 spaces	
<b>Institutional and Governmental Uses</b>		
<b>INSTITUTIONAL AND GOVERNMENTAL USES unless listed below</b>	<b>1/1,500sf GFA</b>	<b>25%</b>
Correctional Facility	<i>Per conditional zoning</i>	<i>Per conditional zoning</i>
Educational Facility - Pre-School	1/8 classrooms	25%
Educational Facility - Primary or Secondary	1/4 classrooms	25%
Educational Facility - University or College	1/5,000sf GFA	25%
Educational Facility - Vocational	1/5,000sf GFA	25%
Public Safety Facility	1/5,000sf GFA	25%
Public Works Facility	1/5,000sf GFA	25%
<b>Public Health and Social Service Uses</b>		
<b>PUBLIC HEALTH AND SOCIAL SERVICE USES unless listed below</b>	<b>1/1,500sf GFA</b>	<b>25%</b>
Addiction Treatment Facility, Residential	1/8 rooms	25%
Alternative Correction Facility	1/2 rooming units	50%
Children's Home	1/8 rooms	25%
Domestic Violence Shelter		
Food Bank	1/5,000sf GFA	25%
Halfway House	1/2 rooming units	50%
Healthcare Institution	1/20 beds	25%
Homeless Shelter	1/4 beds	50%
<b>Campus Uses</b>		
<b>CAMPUS USES unless listed below</b>	<b>1/5,000sf GFA of nonresidential area</b>	<b>50%</b>
Continuum Care Retirement Community (CCRC)	1/5,000sf GFA of nonresidential area	50%
Educational Campus	1/5,000sf GFA of nonresidential area + residential use as required by "Residential Uses above"	Nonresidential: 50% Residential: As required by "Residential Uses above"
Government Campus	1/5,000sf GFA	25%
Medical Campus	1/5,000sf GFA of nonresidential area	50%
Office Campus	1/5,000sf GFA of nonresidential area	50%
Research Campus	1/5,000sf GFA of nonresidential area + residential use as required by "Residential Uses above"	Nonresidential: 50% Residential: As required by "Residential Uses above"
Religious Campus	1/5,000sf GFA of nonresidential area	25%
Social Service Campus	1/5,000sf GFA of nonresidential area	25%
<b>Industrial Uses</b>		
<b>INDUSTRIAL USES unless listed below</b>	<b>(None required)</b>	<b>(None required)</b>
Industrial, Craft	1/1,500sf GFA	25%
Industrial, Light	1/5,000sf GFA	25%
Light Assembly	1/5,000sf GFA	25%
Movie Studio	1/5,000sf GFA	25%
Warehouse and Distribution Center	1/5,000sf GFA	25%
Wholesale Goods Establishment	1/5,000sf GFA	25%
<b>Transportation Uses</b>		
<b>TRANSPORTATION USES unless listed below</b>	<b>(None required)</b>	<b>(None required)</b>
Parking Lot (Principal Use)	1/25 spaces	50%
Parking – Structured Facility (Principal Use)	1/25 spaces	50%
Passenger Terminal	1/5,000sf GFA of terminal building	25%



Table 19-3: Bicycle Parking Requirements		
Uses	Required Bicycle Spaces	Required % Long-Term Bicycle Spaces
<b>Open Space, Recreation, and Agricultural Uses</b>		
<b>OPEN SPACE, RECREATION, AND AGRICULTURAL USES unless listed below</b>	<i>(None required)</i>	<i>(None required)</i>
Agricultural - Industrial Processes	1/5,000sf GFA	25%
Boarding Stables, Commercial	1/4 stalls	
Cemetery	4 spaces	
Conservation Area	2 per acre	
Community Garden	2 per acre	
Golf Course	1/2 holes	25%
Driving Range	1/2 tees	25%
Marina, Commercial	1/15 slips	25%
Private Recreation Club	1/1,500sf GFA	25%
Public Park	4 per acre	
<b>Infrastructure Uses</b>		
<b>INFRASTRUCTURE USES unless listed below</b>	<i>(None required)</i>	<i>(None required)</i>
<b>Temporary Uses</b>		
<b>TEMPORARY USES unless listed below</b>	<i>(None required)</i>	<i>(None required)</i>
<b>Accessory Uses</b>		
<b>ACCESSORY USES unless listed below</b>	<i>(None required)</i>	<i>(None required)</i>

**19.5 DESIGN OF VEHICLE PARKING SPACES**

- A. Each required vehicle parking space shall meet the minimum dimensional requirements of the Charlotte Land Development Standards Manual (CLDSM). Each required parking space shall have direct and unrestricted access to a drive aisle that meets the standards of the CLDSM.
- B. For parking lots and parking structures of 20 spaces or more, up to 25% of required vehicle parking spaces may be designed and designated for compact vehicles per CLDSM standards.
- C. The use of required off-street vehicle parking spaces for the sale, repair, dismantling, or servicing of any vehicles, equipment, materials, or supplies is prohibited. The sale and display of goods in required off-street vehicle parking spaces is also prohibited unless specifically permitted within the Use Matrix in Article 15.
- D. For nonresidential uses and multi-family stacked dwellings, access configurations which require backing directly onto a street from a required off-street vehicle parking space are prohibited.

**19.6 DESIGN OF SURFACE PARKING AND PARKING LOTS**

**A. Surface Parking and Parking Lot Location and Configuration**

**1. Neighborhood 1 Zoning Districts and Neighborhood 2 Zoning Districts**

**a. Residential Dwellings**

**i. Single-Family Dwellings on Individual Lots**

The following apply to all single-family dwellings on individual lots:

- (A) Required parking spaces for single-family dwellings shall be located either on a driveway, on an improved surface parking pad, or in a garage.
- (B) All required parking spaces for residential uses shall be located on the same lot as the use.

**ii. Duplex, Triplex, and Quadraplex Dwellings on Individual Lots**

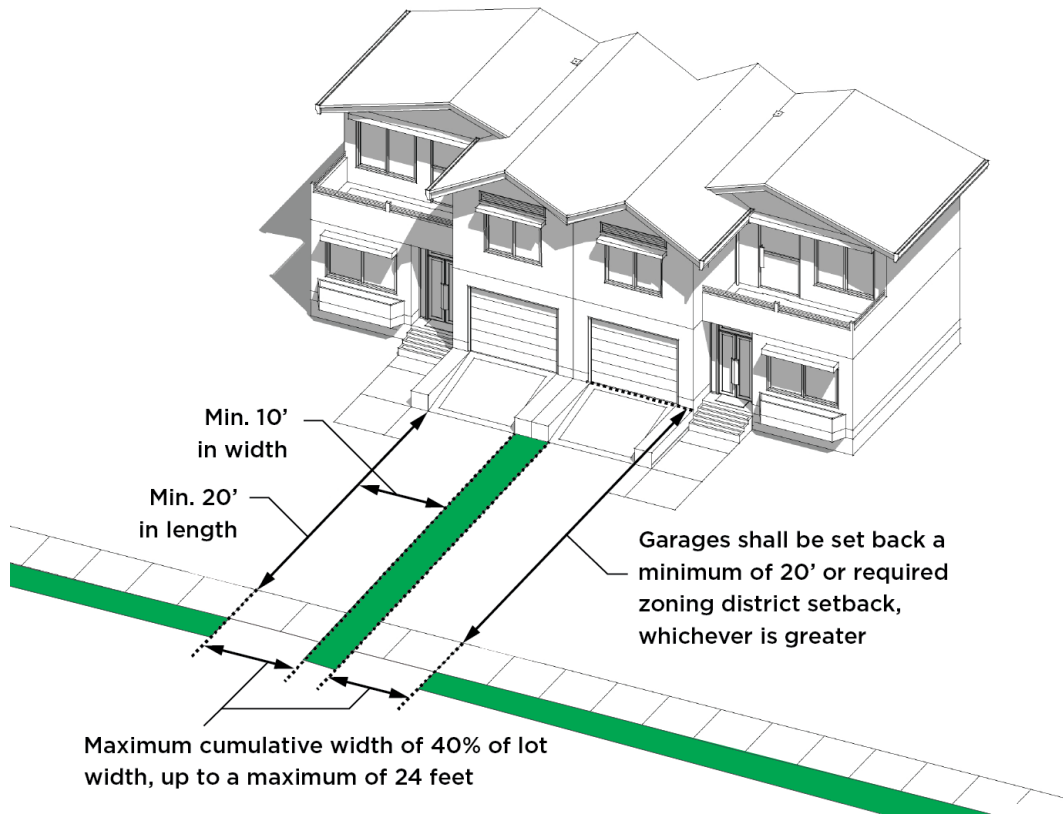
The following apply to all duplex, triplex, and quadraplex dwellings on individual lots:

- (A) Parking spaces shall be located on a driveway, on a parking pad, or in a garage.
- (B) All required parking spaces shall be located on the same lot as the use.
- (C) Driveways and parking pads shall have a maximum width of 40% of the lot width up to a maximum of 24 feet in width between any part of a street-facing façade and any front lot line. For corner lots, additional driveways and parking pads may be allowed on the side street but shall not exceed the permitted width as determined by the front lot width. This maximum width may be split between driveways and parking pads, but the cumulative width of all driveways and parking pads may not exceed the maximum width permitted along any applicable street frontage.
- (D) Driveways and parking pads may exceed 24 feet in width when located beyond the entire street-facing façade.

**iii. All Dwellings**

- (A) All driveways and parking areas/pads shall be improved surfaces, such as concrete, asphalt, or other material commonly used for the parking of vehicles, but not including grass, dirt, or gravel. However, gravel is permitted for single-family dwellings. Alternative types of improved surfaces may be approved by the Zoning Administrator in coordination with the Stormwater Administrator for sites within the water supply watershed protection districts.
- (B) All driveways shall have a minimum width of 10 feet.
- (C) Driveways and parking pad spaces shall be a minimum of 20 feet in length as measured from the right-of-way, back of sidewalk, or back of a shared use path, whichever is greater.
- (D) Garages for individual units shall be set back a minimum of 20 feet or the required zoning district setback, whichever is greater. The 20 foot distance shall be measured from the right-of-way, back of sidewalk, or back of a shared use path, whichever is greater.
- (E) Parking areas other than individual driveways are prohibited within the established front and corner side setback. This does not apply to principal buildings fronting on Limited Access Roads or to single-family dwellings on individual lots.
- (F) Driveways shall be as nearly perpendicular to the street frontage as possible. This does not apply to single-family dwellings on individual lots.
- (G) Multi-family dwellings and multi-dwelling developments may have a common parking area or areas located within the development site.
- (H) Along alleys, driveways and parking pads shall be designed per the CLDSM.

## DRIVEWAYS



### b. Nonresidential and Mixed-Use Developments

i. All surface parking lots are prohibited in an established setback along a primary frontage. However, the following exceptions apply:

**(A)** Where there is no principal building, parking areas shall not be located in any required setback or build-to zone, as applicable. In addition, parking areas shall be located a minimum of 20 feet from a right-of-way, back of sidewalk, or back of a shared use path, whichever is greater.

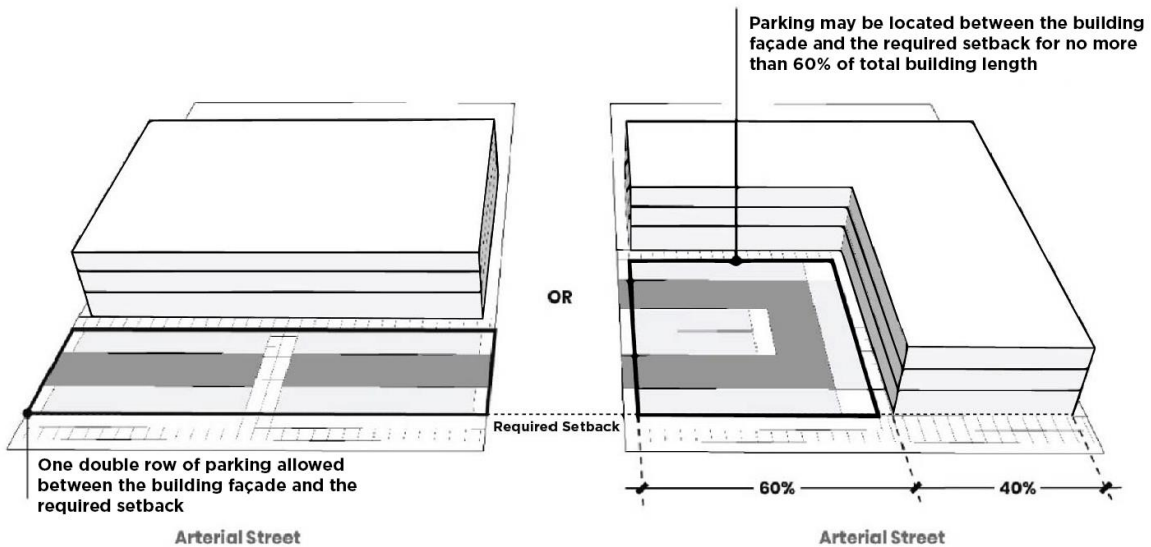
**(B)** This does not apply to principal buildings fronting on Limited Access Roads; however, such areas are prohibited in the required setback.

**(C)** For nonresidential development on arterial streets and Parkways in the Neighborhood 1 Zoning Districts, and the N2-A and N2-B Zoning Districts, one double row of parking may be located between the building façade and the required setback.

**(D)** Alternatively, on arterial streets and Parkways in the Neighborhood 1 Zoning Districts, and the N2-A and N2-B Zoning Districts, parking may be located between the building façade and the required setback for up to 60% of the total building length. The remainder of the building length shall be located closer to the required setback line than the parking.

ii. Parking lots for nonresidential uses shall be located on the same lot as the principal building. Parking lots for nonresidential uses that are part of the development may also be located on a lot that is adjacent to the lot containing the principal building and is used exclusively for parking for that nonresidential use.

## ARTERIAL STREET PARKING LOCATION



### 2. All Other Zoning Districts

#### a. Surface Parking Design

Surface parking design for all developments are subject to the standards of Table 19-4: Surface Parking Area Location and Access.

#### b. Additional Surface Parking and Parking Lot Location Standards

##### i. Residential Uses and Residential Component of Mixed-Use

All required parking spaces for residential uses shall be located on the same lot as the use. Multi-family and multi-dwelling developments may have a common parking area or areas located within the development site.

##### ii. Nonresidential Uses and Nonresidential Component of Mixed-Use

Parking areas for nonresidential uses and the nonresidential component of mixed-use may be located as follows:

(A) Where there is no principal building, parking areas are prohibited in any required setback or build-to zone, as applicable. In addition, parking areas shall be located a minimum of 20 feet from a right-of-way, back of sidewalk, or a shared use path, whichever is greater.

(B) Within a common parking area or areas of the development site.

(C) In an off-site parking lot or parking structure no more than 800 feet walking distance from the development where the use is located. Such off-site parking shall be approved by the Zoning Administrator. Any off-site parking shall be provided by lease of the off-site parking area for a minimum of five years. Such off-site parking shall be reserved for the exclusive use of the nonresidential use.

(D) For uses where events are held but that are not open for use when no events are occurring, such as stadiums and live performance venues, parking may be located off-site more than 800 feet from the event site. The Zoning Administrator, in conjunction with Charlotte Department of Transportation (CDOT) staff, shall require verification of how the anticipated parking demand will be accommodated, such as by shuttle service. This provision does not apply to places of worship.

**Table 19-4: Surface Parking Area Location and Access – Part 1**

Standards	Zoning Districts									
	CG	CR	IC-1	IC-2	RC	OFC	OG	ML-1	ML-2	IMU
No surface parking, driveways, circulation, or maneuvering areas shall be located in the established setback along a frontage. This does not apply to a Limited Access frontage; however, such areas are prohibited in the required setback. Driveways shall only be installed across the established setback along a frontage for access to parking areas and shall be as nearly perpendicular to the street frontage as possible.				✓	✓					✓
Surface parking may be located in the established setback along a street; however, such areas are prohibited in the required setback.	✓	✓	✓			✓	✓	✓	✓	
No vehicle travel aisle, including drive aisles for on-site circulation, shall be located in the established setback along a frontage This does not apply to a Limited Access frontage; however, such areas are prohibited in the required setback.				✓	✓					✓
All surface parking along a primary frontage shall be located a minimum of 25 feet behind the setback line and shall also be located behind the established setback. On all other frontages, parking shall be located behind the established setback.				✓	✓					✓
Surface parking located in the established setback along a Main Street frontage shall be removed with any change of use, building addition that exceeds 25% of the gross floor area of the structure or 1,000 square feet, whichever is less, or the addition of 250 square feet or more of outdoor dining area.	✓	✓	✓	✓	✓	✓	✓			✓
No driveways shall be allowed along local and collector streets located across from a Neighborhood 1 Place Type. If all streets are located across from a Neighborhood 1 Place Type, the Zoning Administrator shall approve a means of access that minimizes intrusion into the Neighborhood 1 Place Type.				✓	✓					✓

Table continues on next page

**Table 19-4: Surface Parking Area Location and Access – Part 2**

Standards	Zoning Districts									
	TOD-UC	TOD-NC	TOD-CC	TOD-TR	NC	CAC-1	CAC-2	RAC	UC	UE
No surface parking, driveways, circulation, or maneuvering areas shall be located in the established setback along a frontage. This does not apply to a Limited Access frontage; however, such areas are prohibited in the required setback. Driveways shall only be installed across the established setback along a frontage for access to parking areas and shall be as nearly perpendicular to the street frontage as possible.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Surface parking may be located in the established setback along a street; however, such areas are prohibited in the required setback.										
No vehicle travel aisle, including drive aisles for on-site circulation, shall be located in the established setback along a frontage. This does not apply to a Limited Access frontage; however, such areas are prohibited in the required setback.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
All surface parking along a primary frontage shall be located a minimum of 25 feet behind the setback line and shall also be located behind the established setback. On all other frontages, parking shall be located behind the established setback.	✓	✓	✓	✓			✓	✓	✓	✓
Surface parking located in the established setback along a Main Street frontage shall be removed with any change of use, building addition that exceeds 25% of the gross floor area of the structure or 1,000 square feet, whichever is less, or the addition of 250 square feet or more of outdoor dining area.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
No driveways shall be allowed along local and collector streets located across from a Neighborhood 1 Place Type. If all streets are located across from a Neighborhood 1 Place Type, the Zoning Administrator shall approve a means of access that minimizes intrusion into the Neighborhood 1 Place Type.	✓	✓	✓	✓		✓	✓	✓	✓	✓

**B. Parking Lot Surfacing**

1. All parking lots shall be improved with a hard surfaces, such as concrete, asphalt, or other material commonly used for the parking of vehicles, but not including grass or dirt; gravel is permitted in accordance with item 2 below. Pervious paving is encouraged where appropriate given weight-bearing and traffic requirements.
2. Gravel and other loose material shall be permitted for parking lots, with the exception of driveways that connect directly to a street. Driveways that connect the surface parking lot directly to a street shall meet the following:
  - a. Such driveways shall be improved surfaces, such as concrete, asphalt, or other material commonly used for the parking of vehicles, but not including grass, dirt, or gravel.
  - b. Improved surface driveways shall be a minimum of 20 feet in length as measured from the right-of-way or back of sidewalk or a shared use path, whichever is greater.

**C. Striping**

All parking lots improved with a hard surface, excluding those improved with gravel, of ten or more spaces shall delineate parking spaces with paint or other permanent materials, which shall be maintained in clearly visible condition.

**D. Barriers**

1. Barriers, such as wheel blocks, bollards, and curbs, shall be located along the perimeter of parking lots, internal sidewalks and pedestrian connections that abut parking spaces or driveways, and vehicle storage areas, except at ingress, egress, and circulation points. If there is parking on the perimeter of a bus or tractor-trailer lot, bollards, or wheel blocks are required.

2. Such barriers shall be designed and located to prevent parked vehicles from extending beyond designated parking areas.
3. All barriers shall be designed and located in accordance with the standards set out in the CLDSM.

#### **E. Lighting**

Parking lots shall be subject to the exterior lighting standards of Section 16.2.

#### **F. Nonconforming Parking Lot and Surface Parking Design**

When an existing parking lot of ten or more spaces does not conform to the design requirements of this article, it shall be brought into conformance when the parking lot is fully reconstructed or repaved, or the parking lot area is expanded by greater than 50%. Any expansion of an existing nonconforming parking lot shall be constructed to all applicable UDO standards. Resealing or re-stripping of an existing parking lot, which does not entail paving, resurfacing, or replacement of the asphalt, concrete, or other surface paving material, is not considered reconstruction.

### **19.7 DESIGN OF PARKING STRUCTURES**

#### **A. Applicability of Parking Structure Design Standards**

1. All parking structures are subject to the general regulations of item B below.
2. Select zoning districts are subject to the additional standards of item C below and Table 19-5: Parking Structure Design Options when located on the applicable frontage.
3. If there is a conflict between the general regulations in item B and the options outlined in item C, item C shall control.

#### **B. General Parking Structure Design Standards**

All parking structures are subject to the following standards:

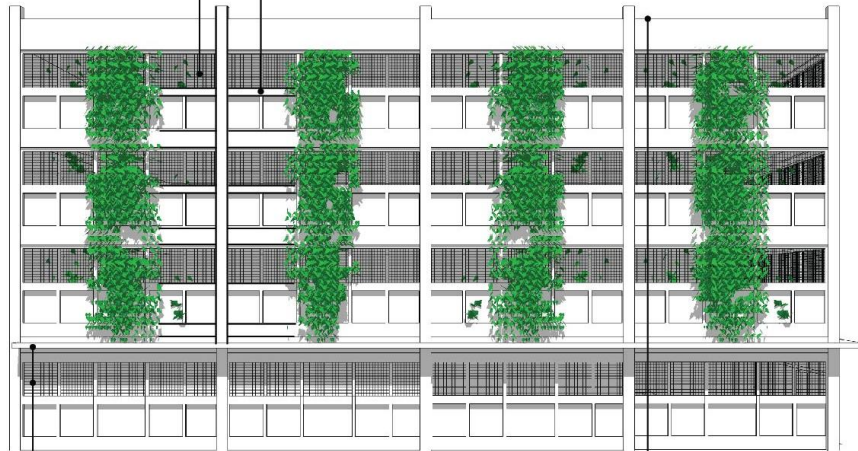
1. On the ground floor of a facade abutting a frontage, where active uses, ingress/egress points, and/or mechanical equipment are not present, pedestrian-scale interest and activity shall be created through the inclusion of at least three architectural elements, such as awnings, overhangs, decorative screens, grills, louvers, pedestrian scale decorative lighting, decorative plantings, or other similar features. This does not apply to Limited Access frontages.
2. Along a frontage, the facades of parking structures shall include both vertical and horizontal treatment that resembles patterns and architecture of the buildings within the development, including use of similar materials and a similar rhythm of window openings. Any openings shall be screened using decorative elements such as grillwork, louvers, green walls, or a similar treatment. This standard shall also apply to a freestanding parking structure that is not part of a larger development, in which case it shall incorporate the patterns and architecture of the surrounding buildings.
3. For parking structures with rooftop open-air parking, a parapet wall a minimum of four feet in height measured from the surface of the roof is required.
4. Facade openings that face any frontage shall be vertically and horizontally aligned.
5. Parking structures shall be designed so that vehicles parked on all levels of the structure and associated lighting are screened by a wall or panel measuring a minimum of 42 inches in height, as measured from the finished surface of the parking level. Along a frontage, the decorative elements indicated in item 2 above shall occupy a minimum of 25% of the area of the opening above the wall or panel.
6. Parking structures shall be subject to the exterior lighting standards of Section 16.2.



## GENERAL PARKING STRUCTURE DESIGN

Any openings shall be screened using decorative elements such as grillwork, louvers, green walls, or a similar treatment

Façades shall include both vertical and horizontal treatment to resemble patterns and design of buildings within the development, including use of similar materials and a similar rhythm of window openings.



Pedestrian-scale interest and activity created through the inclusion of architectural elements, such as awnings, overhangs, decorative screens, grills, louvers, etc.

For parking structures with rooftop open-air parking, a parapet wall a minimum of four feet in height measured from the surface of the roof is required.

### C. Additional Parking Structure Design Standards by Zoning District

#### 1. Design

- a. Parking structures in select zoning districts shall be designed in accordance with the additional design standards of Table 19-5: Parking Structure Design Options.
- b. Where multiple options are indicated in Table 19-5, any of the indicated options are permitted.
- c. Active use spaces and fully wrapped parking structures are required to meet building articulation and transparency standards of the zoning district.
- d. Parking structures without active use spaces are exempt from the following zoning district standards:
  - i. Building articulation standards for minimum ground floor height and maximum prominent entry spacing.
  - ii. Transparency standards.
- e. The Zoning Administrator may waive the requirement for ground floor activation for parking structures for public transit facilities in constrained conditions when Table 19-5 only allows options with ground floor activation. If such requirements are waived, the parking structure is subject to the general design standards of item B above.



## **2. Parking Structure Design Options**

The options of Table 19-5: Parking Structure Design Options are as follows:

### **a. Option A - All Floors Wrapped and Ground Floor Activation**

- i. All floors wrapped requires a minimum of 70% of the façade above ground floor along any frontage be covered with occupiable building space a minimum of 20 feet in depth. This does not apply for the portion of the facade above the sixth floor.
- ii. Ground floor activation shall meet the standards of Option C below.

### **b. Option B - Ground Floor Activation and Stepback**

- i. Ground floor activation shall meet the standards of Option C below.
- ii. A minimum ten foot building setback is required for any parking located above the ground floor.

### **c. Option C - Ground Floor Activation**

- i. Parking structures shall include residential or nonresidential active uses along 90% of the ground floor building length along any primary frontage and 60% of the ground floor building length along any secondary frontage, excluding areas of vehicular and pedestrian egress, fire stairs, and mechanical or electrical equipment rooms.
- ii. Nonresidential active use bays shall be a minimum of 20 feet in width and 20 feet in depth. Individual spaces shall be furnished with water, sewer, and electrical service, or such services shall be stubbed into each individual active use bay for a future connection.

### **d. Option D - Additional Setback with Landscape Area**

- i. Foundation landscape is required along the entire façade area excluding areas of vehicular and pedestrian egress, and mechanical or electrical equipment rooms. The landscape yard shall count toward any required minimum build-to percentage.
- ii. The width of the additional setback is indicated by the number associated with Option D in Table 19-5. This landscape area setback is in addition to the setback required by the zoning district.
- iii. The landscape area shall be planted in accordance with the requirements of Section 20.8.

Table 19-5: Parking Structure Design Options

**KEY:**

Section 19.7.C.2 details the design options:

A = Option A (Section 19.7.C.2.a)

B = Option B (Section 19.7.C.2.b)

C = Option C (Section 19.7.C.2.c)

D = Option D (Section 19.7.C.2.d) and the number indicates the width of the additional setback

Frontage	Zoning Districts								
	N2-C	CG	CR	IC-1	IC-2	RC	OFC	OG	IMU
Main Street	A B	A B C	A B C	A B C	A B	A B	A B C	A B C	A B
6 Lane Avenue/Boulevard	A B C D-15'	A B C D-15'	A B C D-15'	A B C D-15'	A B C	A B C	A B C D-15'	A B C D-15'	A B C
4-5 Lane Avenue/Boulevard	A B C D-15'	A B C D-15'	A B C D-15'	A B C D-15'	A B C	A B C	A B C D-15'	A B C D-15'	A B C
2-3 Lane Avenue/Boulevard	A B C D-15'	A B C D-15'	A B C D-15'	A B C D-15'	A B C	A B C	A B C D-15'	A B C D-15'	A B C
Other - Primary	A B C D-15'	A B C D-15'	A B C D-15'	A B C D-15'	A B C	A B C	A B C D-15'	A B C D-15'	A B C
Secondary	A B C D-15'	A B C D-15'	A B C D-15'	A B C D-15'	A B C D-30'	A B C D-30'	A B C D-15'	A B C D-15'	A B C D-30'
Parkway	A B C D-15'	A B C D-15'	A B C D-15'	A B C D-15'	A B C D-30'	A B C D-30'	A B C D-15'	A B C D-15'	A B C D-30'
Limited Access									

Table 19-5: Parking Structure Design Options

**KEY:**

Section 19.7.C.2 details the design options:

A = Option A (Section 19.7.C.2.a)

B = Option B (Section 19.7.C.2.b)

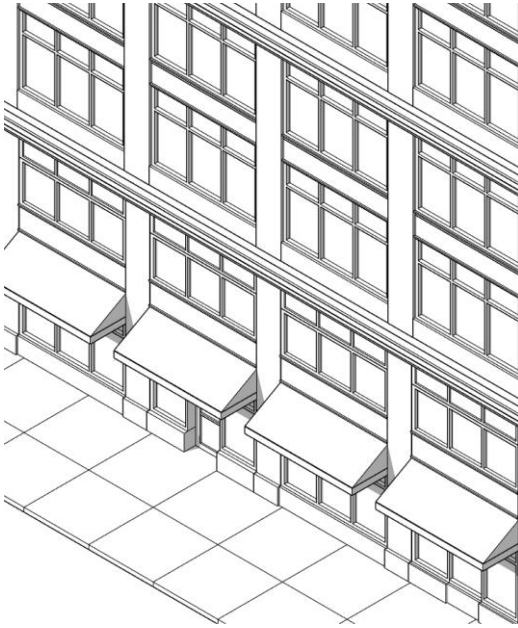
C = Option C (Section 19.7.C.2.c)

D = Option D (Section 19.7.C.2.d) and the number indicates the width of the additional setback

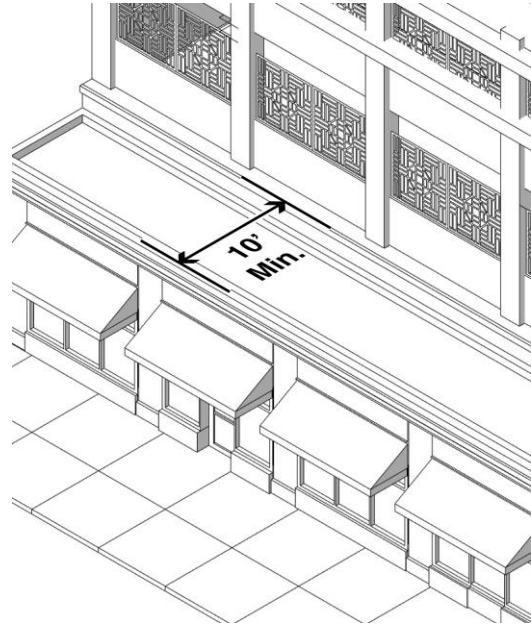
Frontage	Zoning Districts									
	TOD-UC	TOD-NC	TOD-CC	TOD-TR	NC	CAC-1	CAC-2	RAC	UC	UE
Main Street	A	A	A B	A B C	A B	A B	A	A	A	A
6 Lane Avenue/Boulevard	A B C	A B C	A B C	A B C D-30'	A B C D-15'	A B C D-30'	A B C	A B C	A B C	A B C
4-5 Lane Avenue/Boulevard	A B C	A B C	A B C	A B C D-30'	A B C D-15'	A B C D-30'	A B C	A B C	A B C	A B C
2-3 Lane Avenue/Boulevard	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C
Other - Primary	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C
Secondary	A B C	A B C	A B C D-30'	A B C D-30'	A B C D-15'	A B C D-30'	A B C	A B C	A B C	A B C
Parkway	A B C D-30'	A B C D-30'	A B C D-30'	A B C D-30'	A B C D-15'	A B C D-30'	A B C D-30'	A B C D-30'	A B C D-30'	A B C D-30'
Limited Access										

**PARKING STRUCTURE DESIGN OPTIONS**

**Option A**



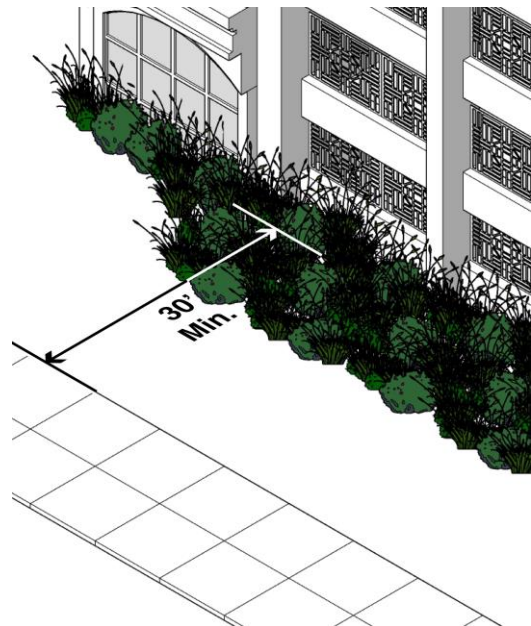
**Option B**



**Option C**



**Option D**



## **19.8 DESIGN OF UNDERGROUND PARKING STRUCTURES**

- A.** All uses are permitted to have an underground parking structure(s). All portions of such structure(s) shall be fully underground, except for ingress/egress points.
- B.** An underground parking structure may encroach into a setback but shall be no closer than five feet from the right-of-way line nor shall encroach into any area reserved for a utility easement, a landscape yard, or green area required by Article 20.

## **19.9 DESIGN OF BICYCLE PARKING**

### **A. General Standards**

- 1. Bike lockers and racks shall be located on a hard surface and be securely anchored.
- 2. All bicycle lockers, bicycle racks, and bicycle parking spaces and areas shall be designed to meet the standards and design specifications of the CLDSM. Alternative bike locker and bike rack designs may be deemed acceptable by CDOT.
- 3. If required bicycle parking is not clearly visible from the entrance to the building, parking structure, transit station, or lot, a sign shall be posted at the primary entrances of these places indicating the location of the parking.
- 4. Bicycle parking facilities shall provide sufficient security from theft and damage. They shall be securely anchored to the ground, shall allow the bicycle to be securely locked, and shall be in a location with sufficient lighting and visibility.

### **B. Short-Term Bicycle Parking**

- 1. Short-term bicycle parking shall be no more than 120 feet from an entrance to the building it is intended to serve.
- 2. Short-term bicycle parking may be located within the public right-of-way and/or within the required setback, subject to the following additional requirements:
  - a.** The short-term bicycle parking shall not obstruct required sidewalks or paths or movement from on-street parking to the required sidewalks or paths, and shall not impact the minimum planting area or spacing requirements for street trees or required screening.
  - b.** Bicycle parking located in the public right-of-way shall be subject to approval by the CDOT or the NCDOT, as applicable.

### **C. Long-Term Bicycle Parking**

- 1. All long-term spaces shall be fully covered and offer protection from the elements. Long-term bicycle parking may consist of indoor parking, racks in garage structures, and/or bicycle lockers or other means which provide coverage of the bicycle.
- 2. Long-term bicycle parking shall be located either internal to the building or behind the building line along a frontage. Such parking may be restricted for the sole use of employees, tenants, residents, or others at the discretion of the property owner or management.
- 3. Spaces within dwelling units or on balconies do not count toward satisfying long-term bicycle parking requirements.

## 19.10 VALET PARKING REQUIREMENTS

- A. On private property, all outdoor valet drop-off/pickup locations and maneuvering areas shall be located to the side or rear of the principal building. No maneuvering area shall be located in the established setback along a frontage in Neighborhood Center Zoning Districts, Community Activity Center Zoning Districts, Innovation Mixed-Use Zoning Districts, Transit Oriented Development Zoning Districts, and Regional Activity Center Zoning Districts.
- B. Drop-off/pickup locations and related elements such as kiosks and counters for approved valet parking on a public or network-required private street shall not be located in any amenity zone, planting strip, sidewalk, or shared use path.
- C. The valet parking service and associated structures cannot disrupt pedestrian and vehicular traffic.

## 19.11 COMMERCIAL VEHICLE STORAGE

### A. Residential Development

- 1. One light or medium commercial vehicle may be parked overnight at a residence.
- 2. A medium commercial vehicle may only be parked on a clearly delineated driveway or parking area of the residence. Medium commercial vehicles may not be parked overnight on public streets.
- 3. Parking of large commercial vehicles is prohibited, except as permitted in item D below.

### B. Mixed-Use Development

Only light and medium commercial vehicle storage is permitted in mixed-use developments. The parking of large commercial vehicles is prohibited, except as permitted in item D below.

### C. Nonresidential Development

Parking of light, medium, and large commercial vehicles operated in conjunction with the use established on the site may be stored on-site.

### D. Temporary Parking

This section shall not prevent the temporary parking of emergency vehicles, delivery trucks, moving vans, and similar vehicles used for delivery of goods and services, or the parking of commercial vehicles at an active job site or staging area.

## 19.12 PASSENGER VEHICLE STORAGE, DISPLAY, AND SALE OR TRADE

The following standards shall apply to the storage of unlicensed vehicles, and the display for sale or trade of licensed and unlicensed vehicles, in the N1-A, N1-B, N1-C, N1-D, N1-E, N1-F, N2-A, N2-B, N2-C, and MHP Zoning Districts.

### A. Storage of Unlicensed Vehicles

- 1. No more than (2) vehicles that do not have a current, valid, license plate and are not fully enclosed in a permanent structure shall be permitted outside on any premises, provided:
  - a. Vehicles are registered to the occupant of the premises, or
  - b. An immediate family member of the occupant is the record title owner of the vehicle.
- 2. No unlicensed vehicle is permitted outside on any premises if it is not registered to the occupant of the premises, or if an immediate family member of the occupant is not the record title owner of the vehicle.
- 3. Vehicles described in items 1 and 2 above shall not be located within any required setback or buffer required by this Ordinance, or in any street right-of-way except as provided in item B.5 below.

**B. Display and Sale or Trade of Licensed or Unlicensed Vehicles**

1. No more than (2) vehicles, licensed or unlicensed, may be displayed for sale or trade at any time.
2. The display for sale or trade of vehicles as described item 1 above shall not exceed a period of 60 days per vehicle.
3. During a calendar year commencing January 1 and ending December 31:
  - a. No more than (3) vehicles, licensed or unlicensed, shall be displayed for sale or trade on a premises, and
  - b. No more than (3) sales or trades of vehicles, licensed or unlicensed, shall occur within this period.
4. No vehicle, licensed or unlicensed, shall be displayed on a premises for sale or trade if it is not registered to the occupant of the premises, or if an immediate family member of the occupant is not the record title owner of the vehicle.
5. Any vehicle, licensed or unlicensed, displayed for sale or trade on a premises may be in an established setback but shall not be within any street right-of-way.

**C.** All vehicles must also comply with City code, Chapter 10, Article III, "Removal and Disposition of Abandoned Vehicles, Hazardous Vehicles and Junked Motor Vehicles."

**19.13 PARKING AND STORAGE OF VEHICLES ON VACANT LOTS**

The parking or storage of commercial and passenger vehicles on vacant lots is prohibited unless as part of a use permitted by Table 15-1: Use Matrix. The site shall also meet all applicable development standards of this Ordinance.

## **Article 20. Landscape, Screening, & Tree Preservation**

- 20.1 LANDSCAPING AND SCREENING PURPOSE
- 20.2 SELECTION, INSTALLATION, AND MAINTENANCE
- 20.3 LANDSCAPE PLANTINGS
- 20.4 ALTERNATIVE LANDSCAPE REQUIREMENTS
- 20.5 REQUIRED SCREENING FOR PARKING LOTS
- 20.6 PARKING LOT INTERIOR LANDSCAPE
- 20.7 PARKING FACILITY DRIVEWAY AND MANEUVERING AREA LANDSCAPE
- 20.8 PARKING STRUCTURE LANDSCAPE AREA
- 20.9 LANDSCAPE YARD
- 20.10 LANDSCAPE YARD FOR RESIDENTIAL SUBDIVISIONS ABUTTING LIMITED ACCESS ROADS
- 20.11 LANDSCAPE YARD FOR RESIDENTIAL THROUGH LOTS AND COMMON OPEN SPACE ALONG AVENUES, BOULEVARDS, AND PARKWAYS
- 20.12 REQUIRED SCREENING FOR LOADING AND SERVICE AREAS
- 20.13 TREE PROTECTION PURPOSE AND EXEMPTION
- 20.14 HERITAGE TREES
- 20.15 GREEN AREA
- 20.16 FRONTAGE TREE PLANTING REQUIREMENT
- 20.17 TREE PLANTING REQUIREMENTS
- 20.18 TREE PROTECTION ADMINISTRATION AND PROCESS

### **20.1 LANDSCAPING AND SCREENING PURPOSE**

The landscape and screening requirements established by this Article are intended to:

- A. Preserve and enhance the appearance and character of the City.
- B. Increase the compatibility of adjacent uses and minimize the potential negative impacts to neighboring uses.
- C. Create transitional areas between uses or zoning districts of different intensities.

### **20.2 SELECTION, INSTALLATION, AND MAINTENANCE**

The following standards apply to the landscape areas per Section 20.5 through 20.12 of this Article.

#### **A. Selection**

- 1. Only shrubs and trees listed on the Approved Plant Species list in the Charlotte Land Development Standards Manual (CLDSM) shall be used for any landscaping required by this Article.
- 2. All plants shall meet minimum quality requirements and be free of defects, and of normal health, height, leaf density, and spread as defined by the American Standard for Nursery Stock, ANSI Z60.1, latest available edition, American Horticulture Industry Association (AmericanHort).

#### **B. Installation**

All landscaping shall be installed according to sound horticultural practices in a manner designed to encourage quick establishment and healthy growth, and consistent with the CLDSM.

#### **C. Species Diversity**

Diversity among required plant material is required for visual interest and to reduce the risk of losing a large population of plants due to disease.

- 1. The species diversity requirements of this section apply as follows:
  - a. Species diversity applies to landscape plantings required by Section 20.2 through 20.12 of this Article.
  - b. Species diversity only applies to the installation of new plantings.



2. Table 20-1: Plant Diversity Requirements indicates the percentage of diversity required based on the total quantity of species being used. (For example, if a development requires 45 shade trees, no more than 18 trees (40%) can be of any one species, and there shall be a minimum of five different species within the 45 trees.)

Table 20-1: Plant Diversity Requirements		
Total Number of Plants per Plant Type	Maximum Number of Any One Species	Minimum Number of Species
1-4	100%	1
5-10	60%	2
11-15	45%	3
16-75	40%	5
76-500	25%	8
500-1,000	30%	10
1,000+	15%	15

**D. Maintenance**

1. Trees and vegetation, irrigation systems, fences, walls, and other similar items are considered landscape elements of a development.
2. All landscaping shall be free from disease, pests, weeds, and litter. All landscape elements shall be maintained in good repair or replaced periodically as needed to ensure their continued function, structural soundness, and aesthetically pleasing condition.
3. Any landscape element that dies or is seriously damaged, shall be removed and replaced within 30 days of the beginning of the subsequent growing season.
4. Any ornamental grasses or shrubs planted next to sidewalks shall be planted and maintained so that they do not encroach into sidewalks at maturity.

**E. Existing Plantings**

Existing plantings within the required landscape areas, such as the landscape yard, may be counted toward planting requirements of this Article, with the exception of trees planted pursuant to green area requirements per Section 20.15, frontage tree planting requirements per Section 20.16, and tree planting requirements per Section 20.17, with the approval of the Zoning Administrator in consultation with the Chief Urban Forester.

**F. Additional Trees and Shrubs**

Additional trees and shrubs may be installed in required landscape areas in excess of the requirements of this Article.

**20.3 LANDSCAPE PLANTINGS**

The following are the planting sizes required for each landscape area per Section 20.5 through 20.12 of this Article. All trees shall be allowed to grow to natural form and height.

**A. Plantings Sizes for Parking Lot Screening**

Shrubs shall be evergreen and shall be at least two feet in height when planted and an average height of three to four feet expected as normal growth within four years. A minimum spread of two feet shall be required at time of planting. However, such shrubs shall not exceed four feet in height at maturity.

**B. Planting Sizes for Parking Structure Landscape Area**

1. All trees, except for multiple stem small maturing trees, shall have a minimum trunk caliper of two inches and a minimum height of eight feet at planting.
2. Multiple stem small maturing trees shall be tree form, with three to a maximum of five trunks, and shall have a minimum height of ten feet at planting.
3. Shrubs shall be evergreen and shall be at least two feet in height when planted and an average height of five to six feet expected as normal growth within four years. A minimum spread of two feet shall be required at time of planting. Such shrubs shall be a minimum of six feet in height at maturity.



### **C. Planting Sizes for Landscape Yard**

1. All trees, except for multiple stem small maturing trees, shall have a minimum trunk caliper of two inches and a minimum height of eight feet at planting.
2. Multiple stem small maturing trees shall be tree form, with three to a maximum of five trunks, and shall have a minimum height of ten feet at planting.
3. Shrubs shall be evergreen and shall be at least two feet in height when planted and an average height of five to six feet expected as normal growth within four years. A minimum spread of two feet shall be required at time of planting. Such shrubs shall be a minimum of six feet in height at maturity.

## **20.4 ALTERNATIVE LANDSCAPE REQUIREMENTS**

**A.** The Zoning Administrator may alter the screening, landscape area, or landscape yards requirements of Section 20.1 through 20.12 of this Article in the event that one or more of the following conditions would make strict adherence to the requirements serve no meaningful purpose or would make it physically impossible to install and maintain the required landscape yard or screening:

1. The unusual topography or elevation of a development site.
2. The soil or other sub-surface conditions on the site.

**B.** Such an alteration may occur only at the request of the property owner, who shall submit:

1. A written request for modification describing the required and proposed landscape or screening.
2. A plan showing existing site features that would provide alternative landscaping or screening of the proposed use.
3. A plan showing the type and location of any additional landscape elements the property owner will plant or construct that would provide alternative landscaping or screening of the proposed use.

**C.** The Zoning Administrator shall not alter the screening, landscape area, or landscape yard requirements of Section 20.1 through 20.12 of this Article unless the developer demonstrates that the modified landscape yard or screening will comply with the spirit and intent of this Article and that the existing site features and any additional landscape yard materials will screen the proposed use as effectively as the required landscape yard or screening.

## **20.5 REQUIRED SCREENING FOR PARKING LOTS**

### **A. General Requirements**

Screening for parking lots and associated maneuvering areas is required for parking lots of ten or more vehicle spaces at the edge of the parking lot.

1. The following exceptions apply:
  - a. When parking areas are shared between properties, parking lot screening is not required along any shared lot line and/or cross-access connection area.
  - b. When parking lot screening is required between abutting properties and a landscape yard per Section 20.9 is also required, the requirements of the landscape yard control.
  - c. Vehicle dealerships are not required to install parking lot screening in those areas of the parking lot used to display vehicles for sale along a street frontage.
  - d. Parking lot screening is not required if the Zoning Administrator determines that adherence to this requirement would serve no meaningful purpose including, but not limited to, the grade on the site and the distance of the parking lot to adjacent properties.

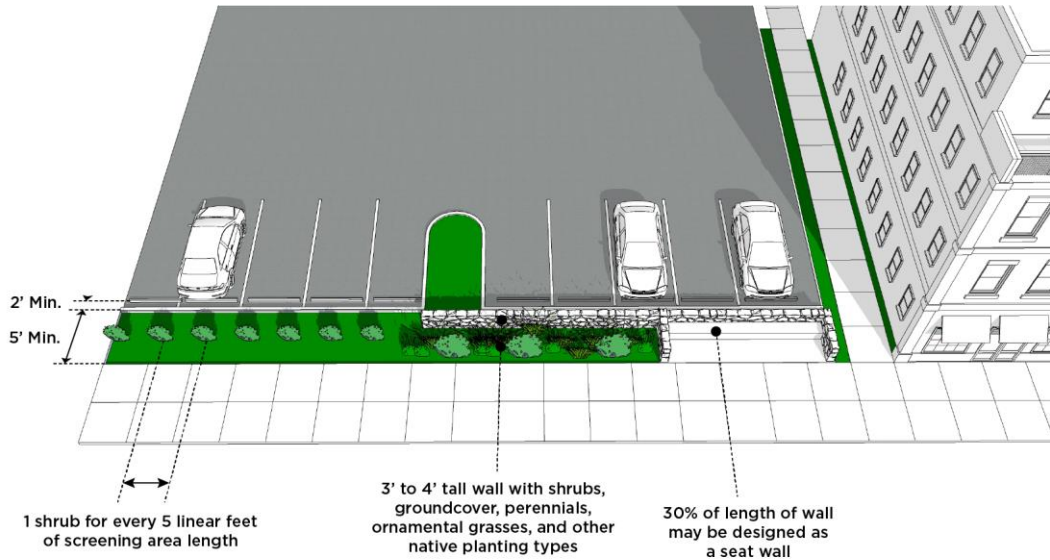
2. Parking lot screening shall be installed when:
  - a. A new principal building is constructed.
  - b. A new parking lot of ten or more spaces is constructed.
  - c. Spaces are added to an existing parking lot where the total of existing and new spaces is ten or more spaces.
  - d. At least 50% of the parking lot area is reconstructed. Resealing, repaving, resurfacing, and/or re-striping of an existing parking lot are not considered reconstruction.

**B. Design of Screening Areas**

The screening area shall be improved as follows:

1. The screening area shall be at least five feet in width.
2. There shall be an additional minimum linear distance of two feet between the screening area and any wheel stops or bollards to accommodate vehicle bumper overhang. This is not included in the minimum five foot calculation.
3. The parking lot screening area shall be landscaped and designed as one or more of the following installations. Any required tree planting shall comply with the tree planting requirements of Sections 20.16 and 20.17 below, where applicable.
  - a. One shrub shall be planted for every five linear feet of screening area length. However, shrubs shall not be planted within four feet of a tree.
  - b. As an alternate to the shrub plantings in item a above, for screening along a frontage a low pedestrian wall a minimum of three feet and a maximum of four feet in height constructed of masonry, concrete, or similar permanent material may be installed. In this alternative, the parking lot screening area may be reduced to three feet in width. The requirements of item 2 above shall also apply to this alternative.
    - i. Shrubs, groundcover, perennials, ornamental grasses, and other planting types of species native or naturalized non-invasive to North Carolina shall be planted in front of such wall, facing toward frontages or adjacent properties, covering a minimum of 40% of the total screening area.
    - ii. Up to 30% of the total length of such wall may be designed as a seating wall. Where seating areas are included, the minimum wall height does not apply and plantings are not required in front of the seating wall. Seating areas shall be oriented towards the frontage.
4. The following may cover any remaining unplanted area:
  - a. Shrubs, groundcover, perennials, ornamental grasses, and other planting types of species native or naturalized non-invasive to North Carolina.
  - b. Stone, mulch, or other permeable landscape materials.

## PARKING LOT SCREENING



### 20.6 PARKING LOT INTERIOR LANDSCAPE

Interior parking lot landscaping is governed by Section 20.17 below.

### 20.7 PARKING FACILITY DRIVEWAY AND MANEUVERING AREA LANDSCAPE

**A.** The parking lot screening requirements of Section 20.5 shall apply to all driveway and maneuvering areas that are not adjacent to parking spaces for parking lots of ten or more spaces and for all driveway and maneuvering areas of parking structures.

**B.** When such driveway and maneuvering areas described in item A above are located within an established side or rear setback along an adjacent property line, a fence or wall a minimum of six feet to a maximum of eight feet may be used in place of the screening area except within the established setback along a frontage.

### 20.8 PARKING STRUCTURE LANDSCAPE AREA

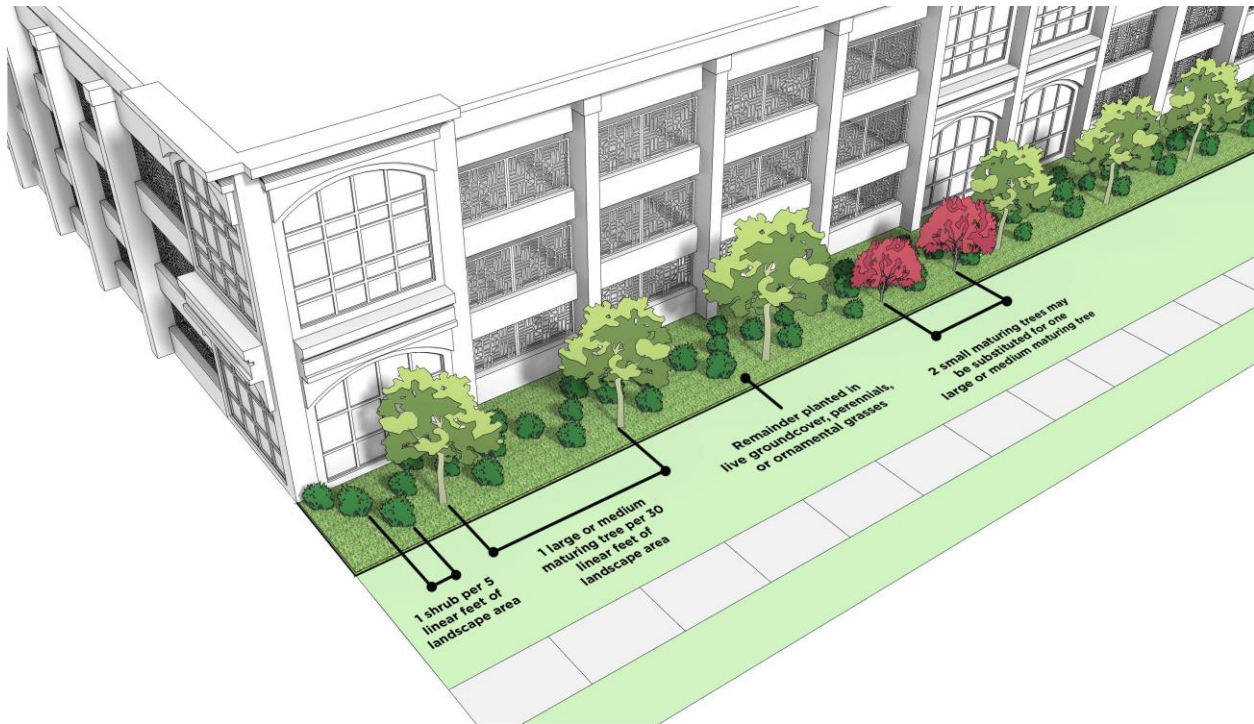
As required in Section 19.7 for the design of parking structures, when a landscape area is required, it shall be planted as follows:

**A.** One shrub shall be planted for every five linear feet of perimeter area. Shrubs may be varied in placement, rather than linearly spaced, but the total number of shrubs planted shall equal one shrub per five linear feet. However, shrubs shall not be planted within four feet of a tree.

**B.** A minimum of one large or medium maturing tree shall be provided for every 30 linear feet of the landscape area. Two small maturing trees may be substituted for one large or medium maturing tree. Trees may be spaced linearly on-center or grouped to complement an overall design concept.

**C.** The remainder of the required landscape area outside of shrub and tree masses shall be planted in groundcover, turf, perennials, ornamental grasses, and other planting types of species native or naturalized non-invasive to North Carolina.

## PARKING STRUCTURE LANDSCAPE AREA



### 20.9 LANDSCAPE YARD

**A.** Certain uses or zoning districts, because of their character and/or intensity, may create adverse impacts when developed abutting other less intensive uses or zoning districts. A landscape yard provides a transition between these uses and/or zoning districts that minimizes adverse impacts.

**B.** When a landscape yard is required by this section, and a site does not have a landscape yard or the existing landscape yard on the site does not meet the standards of this section, a landscape yard shall be installed when any of the following actions occur:

1. New construction of a principal building.
2. An addition to an existing principal building.
3. An additional principal or accessory use that is conducted primarily outdoors is established on the site.
4. A change of use category within the Use Matrix found in Article 15 when abutting a Neighborhood 1 Place Type.

**C.** Upon an applicant's request, if the Zoning Administrator determines that the requirement for a landscape yard is unrelated to the proposed construction's anticipated impacts on adjacent properties, the Zoning Administrator may modify the landscape yard requirement to the extent necessary to relate to the proposed construction's anticipated impacts and to make the requirement roughly proportional to those anticipated impacts.

**D.** When a landscape yard is required by item B above and there is insufficient area on the site for the required landscape yard, such landscape yard may be modified to install only a portion of the required landscape. The applicant is required to show that the landscape yard cannot be accommodated on the site. The Zoning Administrator will make the determination that a portion of required landscape yard does not have to be installed.

E. Table 20-2: Landscape Yard Class describes the width and design of each class of landscape yard. Table 20-3: Required Landscape Yards by Zoning District indicates when and which class of landscape yard is required. Where a use has prescribed conditions that require a specific class of landscape yard, those conditions control over the requirements of Table 20-3.

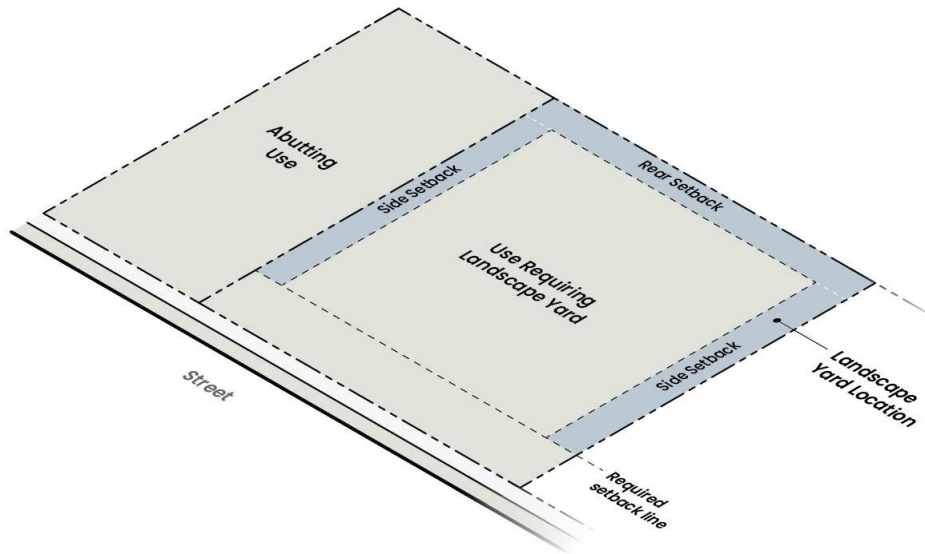
1. For the Class A landscape yard, the landscape yard is divided into Zone 1 and Zone 2 as follows:
  - a. Zone 1 comprises the first 25 feet of the landscape yard, measured perpendicularly from the rear or side lot line.
  - b. Zone 2 comprises the remainder of the required landscape yard outside of Zone 1. Within Zone 2, plantings may be grouped to complement an overall design concept. The remainder of the required landscape area in Zone 2 outside of required shrub and tree masses shall be planted in turf, groundcover, perennials, ornamental grasses, and other planting types of species native or naturalized non-invasive species to North Carolina.



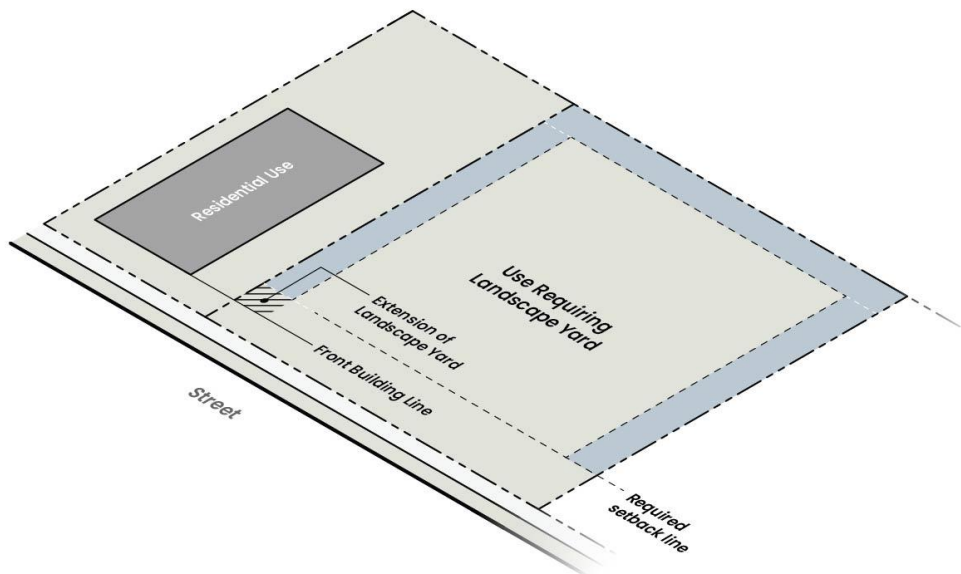
F. Landscape yards as required by Table 20-3 shall be located within the established rear setback and within the established side setback but behind the required front setback. The following also apply:

1. In certain circumstances in Table 20-3, landscape yards may be specifically required for other setback areas outside the side or rear setback.
2. For a nonresidential use that requires a landscape yard in a side setback because it abuts an existing residential use, and where the front building line of the residential use is located closer to the back of curb, the side setback landscape yard shall be extended to meet the front building line of the residential structure.

### LOCATION OF LANDSCAPE YARDS



### LANDSCAPE YARD WITH SIDE SETBACK EXTENSION



**G.** Landscape yards may be located within established setbacks and shall be reserved for the planting of material and installation of screening as required by this section unless other features are allowed by item I below. No parking, principal or accessory structures, outdoor storage, or required on-site open space, shall be located in the landscape yard area.

**H.** When a fence or wall is installed, it shall be a minimum of 75% opaque, constructed of wood posts and planks, brick, finished masonry, or stone, and erected within 18 inches of the lot line along 100% of the landscape yard length with the exception of ingress/egress points. The finished side of the fence, as opposed to the side with exposed structural supports, shall face the abutting property.

- I. The following shall also be permitted within a landscape yard:
  - 1. Sidewalks and paths no greater than six feet in width designed perpendicular (90 degrees) or to an angle no less than 75 degrees to the landscape yard. A required off-street trail connection shall be permitted to exceed this six-foot dimension but shall be no wider than the rest of the trail on the site.
  - 2. Within Zone 2 of the Class A landscape yard, limited amenities, not associated with any required on-site open space on the site, such as seating areas, walking paths, and picnic tables for the use of the on-site users.
  - 3. Utility lines per item J below.
  - 4. Stormwater facilities per item K below.
  - 5. Cross-access connections between adjacent parcels.
  
- J. Utility lines, including stormwater and water/sewer, within a landscape yard shall meet the following requirements:
  - 1. Utility easements are permitted to cross a landscape yard perpendicularly (90 degrees) or to an angle a no less than 75 degrees to the landscape yard.
  - 2. The removal of any tree larger than eight inches in diameter to accommodate utility lines shall require the approval of the Zoning Administrator in consultation with the Chief Urban Forester.
  - 3. If utility easements run at an angle between zero and up to 75 degrees within a landscape yard, the width of the landscape yard shall be increased by the width of the utility easement.
  
- K. Certain elements of a required stormwater facility, designed in accordance with Part IX. Stormwater and other regulations of this Ordinance, may encroach into a required landscape yard for up to 25% of the required landscape yard width. These elements include, but are not limited to, the embankment, inlets, pipes, rip rap, and any stormwater related easement, or similar elements. Such encroachments shall be approved by the Zoning Administrator, in consultation with the Stormwater Administrator. Stormwater related easement, for the purposes of this article includes, but is not limited to, storm drainage easements (SDE), public storm drainage easements (PSDE), and conservation easements.
  
- L. Any requirement to install a landscape yard abutting a park or greenway shall be waived in its entirety unless the property is located within the Commercial Place Type or Manufacturing and Logistics Place Type.



Table 20-2: Landscape Yard Class			
Requirements	Landscape Yard Class		
	A	B	C
<b>Width of Landscape Yard</b>	Development Site Size: Up to 3 acres: 40' 3+ acres up to 7 acres: 65' 7+ acres to 10 acres: 85' More than 10 acres: 100'	25'	10'
<b>Shrubs</b>	Zone 1: 1 evergreen shrub per 2 linear feet Zone 2: 1 evergreen shrub per 300sf	1 evergreen shrub per 3 linear feet	1 evergreen shrub per 5 linear feet
<b>Large Maturing and Medium Maturing Trees</b>	Zone 1: 1 tree per every 30 linear feet Zone 2: 1 tree per every 2,500sf of landscape yard area in Zone 2	1 tree per every 30 linear feet	1 tree per every 50 linear feet
<b>Required % of Trees to be Evergreen Trees</b>	Zone 1: 40% Zone 2: Not required	40%	40%
<b>Small Maturing Tree Substitution (Cannot substitute for required evergreen trees)</b>	Zone 1: Not permitted Zone 2: In lieu of planting 1 required tree, 2 small maturing trees may be planted	In lieu of planting 1 required tree, 2 small maturing trees may be planted	In lieu of planting 1 required tree, 2 small maturing trees may be planted
<b>Fence/Wall</b>	Zone 1: Optional Zone 2: Not permitted The width of Zone 2 may be reduced by 25% if a fence/wall is provided in Zone 1	Optional	Fence/wall required
<b>Fence/Wall Height <sup>1</sup></b>	6' min.	6' min.	6' min.

<sup>1</sup> The Charlotte Douglas International Airport is not subject to minimum or maximum fence height requirements.



**Table 20-3: Required Landscape Yards by Zoning District**

Zoning District of Property Under Development	Development Type Required to Install Landscape Yard Per Section 20.9.B	Landscape Yard Required for Development When:	Landscape Yard Class Required
<b>N1-A, N1-B, N1-C, N1-D, N1-E, N1-F</b>	Nonresidential or mixed-use development	Abutting residential use	B
	Multi-family, or multi-dwelling development	Abutting single-family, duplex, triplex, or quadraplex dwelling	C
<b>N2-A, N2-B</b>	Nonresidential or mixed-use development	Abutting residential use	B
	Multi-family, or multi-dwelling development use	Abutting single-family, duplex, triplex, or quadraplex dwelling	C
<b>N2-C</b>	Nonresidential or mixed-use development	Abutting residential use	B
	Multi-family, or multi-dwelling development use	Abutting single-family, duplex, triplex, or quadraplex dwelling	B
<b>CG</b>	Development in the zoning district	Abutting Neighborhood 1 or Neighborhood 2 Place Type	B
<b>CR</b>	Development in the zoning district	Abutting Neighborhood 1 or Neighborhood 2 Place Type	A
<b>TOD-NC, TOD-TR</b>	Development in the zoning district	Abutting Neighborhood 1 Place Type	B
	Development in the zoning district	Abutting Neighborhood 2 Place Type, unless zoned N2-C Zoning District	C
<b>TOD-UC, TOD-CC</b>	Development in the zoning district	Abutting Neighborhood 1 Place Type	B
	Development in the zoning district	Abutting Neighborhood 2 Place Type, unless zoned N2-C Zoning District	B
<b>NC</b>	Development in the zoning district	Abutting Neighborhood 1 Place Type	B
	Development in the zoning district	Abutting Neighborhood 2 Place Type, unless zoned N2-C Zoning District	C
<b>CAC-1, CAC-2</b>	Development in the zoning district	Abutting Neighborhood 1 Place Type	B
	Development in the zoning district	Abutting Neighborhood 2 Place Type, unless zoned N2-C Zoning District	B
<b>RAC</b>	Development in the zoning district	Abutting Neighborhood 1 Place Type	B
	Development in the zoning district	Abutting Neighborhood 2 Place Type, unless zoned N2-C Zoning District	B
<b>UE</b>	Development in the zoning district	Abutting Neighborhood 1 Place Type	B
	Development in the zoning district	Abutting Neighborhood 2 Place Type, unless zoned N2-C Zoning District	B
<b>UC</b>	None required	None required	
<b>IC-1, IC-2, OFC, OG, RC</b>	Development in the zoning district	Abutting Neighborhood 1 Place Type	B
	Development in the zoning district	Abutting Neighborhood 2 Place Type, unless zoned N2-C Zoning District	B
<b>IMU</b>	Development of an industrial use in the zoning district	Abutting any other zoning district except ML-1, ML-2, I-1(CD), or I-2(CD) Zoning District	B
	Development in the zoning district	Abutting Neighborhood 1 or Neighborhood 2 Place Type	B
<b>ML-1, ML-2</b>	Development in the zoning district	Abutting any other zoning district except CR, ML-1, ML-2, I-1(CD), or I-2(CD) Zoning District	A
	Development in the zoning district	Abutting CR Zoning District	B
	Development in the zoning district - required for area along a street frontage	When located across the street from a Neighborhood 1 or Neighborhood 2 Place Type	B

### M. Additional Landscape Yard Standards

The following may be located within landscape yards required by this article when they meet minimum requirements for this article and the articles listed below:

1. Open space per Article 16.
2. Tree save areas per Article 20 if any trees planted for tree save areas are in addition to any trees required for landscape areas per the requirements of this article.
3. Water supply water quality buffers per Article 23.
4. Post-construction water quality buffers per Article 25.
5. SWIM water quality buffers per Article 26.
6. Floodplains per Article 27.
7. Areas for greenways or parks per Article 32 offered for dedication and accepted by Mecklenburg County Park and Recreation.

### 20.10 LANDSCAPE YARD FOR RESIDENTIAL SUBDIVISIONS ABUTTING LIMITED ACCESS ROADS

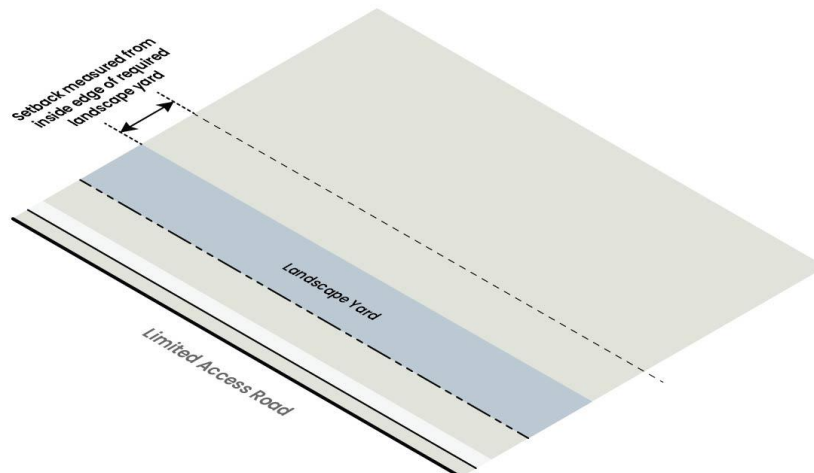
The following landscape requirements apply to residential subdivisions developed with single-family, duplex, and/or triplex dwellings that abut a Limited Access Road, unless a noise abatement or screening wall is provided.

**A.** A Class B landscape yard per Table 20-2 is required along the lot line that abuts the Limited Access Road. The landscape yard shall be shown on the plat and may be located within common open space or as an easement within lots. The landscape yard shall not be used for any purpose except for plantings, except for the following:

1. Utility lines per Section 20.9.I.
2. Stormwater facilities per Section 20.9.J.

**B.** Any required setback that abuts the landscape yard shall be measured from the inside edge of the landscape yard.

### SETBACK MEASUREMENT FOR RESIDENTIAL SUBDIVISIONS ABUTTING LIMITED ACCESS

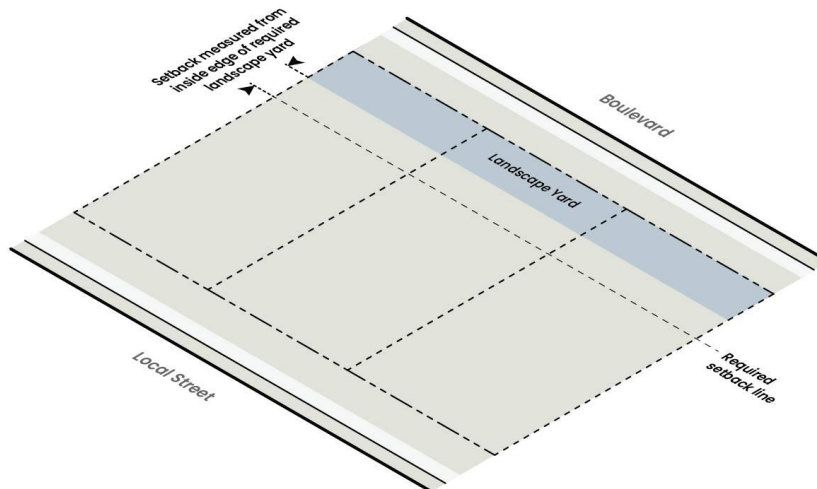


## 20.11 LANDSCAPE YARD FOR RESIDENTIAL THROUGH LOTS AND COMMON OPEN SPACE ALONG AVENUES, BOULEVARDS, AND PARKWAYS

The following landscape requirements apply to residential subdivisions developed with through lots for single-family, duplex, and/or triplex dwellings, as well as common open space, unless a noise abatement or screening wall is provided. These requirements are applicable along Avenues, Boulevards, and Parkways.

- A.** A Class B landscape yard per Table 20-2 is required along the lot line that abuts the Avenue, Boulevard, or Parkway. The landscape yard shall not be used for any purpose except for plantings. The landscape yard shall be shown on the plat and may be located within common open space or as an easement within lots.
- B.** A berm shall be permitted in the landscape yard in addition to plantings. Berms shall be a minimum of four feet in height. Berms between four feet and six feet in height shall have a maximum slope of 2.5:1 as measured from the exterior property line. Berms over six feet in height shall have a maximum slope of 3.5:1 as measured from the exterior property line.
- C.** For residential through lots, the side or rear setback shall be measured from the inside edge of the landscape yard.

### SIDE AND REAR SETBACK MEASUREMENT FOR RESIDENTIAL THROUGH LOTS



## 20.12 REQUIRED SCREENING FOR LOADING AND SERVICE AREAS

**A.** Certain principal uses, accessory uses, and accessory structures may require screening within their prescribed conditions and standards (Articles 15 and 17).

**B.** The following areas shall be screened from abutting lots and from view from a public or network-required private street:

### 1. Loading Areas

Screening of loading areas is not required if a landscape yard per Section 20.9 is provided along any frontage or along any setbacks where loading area screening would be required.

#### a. Screening - All Zoning Districts Except ML-1 and ML-2 Zoning Districts

Outdoor loading areas shall be screened along all frontages and along required side and rear setbacks with a minimum 75% opaque wall or fence that is a minimum of six feet and a maximum of eight feet in height. The wall or fence shall be constructed of wood posts and planks, brick, finished masonry, or stone and erected within 18 inches of the lot line. The finished side of the fence, as opposed to the side with exposed structural supports, shall face abutting properties or frontages. For uses that require only one loading space, and the loading space is located within a surface parking lot, the loading space may use the required screening for the parking lot per Section 20.5.

#### b. Screening - ML-1 and ML-2 Zoning Districts

Outdoor loading areas to the side or rear of buildings are not required to be screened. Any loading areas visible from a public or network-required street shall install parking lot screening per Section 20.5.

#### c. Internal Loading Areas

The doors for internal loading areas located along a frontage shall remain closed when not in use. This does not apply in the ML-1 and ML-2 Zoning Districts.

### 2. Large Waste Containers, Recycling Stations, and Solid Waste Service Areas

#### a. Screening

Large waste containers, recycling stations, and solid waste handling areas located outside of an enclosed structure are subject to the following standards. This does not apply to recycling collection centers as a principal use, which are addressed by Article 15.

i. Large waste containers, recycling stations, and solid waste handling areas shall be fully enclosed on three sides by a minimum 75% opaque fence or wall, which shall be constructed of wood posts and planks, brick, finished masonry, or stone, or a wall extension of the principal building, which does not have to be structural, a minimum of one foot above the height of the container to a maximum of two feet above the height of the container in height. A wall extension, which is not required to be structural, shall be constructed as an integral part of the building's architectural design.

(A) When below grade (deep well) refuse collection and recycling systems are used, they shall be screened by a decorative wall, solid fence, or year-round landscaping. The wall, fence, or plantings must be of a height equal to or greater than the above ground height of the refuse collection and recycling equipment being screened.

ii. The enclosure shall be gated. Such gate shall be a minimum 75% opaque and a minimum height to match the height required by item i above. The gate shall be maintained in good working order and shall remain closed except when pick-ups occur.

iii. When not being serviced, large waste containers and recycling stations shall remain in the enclosure with the gate closed.

#### b. Internal Service Areas

The doors for internal service areas located along a frontage shall remain closed when not in use. This does not apply in the ML-1 and ML-2 Zoning Districts.

## **20.13 TREE PROTECTION PURPOSE AND EXEMPTION**

**A.** The purpose of the tree protection provisions of this Article are to preserve, protect and promote the health, safety, and welfare of the public by providing for the regulation of the planting, maintenance, and removal of trees located on property owned or controlled by the City and on new developments and alterations to previous developments on private property within the City and extraterritorial jurisdiction (ETJ).

**B.** The intent of the tree protection standards of this Article are to:

1. Protect, facilitate, and enhance the aesthetic qualities of the community to ensure that tree removal does not reduce property values.
2. Emphasize the importance of trees and vegetation as both visual and physical buffers.
3. Promote clean air quality by reducing air pollution and carbon dioxide levels in the atmosphere, returning pure oxygen to the atmosphere, and increasing dust filtration.
4. Reduce the harmful effects of wind and air turbulence, heat and noise, and the glare of motor vehicle lights.
5. Minimize increases in temperatures on lands with tree cover.
6. Maintain moisture levels in the air of lands with tree cover.
7. Emphasize the importance of safeguarding native ecosystems through native tree preservation.
8. Preserve underground water reservoirs and facilitate the return of precipitation to the groundwater strata.
9. Prevent soil erosion.
10. Provide shade and mitigate heat island effects.
11. Minimize the cost of construction and maintenance of drainage systems necessitated by the increased flow and diversion of surface waters by facilitating a natural drainage system and amelioration of stormwater drainage problems.
12. Conserve natural resources, including adequate air and water.
13. Maintain and enhance the tree canopy cover across the City.

### **C. Exemption for Forestry Operations**

An activity undertaken on forestland for the production and harvesting of timber and timber products and conducted in accordance with standards defined by the Forest Practice Guidelines Related to Water Quality (Best Management Practices), as adopted by the North Carolina Department of Agriculture and Consumer Services shall be exempt from Sections 20.13 through 20.18 of this Article. If the activity undertaken on forestland for the production and harvesting of timber and timber products is not conducted in accordance with standards defined by the Forest Practice Guidelines Related to Water Quality, the provisions of this Article shall apply to such activity and any related activity on the site.

## 20.14 HERITAGE TREES

### A. Applicability

The requirements of this section shall apply to development activity, including grading in anticipation of such development, within the corporate limits of the City and the City's extraterritorial jurisdiction (ETJ), whenever development would result in any of the following:

1. New construction of a principal structure.
2. Cumulative increase in built-upon area (BUA) or building coverage equal to or greater than 5% or 1,000 square feet, whichever is less.
3. Approval of a subdivision as defined by Article 30.3.A.

### B. Heritage trees shall be protected to the greatest extent possible, as specified below :

1. Heritage trees may be removed when a City-issued tree work permit is requested and approved, or the standards listed under item 2 below are met. No removal activities shall commence until such permit is issued, any applicable mitigation payments have been received, and a planting plan has been approved, unless removal is permitted per item 2 below. Owners and persons who remove a heritage tree or disturb the critical root zone of a heritage tree without a tree work permit are subject to the civil penalties set forth in Section 4.1 of the UDO Zoning Administration Manual (Charlotte Tree Manual). The critical root zone of a heritage tree shall only include the root area located on the parcel or site where the trunk/main plant stem is rooted in the ground. For purposes of this subsection, a development plan approved by the City constitutes a tree work permit. Tree work permits for the removal of heritage trees shall only be granted in the following instances subject to specified mitigation requirements below:

- a. The tree and/or critical root zone are located within an area where a structure or improvement may be placed and imposes a documented and confirmed conflict. A documented and confirmed conflict may include but not be limited to the location of structures, site design elements, and required streets as allowed or required by other articles of this Ordinance. Mitigation, per item 3 below, shall be required.
- b. Preservation of the tree would unreasonably restrict use of the property. An unreasonable restriction per this section shall mean, significant restriction or negative impact to public/private utility service, restriction of property access, restriction of the ability to remedy significant damage to an existing building or structure, or other restrictions of public infrastructure that reasonable maintenance cannot prevent. Mitigation, per item 3 below, shall be required.
- c. The tree is sufficiently diseased, injured, dead, in danger of falling, creates an imminent and undue hazard to life and property that reasonable maintenance cannot mitigate, creates unsafe sight distance, or conflicts with other sections of this Ordinance or provisions of other ordinances or regulations. Mitigation shall not be required.

2. Heritage trees that are sufficiently diseased, injured, dead, or are in danger of falling shall not be required to obtain a City-issued tree work permit or mitigate the tree loss prior to removal. Trees removed without a permit due to health or hazard shall be either certified by an ISA-certified arborist or adequately documented through picture, video or other documentation prior to removal. Heritage trees that are in declining health may be removed without a City-issued tree work permit only when certified by an ISA-Certified arborist prior to removal. For the purpose of this section, a "tree in declining health" shall mean a tree that can be expected to fall within a 1-3 year time period per an assessment by an ISA-Certified arborist.

### 3. Mitigation

Owners and persons authorized by the City to remove a heritage tree, per the conditions stated in this section shall comply with the following mitigation actions:

#### a. Required Tree Replanting

One tree shall be planted on the property in mitigation pursuant to Section 4.1 of the UDO Zoning Administration Manual. Trees replanted to meet this mitigation requirement shall be in addition to other trees required by this article.

**b. Heritage Tree Mitigation Payment**

A heritage tree mitigation payment shall be required for every heritage tree removed per the fee set by the Charlotte Tree Manual. The required mitigation payment may be reduced or eliminated where trees are replanted on the property in addition to those required by item a above and other tree replanting required by this Article. The rate of reduction shall be subject to Section 4.1 of the UDO Zoning Administration Manual.

**c. Specimen Tree Preservation**

Specimen trees may be preserved to meet all Heritage Tree mitigation requirements specified above. Only large hardwoods and large softwoods, per the definition of this term in Article 2, shall be used to meet this mitigation option. One specimen tree preserved shall meet the mitigation requirements for the removal of one Heritage Tree approved for removal. The critical root zone of specimen trees preserved shall be identified and protected as a part of the required Tree Compliance Plan per Section 20.18 below, and pursuant to Section 4.1 of the UDO Zoning Administration Manual.

- i. Collected fees from mitigation per this item shall be deposited into the Canopy Care Fund as establish in Section 20.18.D.1.c.

4. No tree disturbing activity may impact any heritage tree prior to approval and issuance of applicable tree work permits by the City. Certain impacts to critical root zones shall be permitted subject to Section 4.1 of the UDO Zoning Administration Manual and the CLDSM.

5. It shall be the duty of the property owner to maintain, plant, and/or replace mitigation and heritages trees on private property as required by this section. Trees shall be allowed to grow to their natural height and form. Pruning of these trees may be allowed where a tree work permit has been issued. Topping is prohibited. Property owners will not be held liable for any pruning conducted by utility providers.

**20.15 GREEN AREA**

**A. Applicability and Exemptions**

**1. Applicability**

The green area requirements of this section shall apply to all development activity, including grading in anticipation of such development, within the corporate limits of the City and the City's extraterritorial jurisdiction (ETJ), whenever development would result in any of the following:

- a. New construction of a principal structure.
- b. Cumulative increase in built-upon area (BUA) or building coverage equal to or greater than 5% or 1,000 square feet, whichever is less.
- c. Approval of a subdivision as defined by Article 30.3.A.

**2. Exemptions**

The following are exempt from the requirements of this section as specified below:

- a. Increases in built-upon area (BUA) or building coverage on lots where the existing principal structure is a single-family detached home, duplex, triplex or quadraplex.
- b. Construction of a new single-family detached home, duplex, triplex, or quadraplex as a principal structure on a single lot, unless such construction is any of the following:
  - i. Part of an approval of a new subdivision as defined by Section 30.3.A,
  - ii. Constructed on three or more contiguous/adjacent lots, or
  - iii. Part of a multi-dwelling development.

c. Public projects undertaken by public entities on public property, or public entities and owners of public property unless such projects do any of the following:

- i. Increase building coverage.
- ii. Impact existing trees required or protected by Section 20.14 through Section 20.17 or Chapter 21 of the City Code of Ordinances.

Where public projects are exempt from this section, such projects shall be subject to interdepartmental or interagency agreements and land development standards pursuant to Section 4.1 of the UDO Zoning Administration Manual.

**B. Standards by Tier**

Green area, perimeter planting and internal planting requirements are differentiated by Place Type as designated within the four tiers established within Table 20-4 below:

Table 20-4: Tier Assignment of Place Types			
Tier 1 Place Types	Tier 2 Place Types	Tier 3 Place Types	Tier 4 Place Types
Regional Activity Center Place Type	Manufacturing and Logistics Place Type	Neighborhood 2 Place Type - All zoning districts other than N2-C Zoning District	Neighborhood 1 Place Type
Community Activity Center Place Type	Neighborhood Activity Center Place Type		
Campus Place Type - If zoned IC-2 or RC Zoning District	Commercial Place Type	Campus Place Type - All zoning districts other than IC-2 or RC Zoning District	Parks and Preserves Place Type
	Innovation Mixed-Use Place Type		
	Neighborhood 2 Place Type - If zoned N2-C Zoning District		

**C. Required Green Area**

15% or more of a development site that is subject to the applicability of this section shall be green area to be credited as provided for in Table 20-5 Green Area Credits.

**D. Green Area Credits**

The standards and methods for calculating required green area for sites shall be as follows:

1. Green area credits shall be used to achieve the required 15% green area pursuant to item B above. Green area credits are based on the corresponding multipliers for each credit and found in Table 20-5.
2. The process for calculating a property’s green area credit shall be as follows:
  - a. The area of each green area credit is multiplied by its corresponding multiplier.
  - b. The resulting green area credits are added together.
  - c. The sum of these green area credits is then divided by the total land area of the development site to determine the green area percentage, which shall constitute at least 15% of the site per item B above.
3. All Green Area Credits shall comply with technical standards per Section 4.1 of the UDO Zoning Administration Manual.

**4. Green Area Method for Calculation**

Square footage for existing and dedicated street rights-of-way, railroad rights-of-way and utility easements and for existing ponds and lakes shall be subtracted from the total site area before the required percent of the green area is calculated.



Table 20-5 Green Area Credits				
Green Area Credits	Multipliers			
	Tier 1	Tier 2	Tier 3	Tier 4
Tree save - Preservation of existing on-site contiguous tree canopy (See Section 20.15.D)	1	1	1	1
Replanted Tree Save- Planting trees at 36 trees per acre - where less than 15% of the site has existing trees	1	1	1	1
Replanted Tree Save Mitigation- Replanting trees at 36 trees per acre to replace trees that were removed	1	0.67	See footnote 1	See footnote 1
Land donation to the City's Tree Canopy Preservation Program (TCPP), both on-site or off-site, per site requirements in Section 4.1 of the UDO Zoning Administration Manual	1.25	1.25	1.25	1.25
Land dedication to Mecklenburg County Park and Recreation (See Section 20.15.F) <sup>2</sup>				1
Green roof /terrace – planted over at least 2 inches but less than 4 inches of growth medium	0.5	0.25		
Green roof /terrace - planted over at least 4 inches but less than 8 inches of growth medium	0.75	0.5		
Green roof /terrace - planted over at least 8 inches of growth medium	1	0.75		
Green walls (not to exceed 50% of green area credits)	0.5	0.25		
Off-site mitigation (See Section 20.15.H) <sup>3</sup>	1	0.67		
Amenitized tree areas (See Section 20.15.I)	1	0.67		
Payment-in-Lieu (See Section 20.15.G) <sup>3</sup>	1	0.5		
High-Quality Tree Incentives				
Preservation of specimen or heritage trees (calculated by drip line)	2	2	2	2
Preservation of existing on-site tree canopy contiguous with existing tree save or conservation agreement areas on adjacent property	1.25	1.25	1.25	1.25
Preservation of existing on-site tree canopy contiguous with intermittent and perennial streams <sup>4</sup>	1.25	1.25	1.25	1.25
Preservation of existing on-site tree canopy on steep slope in excess of 33%	1.25	1.25	1.25	1.25

<sup>1</sup> In Tier 3 and Tier 4, as part of the required green area, the removal of existing trees may only be approved by the Chief Urban Forester pursuant to the Charlotte Tree Manual's Green Area Guideline when the tree and critical root zone are located within the buildable area where a City-required structure or improvement will be placed and there is no other reasonable location, and/or preservation would unreasonably restrict use of and/or access to the property. The area of existing trees removed shall be replanted with trees at 150% of the area removed at 36 trees per acre.

<sup>2</sup> Only permitted for residential development in N1-A, N1-B, N1-C, N1-D, and N1-E subject to the applicability of this section.

<sup>3</sup> Payment-in-Lieu and off-site mitigation may not be used in combination to meet the requirements of this section.

<sup>4</sup> Intermittent and perennial streams within the project boundary shall be delineated by a certified professional using U.S. Army Corps of Engineers and N.C. Division of Water Quality methodology and shall be shown in the Tree Planting and Green Area Plan along with all areas where this green area option is to be used.

**E. Tree Save Standards**

The following standards shall apply to all tree save areas within the required green area.

1. Tree save areas shall be free of invasive plant species unless otherwise approved by the Chief Urban Forester. If an area proposed for tree save contains invasive plant species at the time of such proposal, such invasive plant species shall be removed prior to final plat approval for subdivisions. If there is no final plat for a project, the invasive plant species shall be removed prior to the issuance of the final certificate of occupancy. Invasive plant species are considered removed if they are no longer living in or under the tree canopy. Property owners are required to maintain this condition for compliance with this section.

2. Pursuant to Section 4.1 of the UDO Zoning Administration Manual, any alterations to the tree save area in Tier 3 and Tier 4 Place Types shall be accomplished without mechanized tools and vehicular equipment and made of organic, environmentally friendly materials, unless otherwise approved by the Chief Urban Forester. For sites located in Tier 1 or Tier 2 Place Types, alterations to the tree save area do not have to meet the above standard. However, if alterations are made or amenities are added, these changes shall be made in a manner that is not detrimental to the saved trees or their critical root zone. Alterations and addition of any amenities shall be approved by the Chief Urban Forester.
3. Any tree save area less than 30 feet in width shall be delineated on site with boundary and property lines by a licensed surveyor prior to the first submittal of plans.
4. No structure shall be allowed within ten feet of the tree save area. A building restriction note shall be indicated on the record plat pursuant to Section 4.1 of the UDO Zoning Administration Manual. For sites located in Tier 1 or Tier 2 Place Types, the ten foot building restriction may be counted toward the tree save area requirement as long as this area continuously and directly abuts a tree save area and remains pervious. However, regulatory trees may not be planted within this ten foot building restriction area.
5. Additional amenity elements including, but not limited to, benches, trails, gazebos, sheds, fences, may be permitted by the Chief Urban Forester pursuant to Section 4.1 of the UDO Zoning Administration Manual.
6. Tree save areas may include areas dedicated to Mecklenburg County Park and Recreation for greenways or parks or the City of Charlotte for the Tree Canopy Preservation Program, Urban Arboretum Trail, or other City trail projects. Dedicated tree save areas may include passive use recreation areas and additional amenity elements per Section 20.15.E.5 and per special agreement between the City and Mecklenburg County Park and Recreation. Greenway placement, trail placement, park design, and final location of all amenity elements shall be coordinated with the Chief Urban Forester pursuant to Section 4.1 of the UDO Zoning Administration Manual so that the effective tree save area required is achieved and maintained.
7. Tree save areas on sites in Tier 1, 2, and 3 Place Types or nonresidential sites in Tier 4 Place Types may include existing tree canopy which overhangs existing underground utility easements based upon adherence to Section 4.1 of the UDO Zoning Administration Manual and approval by the Chief Urban Forester.
8. Tree save areas may include the planting of small maturing trees in accordance with Duke Energy's, or its successor's, approved planting list, within 25 feet of power distribution lines. This allowance shall only be granted where planting is in adherence with Section 4.1 of the UDO Zoning Administration Manual and approved by the Chief Urban Forester.
9. In local historic districts designated by a Historic District Overlay (Section 14.1) and Neighborhood Character Overlay Districts as designated by a Neighborhood Character Overlay (Section 14.2), the requirements of overlay districts apply in addition to the regulations of this section.

**10. Tree Save Standards Overlap**

The following may be located within tree save areas when they meet minimum requirements for this article and the articles listed below:

- a. 50% of the open space per Article 16 may be tree save areas per Article 20, so long as such tree save area abuts the remaining required open space and includes allowed amenities to provide passive recreation.
- b. Landscape yards per Article 20 if trees planted or preserved are in addition to minimum tree save requirements.
- c. Water supply water quality buffers per Article 23.
- d. Post-construction water quality buffers per Article 25.
- e. SWIM water quality buffers per Article 26
- f. Floodplains per Article 27.
- g. Areas for greenways or parks per Article 32 offered for dedication and accepted by Mecklenburg County Park and Recreation.

11. The following additional standards apply only to tree save areas for single-family, duplex, triplex, and quadraplex residential development subject to approval of a subdivision per Article 30.3.A.

**a. Additional Trees- Canopy Voids**

In instances where tree save is used to meet green area requirements, where groups of trees within a tree save area have gaps that are not expected to fill in with time, as determined by the Chief Urban Forester, additional trees shall be planted for the entire area to qualify as tree save area, pursuant to approval by the Chief Urban Forester. If root disturbance or construction activities occur within the drip line of any tree designated as protected in the tree protection plan, only the area being protected shall be included in the calculated tree save area.

**b. Criteria for New Trees**

New trees planted in common open spaces to satisfy the requisite tree save area requirement shall be at least 0.75 inch caliper shade trees. New trees planted within individual lots to satisfy the requirement shall be at least 1.50 inch caliper trees.

**F. Land Dedication to Mecklenburg County Park and Recreation**

As a green area credit option for required green area, the property owner may select one of the following options:

1. Dedicate 1/3 of land required for green area to Mecklenburg County Park and Recreation (Park and Recreation) for park development, so long as the land meets Park and Recreation standards and is accepted by Park and Recreation. If selecting this option, and dedicating 1/3 of the land required for green area, a reduction in minimum lot size by 5% would be allowed. This land shall be subject to special agreement between the City and Park and Recreation.
2. Dedicate all land required for green area to Mecklenburg County Park and Recreation (Park and Recreation) for park development, so long as the land meets Park and Recreation standards and is accepted by Park and Recreation. If selecting this option, and dedicating all of the land required for green area, a reduction in minimum lot size by 10% would be allowed. This land shall be subject to special agreement between the City and Park and Recreation, which shall preserve 2/3 of the land as on-site tree save. Park land and tree save shall be abutting.

**G. Payment-In-Lieu**

A payment may be made by a developer or a property owner to a City administered tree preservation fund, per item 1 below. The payment shall be a percentage of the tax value of the land being developed pursuant to Section 4.1 of the UDO Zoning Administration Manual. The tax value of the land being developed shall not exceed 90% of the average tax value of land in the City limits and of the ETJ, excluding the land within the boundaries of I-77/I-277 and in accordance with the Charlotte Tree Manual. The City shall update the average tax value of the land for this formula with each County property revaluation. Payment-in-lieu may be used for a portion of the required 15% green area or the entire required green area in accordance with the requirements of this section.

1. Collected monies from the green area payment-in-lieu process per this item shall be deposited into the Tree Conservation Fund established in Section 20.18.D.1.a

**H. Off-Site Mitigation**

An applicant may convey or protect, at no cost to the City, an amount of land equal to the required green area acreage, or a portion thereof, within the City or ETJ, to a land conservation group or the City, for the purpose of preserving off-site tree canopy to meet the requirements of this section, per Table 20-5. Mitigation shall be:

1. Approved by the Chief Urban Forester.
2. In compliance with Section 4.1 of the UDO Zoning Administration Manual.

**I. Amenitized Tree Area**

Amenitized tree areas shall be subject to the following requirements:

1. Trees shall be planted at 36 trees per acre on-site.
2. Planting areas shall be a minimum of ten feet wide.
3. No more than 25 percent of impervious paved areas will be allowed within amenitized tree areas. Gravel pathways in amenitized tree areas will be considered pervious.

4. Trees may be planted in alternative locations, such as but not limited to, rooftops, permanent planters, raised or at grade plazas, over parking decks, or other locations approved by the Chief Urban Forester. Greater than 25 percent impervious paved area may be allowed within alternative locations being used to meet the amenitized tree area requirement if minimum soil volume, amended soil, subdrainage, irrigation, planting area, and other applicable design standards per the CLDSM, Charlotte Tree Manual, or as approved by the Chief Urban Forester, are met.

5. Amenities may include, but are not limited to, irrigation, landscaping, grass, seating, pathways, and lighting or other items, as approved by the Chief Urban Forester.

**6. Amenitized Tree Area Standards Overlap**

The following may be located within amenitized tree areas when they meet minimum requirements for this article and the articles listed below:

- a. Open Space per Article 16.
- b. Landscape yards per Article 20.
- c. Water supply water quality buffers per Article 23.
- d. Post-construction water quality buffers per Article 25.
- e. SWIM water quality buffers per Article 26.
- f. Floodplains per Article 27.
- g. Areas for greenways or parks per Article 32 offered for dedication and accepted by Mecklenburg County Park and Recreation.

J. Trees required by this section, or protected as a condition of a previously approved development plan, which die, are missing, or are otherwise deemed unhealthy by the City, shall be removed and replaced by the property owner, normally during the next planting season which is November through March pursuant to the Charlotte Tree Manual.

Parcels that are already in compliance shall maintain that compliance with these standards. Trees of the same approved species as those existing may be used to replace dead, missing, or unhealthy trees. The property owner is required to use large maturing shade trees as replacements whenever possible. Nothing in this section is intended to impose a requirement that the property owner maintain more trees than those required for the site even if they have voluntarily done so in the past.

K. It shall be the duty of the property owner to maintain, plant, and/or replace trees required by this section. Trees shall be allowed to grow to their natural height and form. Pruning of these trees may be allowed where a tree work permit has been issued. Topping is prohibited. Property owners will not be held liable for any pruning conducted by utility providers.

**20.16 FRONTAGE TREE PLANTING REQUIREMENT**

A. Construction of a new single-family, duplex, triplex or quadraplex structure within the Neighborhood 1 and Neighborhood 2 Zoning Districts, except as part of an approval of a new subdivision as defined by Section 30.3.A or as part of a multi-dwelling development, shall be required to plant a minimum of one large maturing tree for every 40 feet of lot width or one small maturing tree for every 30 feet of lot width between the residential building and the public street right-of-way, pursuant to Section 4.1 of the UDO Zoning Administration Manual. Trees may be planted within the right-of-way to meet the requirements of this section unless the project is adjacent to NCDOT right-of-way. A minimum of one tree per lot shall be required.

1. Sites with demonstrated constraints including water meters, sewer lines, driveways, and sight triangles may meet this requirement through payment-in-lieu, or planting in alternate locations pursuant to the Charlotte Tree Manual.

**B.** Existing large maturing shade trees two-inch caliper or greater preserved between the building and the public street right-of-way may be counted towards this requirement if they are adequately protected during construction.

**C.** Trees planted in the public street right-of-way to meet this requirement shall be a minimum of two-inch caliper. Large maturing trees shall not be planted within 25 feet of overhead power distribution. Small maturing trees may be planted where overhead power distribution lines would interfere with normal growth of large maturing trees. Large and small maturing trees shall not be planted within any electric utility rights-of-way for overhead transmission lines, without documented and confirmed authorization of the corresponding utility provider.

**D.** Trees required by this section or protected as a condition of a previously approved development plan, which die, are missing, or are otherwise deemed unhealthy by the City, shall be removed and replaced by the property owner, normally during the next planting season which is November through March pursuant to the Charlotte Tree Manual.

Parcels that are already in compliance shall maintain that compliance with these standards. Trees of the same approved species as those existing may be used to replace dead, missing, or unhealthy trees. The property owner is required to use large maturing shade trees as replacements whenever possible. Nothing in this section is intended to impose a requirement that the property owner maintain more trees than those required for the site even if they have voluntarily done so in the past.

**E.** It shall be the duty of the property owner to maintain, plant, and/or replace trees required by this section. Trees shall be allowed to grow to their natural height and form. Pruning of these trees may be allowed where a tree work permit has been issued. Topping is prohibited. Property owners will not be held liable for any pruning conducted by utility providers.

## 20.17 TREE PLANTING REQUIREMENTS

### A. Applicability and Exemptions

**1. Applicability.** The tree planting requirements of this section shall apply to all development activity, including grading in anticipation of such development, within the corporate limits of the City and the City's extraterritorial jurisdiction (ETJ), whenever development would result in any of the following:

- a.** New construction of a principal structure.
- b.** Cumulative increase in built-upon area (BUA) or building coverage equal to or greater than 5% or 1,000 square feet, whichever is less.
- c.** Approval of a subdivision as defined by Article 30.3.A.

**2. Exemptions.** The following are exempt from the requirements of this section as specified below:

- a.** Increases in built-upon area (BUA) or building coverage on lots where the existing principal structure is a single-family detached home, duplex, triplex or quadraplex.
- b.** Construction of a new single-family detached home, duplex, triplex, or quadraplex as a principal structure on a single lot, unless such construction is any of the following:
  - i.** Part of an approval of a new subdivision as defined by Section 30.3.A,
  - ii.** Constructed on three or more contiguous/adjacent lots, or
  - iii.** Part of a multi-dwelling development.

c. Public projects undertaken by public entities or on public property public entities and owners of public property unless such projects do any of the following:

i. Increase building coverage.

ii. Impact existing trees required or protected by Sections 20.14 through Section 20.17 or Chapter 21 of the City Code of Ordinances.

Where public projects are exempt from this section, such projects shall be subject to interdepartmental agreements and land development standards pursuant to the Charlotte Tree Manual.

## **B. General Requirements**

1. All trees planted pursuant to this Article shall be planted in amended soils and shall be included as an approved plant species within the CLDSM. All trees shall comply with the latest available edition of the American Standard for Nursery Stock, ANSI Z60.1, American Horticulture Industry Association (AmericanHort).

a. Where two-inch minimum caliper trees are specified, the minimum height for single stem trees shall be eight feet and multi-stem trees shall have three to five stems and be a minimum height of eight feet.

b. Where three-inch minimum caliper trees are specified, the minimum height for single stem trees shall be ten feet, and multi-stem trees shall have three to five stems and be a minimum height of ten feet.

2. The entire planting area for all trees shall contain amended on-site soil or a soil mix and provide the minimum planting area as specified in the Charlotte Tree Manual.

3. At least 75% of new required trees shall be native species. Sites required to plant more than 20 trees shall plant multiple species pursuant to the Charlotte Tree Manual.

4. Large maturing trees shall not be planted within 25 feet of overhead power distribution. Small maturing trees may be planted where overhead power distribution lines would interfere with normal growth of large maturing trees. Large and small maturing trees shall not be planted within any electric utility rights-of-way for overhead transmission lines, without documented and confirmed authorization of the corresponding utility provider.

5. Required trees shall be located at least ten feet from buildings unless otherwise approved by the Chief Urban Forester.

6. Required trees shall be located at least ten feet from on-site underground utilities, where feasible, unless otherwise approved by the Chief Urban Forester. For the purposes of this standard, underground utilities mean primary service lines for water, sewer, City-maintained stormwater, electric, gas, cable TV, and data transmission lines.

7. The required separation between site lighting and trees on a site shall conform to the standards of Table 20-6: Site Lighting and Tree Separation Requirements below.

8. Trees required by this section or protected as a condition of a previously approved development plan, which die, are missing, or are otherwise deemed unhealthy by the City, shall be removed and replaced by the property owner, normally during the next planting season which is November through March pursuant to the Charlotte Tree Manual.

Parcels that are already in compliance shall maintain that compliance with these standards. Trees of the same approved species as those existing may be used to replace dead, missing, or unhealthy trees. The property owner is required to use large maturing shade trees as replacements whenever possible. Nothing in this section is intended to impose a requirement that the property owner maintain more trees than those required for the site even if they have voluntarily done so in the past.

9. It shall be the duty of the property owner to maintain, plant, and/or replace trees required by this section. Trees shall be allowed to grow to their natural height and form. Pruning of these trees may be allowed where a tree work permit has been issued. Topping is prohibited. Property owners will not be held liable for any pruning conducted by utility providers.

Table 20-6: Site Lighting and Tree Separation Requirements		
Tier (Per Table 20-4)	Height of Site Lighting	Minimum Distance Required
Tier 1 & Tier 2	15' or above	20'
	Less than 15'	10'
Tier 3 & Tier 4	15' or above	30'
	Less than 15'	15'

**C. Perimeter Planting**

Perimeter trees are located in planting strips, amenity zones, or planting areas along or otherwise adjacent to public streets and network-required private streets. These trees are intended to provide shade and other environmental benefits along streets for pedestrians and other users of public rights-of-way.

**1. General Perimeter Planting Requirements**

**a.** For all projects subject to the applicability of this Article, large maturing trees per the CLDSM shall comprise 75% of the required perimeter trees planted in locations without overhead power distribution lines that obstruct normal growth. Small maturing trees per the CLDSM shall be planted where overhead power distribution lines obstruct normal growth of large maturing trees.

**b. Alternative to Perimeter Planting**

Existing large maturing trees two-inch caliper or greater within 20 feet of the back of the curb may be counted towards the perimeter planting requirement if they are preserved and adequately protected during construction per the CLDSM, and the Charlotte Tree Manual.

**c. Additional Perimeter Planting Standards**

The following may be located within areas designated for perimeter planting when they meet minimum requirements for this article and the articles listed below:

- i. Water supply water quality buffers per Article 23.
- ii. Post-construction water quality buffers per Article 25.
- iii. SWIM water quality buffers per Article 26
- iv. Floodplains per Article 27.
- v. Areas for greenways or parks per Article 32 offered for dedication and accepted by Mecklenburg County Park and Recreation.

**2. Tier 1, 2, and 3 Perimeter Planting Requirements**

**a.** The requirements of this section apply to development within the Place Types listed under Tier 1, 2, or 3 per Table 20-4 above. For development subject to this section, large maturing or small maturing trees shall be planted subject to the location and spacing standards below. Trees shall be of a minimum two-inch caliper for Tier 3 sites and a minimum three-inch caliper for Tier 1 and Tier 2 sites.

**b. Perimeter Planting Location**

Trees shall be planted in any planting strip or amenity zone established pursuant to Article 33 unless the project is subject to item 4.c below. Any trees in an established amenity zone may be planted using tree pits or curbed planters as detailed in CLDSM.

**c. Perimeter Planting Quantity and Spacing**

- i. If large maturing trees are planted:
  - (A) One tree shall be planted for every 40 feet of frontage or fraction thereof.
  - (B) The minimum spacing shall be 40 feet.

ii. If small maturing trees are planted:

(A) One tree shall be planted for every 30 feet of frontage or fraction thereof.

(B) The minimum spacing shall be 30 feet.

### 3. Tier 4 Perimeter Planting Requirements

#### a. Applicability

The requirements of this section apply to development within the Place Types listed under Tier 4 per Table 20-4 above. For development subject to this section, large maturing or small maturing trees shall be planted subject to the location and spacing standards below and shall be of a minimum two-inch caliper.

#### b. Perimeter Planting Location

Trees shall be planted in the planting strip or amenity zone pursuant to Article 34 unless the project is subject to item 4.c below. If trees cannot be planted within the planting strip or amenity zone due to an insufficient planting area or soil volume, then trees shall be planted within 20 feet from the back of curb, subject to the requirements of this Article.

#### c. Perimeter Planting Quantity and Spacing

i. If large maturing trees are planted:

(A) One tree shall be planted for every 40 feet of frontage or fraction thereof.

(B) The minimum spacing shall be 40 feet.

ii. If small maturing trees are planted:

(A) One tree shall be planted for every 30 feet of frontage or fraction thereof.

(B) The minimum spacing shall be 30 feet.

### 4. Special Conditions

Modification to perimeter planting requirements for any tier may be granted for the following special circumstances:

#### a. Site Constraints

If the required number of trees cannot be planted as required above due to site constraints, the alternatives listed below, either individually or in combination, may be used. Site constraints include, but are not limited to, driveway locations, sight triangles, sight lines, and above ground utility locations, as determined by the Chief Urban Forester.

i. The minimum spacing between large maturing trees may be reduced from 40 feet to 30 feet. The minimum spacing between small maturing trees may be reduced from 30 feet to 20 feet. For any reduced spacing, only species listed in the Charlotte Tree Manual or approved by the Chief Urban Forester shall be planted.

ii. If tree planting in the planting strip or amenity zone is infeasible, alternative locations for tree planting shall be considered. However, in all instances, trees required by this section shall be planted within 20 feet of the back of curb.

Where these options are not feasible as determined by the Chief Urban Forester, a payment-in-lieu may be made to the City for perimeter trees that cannot be planted in the planting strip or amenity zone pursuant to the Charlotte Tree Manual. The site may not opt out of all required perimeter trees. Collected fees from City tree mitigation and payment-in-lieu processes per this item shall be deposited into the Street Tree Planting Fund as established in Section 20.18.D.1.b

#### b. Railroad, Transit, or Utility Rights-of-Way

When a railroad, transit, or utility right-of-way separates the perimeter planting strip from a City right-of-way, the perimeter planting strip and tree planting requirements shall still be met.



**c. NCDOT Maintained Street Rights-of-Way**

When NCDOT planting guidelines or other standards prohibit perimeter tree planting within NCDOT-maintained street rights-of-way, the perimeter tree planting requirement shall still be met as specified below:

- i. In Tier 1, 2, or 3 Place Types (per Table 20-4), trees shall be planted on-site in alternative locations within 20 feet of the right-of-way, or in locations otherwise approved by the Chief Urban Forester.
- ii. In Tier 4 Place Types (per Table 20-4) located within Charlotte's ETJ, all required perimeter trees are allowed to be planted in the required frontage setback.

**D. Internal Planting**

Internal trees are located on private property outside of public rights-of-way. These trees are intended to provide shade and other environmental benefits in parking lots and other locations internal to sites. 75% of trees planted in parking areas shall be large maturing trees. The remainder of the trees may be either small or large maturing trees. Requirements for internal planting are as follows:

**1. Tier 1 and 2 Internal Planting Requirements**

The requirements of this section apply to development within the Place Types listed under Tier 1 and 2 per Table 20-4 above.

**a. Internal Planting Area and Quantity**

Whenever the built upon area exceeds 10,000 square feet, a planting area is required as follows:

- i. A planting area equal to 10% of the total built upon area shall be provided. This planting area shall be located on private property and shall be in addition to any perimeter planting and green area requirements. This planting area requirement may be reduced in the following instances:
  - (A) In Regional Activity Centers, the planting area may be reduced to 5% of the total built upon area
  - (B) In Tier 1 sites, two trees may be planted for every 10,000 sq ft of built upon area subject to the allowances in item (A) below, subject to the Charlotte Tree Manual and CLDSM.
- ii. One large maturing tree shall be planted per 10,000 square feet of built upon area or fraction thereof. Additional trees may also be required to satisfy the locational requirements of Section 20.17.D.1.b, below. A sufficient number of trees shall be planted to satisfy both requirements.

**b. Internal Planting Location**

- i. Tree plantings required by this section may be located anywhere on the site, however, each internal surface parking space shall be no more than 40 feet from a tree trunk.
- ii. In Tier 1 sites, trees required by this section may be located on rooftops, in permanent planters, on raised or at grade plazas, on the top open-air level of a parking structure, or other locations approved by the Chief Urban Forester.

**2. Tier 3 and Tier 4 Internal Planting Requirements**

The requirements of this section apply to development within the Place Types listed under Tier 3 and Tier 4 per Table 20-4 above. This requirement does not apply to residential subdivisions of single-family, duplex, triplex and quadraplex homes in an Neighborhood 1 Place Type.

**a. Internal Planting Area and Quantity**

Whenever the built upon area of a site exceeds 10,000 square feet, a planting area is required as follows:

- i. A planting area equal to 10% of the total built upon area shall be provided. This planting area shall be located on private property and shall be in addition to any perimeter planting and green area requirements.

- ii. One large maturing tree shall be planted per 10,000 square feet of built upon area or fraction thereof. Additional trees may also be required in addition to this quantity to satisfy the locational requirements of Section 20.17.D.1.b, below. A sufficient number of trees shall be planted to satisfy both of these requirements.

**b. Internal Planting Location**

Tree plantings required by this section may be located anywhere on the site, however, each internal surface parking space shall be no more than 40 feet from a tree trunk. Modifications of strict adherence to these requirements are granted for the following:

- i. The distance requirement may increase to 60 feet from a tree trunk if continuous islands, running the length of the parking area, are provided at a minimum width of eight feet.

**3. Special Conditions**

Modification to internal planting requirements may be granted for the following special circumstances:

**a. Multi-Family Planting**

For parking spaces located in driveways for individual multi-family attached dwellings, the required trees may be located elsewhere on the site as approved by the Chief Urban Forester. The number of trees shall equal the quantity required by Section 20.17.D.2.a, above.

**b. Existing Trees**

In meeting these internal planting requirements, credit may be given for existing trees subject to the following:

- i. Credit shall only be granted if the following conditions are met:
  - (A) The applicant includes in the tree survey referenced in Section 20.18.A, all existing trees of two-inch DBH or greater which are proposed to satisfy the planting requirements of this section.
  - (B) The applicant provides for the protection of healthy trees identified and proposed to satisfy the planting requirements of this section, during the entire development period, beginning prior to the commencement of site work and continuing through to issuance of the certificate of occupancy pursuant to approved tree protection requirements per CLDSM, the Charlotte Tree Manual, and Section 20.14.
- ii. The Chief Urban Forester may deem trees to be ineligible for this credit if the minimum protection standards are not met, or if trees are observed to be injured or threatened.

**c. Bus and Tractor Trailer Lots**

Bus and tractor-trailer lots are not required to meet the 40-foot distance requirement above when trees are planted 40 feet apart around the edge of the parking area in a minimum ten foot wide planting area. Trees planted pursuant to this requirement may count as trees required per Section 20.6.

**4. Additional Internal Tree Standards**

Internal trees may be located within the following areas when they meet minimum requirements for this article and the articles listed below:

- a. Open Space per Article 16.
- b. Landscape yards per Section 20.9 if internal trees planted or preserved are in addition to minimum landscape yard requirements.
- c. Water supply water quality buffers per Article 23.
- d. Post-construction water quality buffers per Article 25.

- e. SWIM water quality buffers per Article 26.
- f. Floodplains per Article 27.
- g. Areas for greenways or parks per Article 33 offered for dedication and accepted by Mecklenburg County Park and Recreation.

## 20.18 TREE PROTECTION ADMINISTRATION AND PROCESS

### A. Plan Submittal and Process

#### 1. Tree Survey for Conditional Zoning Map Amendment

A tree survey shall be required for all conditional zoning map amendments. A tree survey required by this section shall include identification of the following:

- a. All City trees eight inches DBH or greater and all planted City trees.
- b. All existing heritage trees on the property.
- c. Any existing areas of the site used for credit toward meeting previously approved tree save or green area requirements.

#### 2. Tree Compliance Plan

All applications for land development approval subject to the applicability of Section 20.15, Section 20.16, and Section 20.17 shall be required to submit to the Planning Department a tree compliance plan which shall include a tree survey, a tree and critical root zone protection plan, and tree planting and green area plan for all City trees, heritage trees, specimen trees, tree save areas, areas subject to green area requirements, and tree protection zones, as applicable.

##### a. Tree Survey for Land Development Approval

A tree survey required by this section shall include identification of the following:

- i. All City trees of eight inches DBH or greater and all planted City trees.
- ii. Any trees of two-inches caliper or larger being saved for credit toward planting requirements.
- iii. All existing heritage trees and their critical root zones on the property within 50 feet of proposed land disturbing activity or that are being used for green area credit.
- iv. All existing specimen trees that are used for tree save, green area credit, or heritage tree mitigation and their critical root zones.
- v. Any existing areas of the site used for credit toward meeting previously approved tree save or green area requirements
- vi. Any area of the site to be used for credit toward meeting new green area requirements per Section 20.15.B. Green roof and green wall area used for credit toward green area requirements shall be delineated by unique identifiers on the plan from other green area credits used to achieve required on-site green area.

##### b. Tree and Critical Root Zone Protection Plan

A tree and critical root zone protection plan pursuant to the Charlotte Tree Manual shall include identification of location and protection plan for the following trees and their critical root zones:

- i. All City trees of eight inches DBH or greater and all planted City trees.
- ii. Any areas of the site used to meet tree save or green area.
- iii. Any trees of two-inch caliper or larger being saved for credit toward planting requirements per Section 20.16 and 20.17.

- iv. Any existing heritage trees being saved per Section 20.14.
- v. Any existing specimen trees that will be used for green area credit or heritage tree mitigation.

**c. Tree Planting and Green Area Plan**

All applications for land development approval subject to the applicability of Section 20.14, 20.15, 20.16 and Section 20.17, shall include a tree planting and green area plan, as applicable. The tree planting and green area plan shall include all trees, including the location of each, required to be planted or preserved pursuant to the requirements of Section 20.14, 20.15, 20.16 and Section 20.17 and shall be submitted to the Planning Department in written/design form and shall conform to the provisions of this Article and all specifications set out in the Charlotte Land Development Standards Manual (CLDSM) and Charlotte Tree Manual.

**3. Spatial Tree Data Plan**

To certify completion of a development project, applicants shall submit “spatial tree data” plans as specified in the CLDSM, and Charlotte Tree Manual for all required perimeter trees, internal trees, mitigation trees, and green area credits. Trees planted pursuant to Section 20.16 shall not require a “spatial tree data” plan. “Spatial tree data” plans shall be submitted to the Planning Department prior to release of permit holds.

**4. Platting and Recording of Green Area**

Prior to issuance of certificates of occupancy, boundaries for tree save, amenitized tree area, replanted tree save, and any off-site mitigation area used to meet green area requirements shall be required to be surveyed and be described in metes and bounds and be recorded on the final plat.

**B. Tree Work Permits**

- 1. Persons requesting to perform any tree disturbing activity to trees subject to Section 20.14, Section 20.15, Section 20.16, or Section 20.17 of this Article, or trees protected as a condition of a previously approved development plan, shall obtain a tree work permit from the General Services Department or the Planning Department before the activities commence, pursuant to the Charlotte Tree Manual. For purposes of this section, a development plan subject to the applicability of this Article that is approved by the City constitutes a tree work permit.
- 2. The City shall have the authority to review all requests for tree work permits and to grant, deny, or attach reasonable conditions to such permits.
- 3. Individual tree work permits shall not be required for Charlotte Department of Transportation (CDOT), Charlotte Area Transit System (CATS), and North Carolina Department of Transportation (NCDOT) projects so long as tree preservation and protection requirements are included in the project plans.

**C. Tree Planting Delay Requests**

Requests for a delay in complying with Section 20.14, Section 20.15, Section 20.16 or Section 20.17 of this Article due to poor weather conditions for planting shall be considered following a written request directed to the Planning Department. Permit holds shall be released upon approval of a planting delay. Denied tree planting delay requests shall not change the timeframe during which the planting shall be completed. Failure to comply shall be deemed a willful violation of this article and shall result in penalties as provided for in Article 39.

**D. Tree Mitigation Funds**

- 1. The City of Charlotte shall maintain the following funds for the purpose of collecting and spending mitigation fees pursuant to the requirements of this Article and the Charlotte Tree Manual. These funds shall include the following:

**a. Tree Conservation Fund**

The City of Charlotte shall establish a Tree Conservation Fund to support the acquisition, protection, management, and long-term conservation of land in the City of Charlotte and its ETJ solely for the purposes of tree canopy conservation. The Tree Conservation Fund shall directly and only fund the City’s Tree Canopy Preservation Program (TCPP). Collected fees will be allocated as designated in Section 4.2 of the UDO Zoning Administration Manual (Tree Canopy Preservation Program Manual). Collected fees and monies from the green area payment-in-lieu process, per Section 20.15.F.1, and any collected fees from mitigation processes specified to support TCPP, any grant funding specified to support TCPP, and all other monies collected with the intent and purpose of supporting TCPP shall be deposited into the Tree Conservation Fund. Fees collected shall only be spent on the following funding areas:

**i. Acquisition of Property**

The Tree Conservation Fund shall be used to purchase forested property and/or property that may be reforested following the guidance set forth in Section 4.2 of the UDO Zoning Administration Manual. The purchase of property for inclusion into the TCPP shall be authorized by the City Council and explicitly protected and preserved in perpetuity as forested land. All TCPP and Urban Arboretum Trail sites shall be assigned an official conservation designation.

**ii. Property Management**

The Tree Conservation Fund shall be used to support TCPP property management needs to ensure properties are maintained adequately to align with the City's Comprehensive Plan, and as required by the Unified Development Ordinance, applicable conservation easements, management plans and Section 4.2 of the UDO Zoning Administration Manual.

**iii. Program Management/Staff Support**

The Tree Conservation Fund shall be used to support the salary, benefit costs, and general overhead costs for up to 3 full-time equivalent (FTE) staff positions and 1 intern position to assist in managing TCPP.

**iv. Long-Term Stewardship**

The Tree Conservation Fund shall support long-term property management needs in the event annual property management funding level is insufficient to adequately maintain TCPP sites.

**v. Urban Arboretum Trail (UAT)**

The Tree Conservation Fund shall be used to support procurement of plant material, design services, site preparation services, installation services and other tree canopy and/or tree-themed program development items for UAT.

**b. Street Tree Planting Fund**

The City of Charlotte shall establish a Street Tree Planting Fund to support City-managed public tree planting and public tree inventory initiatives in the City of Charlotte's corporate limits, and tree canopy assessment and policy initiatives. Collected fees and monies from City tree mitigation, planting strip payment-in-lieu processes, tree pit payment-in-lieu processes, and other monies collected specified to support the interests of public tree planting, public tree inventory, and tree canopy assessment and policy initiatives, shall be deposited into the Street Tree Planting Fund.

**c. Canopy Care Fund**

The City of Charlotte shall establish a canopy care fund to support the sustainable preservation, maintenance, and/or regeneration of Charlotte's tree canopy. Canopy Care Funds may also be used to increase awareness of the trees and other tree canopy resources in the City of Charlotte. Collected monies shall be allocated as designated pursuant to the Charlotte Tree Manual (Canopy Care Funding Framework). Collected monies from heritage tree mitigation and payment-in-lieu processes as specified above, and any other collected monies specified to support the fund shall be deposited into the Canopy Care Fund. Funds collected shall be spent in the following funding areas:

**i. Large Tree Assistance Program**

The Canopy Care Fund shall be used to support a City-managed assistance program to help residents maintain tree canopy on private property.

**ii. Heritage Tree Mitigation Planting**

The Canopy Care Fund shall be used to support a City-managed assistance program to help residents plant mitigation trees and support general tree planting on private property.

**iii. Program Management/Staff Support**

The Canopy Care Fund shall be used to support the salary, benefit costs, and general overhead costs for up to one full-time equivalent (FTE) staff position and one intern position to assist in managing Canopy Care Fund supported programs.

**iv. Canopy Care Grant Program Establishment**

The Canopy Care Fund shall be used to support a City-managed canopy care grant fund targeting tree planting or tree care on private property, cankerworm banding, and other tree canopy management needs pursuant to the Charlotte Tree Manual. All non-profit organizations, places of worship, organized community groups, and neighborhood and homeowners' associations within the City of Charlotte and its ETJ are eligible.

**E. Administrative Adjustments and Emergencies**

**1. Administrative Adjustments**

a. Administrative adjustments to quantitative standards may be requested in accordance with Section 37.4.A. Requests for administrative adjustments of quantitative standards shall only be considered for the following standards included within Table 20-7 Tree Protection Adjustments.

Table 20-7: Tree Protection Adjustments		
Section Eligible for Adjustment	Standard to be Adjusted	Decision Maker
Section 20.14	Tree Protection Requirements	Chief Urban Forester
Section 20.15	Green Area	Chief Urban Forester
Section 20.16	Minimum Caliper Requirements	Chief Urban Forester
Section 20.17	Tree Planting, Spacing and Quantity	Chief Urban Forester
Section 20.17	Site Lighting and Tree Separation	Chief Urban Forester
Section 20.17	Alternative to Perimeter Planting	Chief Urban Forester

b. If strict compliance with the standards of Sections 20.13 through 20.18 conflict with existing federal or state statutory or regulatory requirements the developer may submit a specific alternate plan for planting to the Chief Urban Forester for consideration. This plan shall meet the purposes and standards of this Article but may suggest measures other than those in Section 20.15. In addition, if the developer seeks a modification of planting requirements based upon a contention that the planting required by Sections 20.13 through 20.18 would pose a threat to health and safety due to a conflict with existing federal or state statutory or regulatory requirements, a modification shall only be considered upon receipt of a written explanation of the alleged conflict created by the planting requirement and a copy of the statute or regulation that creates the conflict. The Chief Urban Forester shall review the alternate proposal and advise the applicant of the disposition of the request within 15 working days of submission by the applicant. Any appeals by the applicant shall be in accordance with Article 37.

**2. Appeals**

Any determinations and decisions pursuant to this section may be appealed to the UDO Board of Adjustment as per Article 37.

**3. Emergencies**

In an emergency such as a windstorm, ice storm, fire, or other disaster, the requirements of this Section 20.13 through 20.18 may be waived by the City during the emergency period so that the requirements of this Article shall in no way hamper private or public work to restore order in the City. This shall not be interpreted to be a general waiver of the intent of this Article.

**F. Administration**

1. Appeals and variances of this Article shall be subject to Article 37.
2. Inspections and enforcement actions of this Article shall be subject to Article 39.

### **G. Chief Urban Forester**

The Chief Urban Forester shall be charged with the following duties:

1. To interpret, administer and enforce the provisions of Sections 20.13 through 20.18 of this Article.
2. To lead and supervise the work and activities of staff, and supervise the tree regulation review, enforcement, and compliance.
3. To lead City-wide and department urban forestry goals and initiatives.
4. To serve as a liaison for the Charlotte Tree Advisory Commission, and interdepartmental committees.
5. To interpret and translate information to the public on regulatory processes, planning initiatives, and land use policies related to urban forestry and tree canopy.
6. Prepare and make available to the public a Charlotte Tree Manual which includes guidelines for compliance with this Article.
7. To designate appropriate other person(s) who shall carry out the powers and duties of the Chief Urban Forester.

## Article 32. Required New Streets & Transportation Improvements

- 32.1 COMPREHENSIVE TRANSPORTATION REVIEW (CTR)
- 32.2 TRANSPORTATION ADJUSTMENTS
- 32.3 RAPID TRANSIT CORRIDOR RESERVATION
- 32.4 BUS STOP AND AMENITY REQUIREMENTS
- 32.5 REQUIRED NEW STREETS
- 32.6 REQUIRED OFF-STREET PUBLIC PATHS
- 32.7 IMPROVEMENTS TO EXISTING STREETS
- 32.8 EXISTING UNIMPROVED RIGHTS-OF-WAY

### 32.1 COMPREHENSIVE TRANSPORTATION REVIEW (CTR)

#### A. Purpose

The purpose of the Comprehensive Transportation Review (CTR) is to identify the transportation improvements necessary to: mitigate increased demand on transportation infrastructure by a proposed development, preserve public investment in the transportation system, and support the sustained growth and prosperity of an area. To appropriately address multimodal and context-based impacts and mitigations, the CTR includes three types of analyses, including Multimodal Assessments, Transportation Demand Management (TDM), and Traffic Impact Studies (TIS).

#### B. Requirement

The CTR, including specific thresholds and requirements, is included in the Charlotte Streets Manual (Streets Manual). A CTR is required for any development project that meets or exceeds any specified threshold. The developer shall procure the CTR at their own expense, and the CTR shall satisfy all applicable requirements.

#### C. Mitigation

Based on the results or recommendations of a CTR, the developer shall provide any required mitigation and shall also abide by all applicable CTR procedures and requirements in providing such mitigation. Any mitigation required by the CTR shall be included along with all other transportation requirements of the proposed development as required by this Ordinance and other applicable law.

### 32.2 TRANSPORTATION ADJUSTMENTS

A. Upon an applicant's request, if the City determines that one or more of the requirements identified in Table 32-1: Transportation Adjustments are unrelated to the proposed development's anticipated transportation impacts or are not roughly proportional to those anticipated impacts, the City may modify or waive one or more of those requirements to the extent necessary to make them related to the proposed development's anticipated transportation impacts and roughly proportional to those anticipated impacts.

B. Table 32-1: Transportation Adjustments states the sections for which adjustments can be requested, the standard that may be adjusted, the official with authority to determine any adjustments to be made, and any applicable provisions of the standards not eligible for adjustment.

C. Any determinations and decisions pursuant to this section may be appealed to the UDO Board of Adjustment as per Article 37.



Table 32-1: Transportation Adjustments		
Standard	Eligible for Adjustment	Deciding Authority
Cross-Access	Section 31.2	CDOT Director <sup>1</sup>
Rapid Transit Corridor Reservation	Section 32.3	CATS <sup>2</sup> Director <sup>1</sup>
Bus Stop and Amenity Installation Requirements	Section 32.4	CATS Director <sup>3</sup>
Requirements for New Streets	Section 32.5.A.2	Planning Director <sup>3</sup>
Required Off-Street Public Paths Installation	Section 32.6.A.2	Planning Director <sup>3</sup>
Installation of New Curb and Gutter	Section 32.7.A and Section 32.7.C.1	CDOT Director <sup>1,5</sup>
Relocation of Existing Curb and Gutter	Section 32.7.A and Section 32.7.C.3	CDOT Director <sup>1</sup>
Sidewalk and Amenity Zone/Planting Strip Installation <sup>4</sup>	Section 32.7.A, Section 32.7.D.1, and Section 32.7.D.2	Planning Director <sup>3</sup>
Uptown Streetscape - Amenity Zone Elements, Pavers, and Pedestrian Lighting	Section 33.4	Planning Director <sup>3</sup>

<sup>1</sup> In consultation with the Planning Director

<sup>2</sup> Charlotte Area Transit System (CATS)

<sup>3</sup> In consultation with the CDOT Director

<sup>4</sup> The perimeter tree planting requirements of Article 20 shall apply and shall not be adjusted.

<sup>5</sup> Eligible adjustments for the installation of curb and gutter for Uptown Streets to be made in consultation with the Planning Director.

### 32.3 RAPID TRANSIT CORRIDOR RESERVATION

**A.** If any portion of a Rapid Transit Corridor alignment, including transit station locations, that has been adopted by the Metropolitan Transit Commission (MTC) is located within the boundaries of a development project, that portion of the Rapid Transit Corridor alignment, as applicable, shall be deemed a Transit Reservation Area for purposes of this section.

**B.** None of the following shall be developed or otherwise located or modified anywhere within a Transit Reservation Area:

1. Any part of a new building or structure; or
2. Anything that, if removed in whole or in part, would damage a pre-existing building or structure or would prevent full and effective utilization of that pre-existing building or structure.

**C.** Within a Transit Reservation Area, only the following uses are allowed on an interim basis, and only if they fully comply with this section: surface parking, open space, and recreational areas. These uses:

1. Shall not involve any development that would violate item B above.
2. Shall not place anything within the Transit Reservation Area that, if wholly or partially eliminated or removed, would cause the development project or the underlying property, or any portion of the development project or the underlying property, to violate this Ordinance or any other applicable ordinance, law, or regulation.

**D.** Any use allowed within a Transit Reservation Area shall be promptly discontinued and removed from the Transit Reservation Area at the expense of the property owner, and without damaging the underlying property, whenever title to all or a portion of the Transit Reservation Area is acquired by the City.

**E.** Before developing or locating an otherwise permissible interim use within a Transit Reservation Area, the property owner shall obtain the City's written approval of plans for that interim use. Such plans shall be sufficient to demonstrate that:

1. The interim use shall fully satisfy this section, including item C above.
2. The property owner has made sufficient plans and preparations and has demonstrated financial capability to discontinue and remove the interim use when required by this section.

**F.** Except where a Transit Reservation Area is located on property zoned a UC Zoning District or a Transit Oriented Development Zoning District, the Transit Reservation Area will automatically expire 18 months after the property owner obtains land development approval.

**G.** Where a Transit Reservation Area is located on property zoned a UC Zoning District or a Transit Oriented Development Zoning District, the Transit Reservation Area shall expire on the earlier of:

1. The City acquiring title to the Transit Reservation Area; or
2. A formal rescission by the MTC of the adoptions granted by the MTC for all Rapid Transit Corridor alignments, including any transit station locations, as applicable, that gave rise to that Transit Reservation Area.

**H.** The CATS Director, in consultation with the Planning Director, may reduce the size or duration (or both) of a Transit Reservation Area arising under this section if the CATS Director, in their discretion, determines that the reduction will not frustrate, delay, inhibit, or otherwise interfere with any City plans for a transit corridor or transit facility.

#### **32.4 BUS STOP AND AMENITY REQUIREMENTS**

##### **A. Purpose**

In order to maintain and improve access to the Charlotte Area Transit System (CATS), development, as specified below, located along bus routes is required to provide bus transit amenity infrastructure.

##### **B. Existing CATS Bus Stops and Amenities**

###### **1. Applicability**

Construction of a new principal structure on a site with existing CATS bus stop(s) and amenities, either on the subject development site or in the rights-of-way adjacent to the subject development site, except for construction of a new single-family, duplex, triplex, and quadraplex structure.

###### **2. Existing CATS Bus Stops and Amenities Standards**

- a.** Existing CATS bus stops and amenities shall be retained without relocation or modification and connected to an accessible pedestrian route via a bus loading zone pad consistent with the CATS Bus Stop Special Details, unless relocation, modification, or removal is approved by the CATS Director.
- b.** If the existing CATS bus stop location, or access to the existing CATS bus stop location, is not Americans with Disabilities Act (ADA) compliant, the stop and/or access route shall be constructed to meet ADA standards. No relocation, modification, or removal of existing CATS bus stop(s) and amenities shall occur unless approved by the CATS Director, and in consultation with the CDOT Director.
- c.** All CATS bus stop(s) and amenities relocated or modified with the approval of the CATS Director shall be ADA compliant upon their relocation or modification.

###### **3. Adjustments to Existing CATS Bus Stops and Amenities**

- a.** Relocation, modification, or removal of an existing CATS bus stop or amenities may be approved by the CATS Director in their discretion, and in consultation with the CDOT Director. In considering a request to relocate, modify, or remove an existing CATS bus stop or amenity, the CATS Director shall review:
  - i.** The impact on the safety of pedestrian activity, and
  - ii.** The impact on transit service and vehicular traffic.

## **C. New CATS Bus Stops and Amenities**

### **1. Applicability**

- a.** New nonresidential, mixed-use, or multi-family development that meets all the following:
  - i.** The development is located along a bus route as indicated on an MTC adopted Transit Service Plan, and
  - ii.** The development will generate the minimum number of trips to trigger a Multimodal Assessment, per the CTR.

### **2. Thresholds for New CATS Bus Stops and Amenities**

- a.** For development meeting the applicability of Section 32.4.C.1 above, a minimum of one CATS bus stop, and any associated amenities, is required. All new CATS bus stops and any associated amenities shall require, if necessary, an easement for such bus stops and any associated amenities, which shall be recorded.
- b.** Two CATS bus stops, and any associated amenities, are required for developments meeting the applicability of item 1 above and that also meet the following:
  - i.** Generate the minimum number of trips to trigger a Traffic Impact Study, per the CTR.
  - ii.** Have frontage on more than one public street with bus stops located on each street.
  - iii.** Are served by more than one CATS bus route.
- c.** A new CATS bus stop shall not be required if an existing stop is within a walking distance of 1,320 feet of the site and located on the same side of the street with the same facilities that a new CATS bus stop would be required to provide. This exemption shall not be allowed for a childcare center, educational facility, healthcare institution, residential care facility, or continuum care retirement community (CCRC).

### **3. Location and Infrastructure Requirements for New CATS Bus Stops and Amenities**

- a.** The location of required new CATS bus stops, and any associated amenities, shall be determined by the CATS Director, and shall be consistent with the following:
  - i.** The CATS bus stop location shall allow for safe connectivity with the pedestrian network including access to sidewalks, the presence of crosswalks within 1,320 feet of the stop, and suitable visibility for pedestrian and vehicular traffic.
  - ii.** The CATS bus stop location shall be designed to accommodate efficient bus operations, including but not limited to, bus stop spacing, curb clearance, placement in relation to streets, abutting property owner/tenant parking restrictions and regulations at and near the bus stop, vehicle turning radii, street lane widths and surfaces, and intersection design topography.
- b.** Sidewalks shall be constructed to connect the bus stop to the nearest sidewalk or public street intersection.
- c.** The CATS bus stop and access to the bus stop shall meet ADA standards.
- d.** A concrete pad is required for all installations. Additional amenities, if required, shall be determined by the CATS Director based on the MTC Transit Service Guidelines and the CATS Bus Stop Special Details.

#### 4. Exceptions

- a. A CATS bus stop and amenities will not be required when a feasible location cannot be provided due to physical site constraints such as:
  - i. Steep slopes in excess of 15%.
  - ii. Potential intersection or driveway sight distance conflicts.
  - iii. Unsafe condition for the transit vehicle, motor vehicles, or pedestrians.
- b. The CATS Director will determine when physical site constraints make location and installation of a CATS bus stop and amenities infeasible or unsafe.

#### D. CATS Bus Stop and Amenity Design Standards

New CATS bus stops and amenities, and changes to existing CATS bus stops and amenities, are required to comply with the CATS Bus Stop Special Details.

#### E. Private Bus Stops and Amenities Served by CATS

Bus stops and amenities located on private property and served by CATS shall be reviewed and approved by CATS and shall be located so there are no negative impacts to public safety, and all sight distance requirements are met. Bus stops, and any of their accompanying amenities, located in the public rights-of-way will be regulated by CDOT and/or the North Carolina Department of Transportation (NCDOT), as applicable. These stops shall also comply with all other applicable requirements of this UDO.

#### F. Non-CATS Bus Stops and Amenities

Bus stops and amenities located on private property and that are not served by CATS shall be located so there are no negative impacts to public safety, and all sight distance requirements are met. Bus stops, and any of their accompanying amenities located in the public rights-of-way, will be regulated by CDOT and/or NCDOT, as applicable. These stops shall also comply with all other applicable requirements of this UDO.

### 32.5 REQUIRED NEW STREETS

#### A. Required New Streets

New streets are required when either of the following occur:

1. Subdivision as defined by Section 30.3.A.
2. Construction of a new principal structure.

#### B. Street Standards

All new streets shall comply with the requirements of Article 33 as well as with any other applicable provisions of this Ordinance, including but not limited to perimeter tree planting requirements in Article 20.

#### C. Limited Access Roads and Arterials

1. Right-of-way for new limited access roads and arterials shown on the Charlotte Streets Map (Streets Map) shall be reserved for 18 months beginning when land development approval is obtained. Right-of-way shall meet the requirements of the Streets Map.
  - a. The appropriate agency shall have 18 months from the date of land development approval to enter into a contract to purchase the reservation area or to initiate condemnation proceedings.
  - b. If, at the end of the 18 month period, neither of the actions listed above has commenced, the developer may consider the land free of any reservation.

c. The developer may choose to dedicate the area to be reserved at any time during the reservation period.

i. If right-of-way for the construction of new limited access roads and arterials is dedicated, rather than reserved, the developer may reduce minimum lot size required by the zoning standards of the Neighborhood 1 Place Type by 10%. The dedication of the right-of-way for construction of new limited access roads or arterials shall be to the City or to NCDOT, as may be appropriate.

2. A new collector or local street may be constructed within the right-of-way of a future limited access road or arterial. City staff shall approve the horizontal and vertical location of the collector or local street within the right-of-way to ensure that the location of the collector or local street will accommodate future construction of the limited access road or arterial. The entire width of the future limited access road or arterial right-of-way shall be dedicated.

#### **D. Main Streets**

1. Main Streets are shown on the Streets Map. A developer may propose a new Main Street, based on the following conditions:

a. The street is not located in a Neighborhood 1 Place Type, Manufacturing and Logistics Place Type, or within a N2-A Zoning District.

b. The street will connect directly to an arterial.

c. The street will be at least three blocks in length.

2. Where these conditions are met for the proposed street, the developer shall construct the Main Street and dedicate the right-of-way. The Streets Map will be amended to reflect new approved Main Streets.

#### **E. Collectors**

1. New collectors are required to be constructed, and the right-of-way dedicated, when the collector is shown on the Streets Map.

2. In addition, if a new street meets any of the criteria below, the street shall be designated as a collector, shall be constructed, and the right-of-way for the collector shall be dedicated.

a. The street directly intersects with an arterial and provides access to an area with:

i. An overall density of one residential lot per acre; or

ii. More than 125 residential lots; or

iii. More than 125 dwelling units.

b. The street, by its general configuration in relation to the existing development of the area, in effect serves a collector function.

#### **F. Local Streets**

1. A new local public street shall be constructed and dedicated as per the conditions below:

a. As required by Article 31.

b. When a developer provides a public street not required by Article 31.

2. A new local street shall be constructed as a public street unless allowed by Article 31 to be a network-required private street.

3. When a developer is allowed per Article 31 to construct a network-required private street instead of a public street, a permanent public access easement shall be recorded.

## **G. Sight Distance**

1. All streets shall meet sight distance requirements as described in the Streets Manual.
2. All streets shall meet current American Association of State Highway and Transportation Officials (AASHTO) standards.

## **H. Street Signs and Barricades**

1. Standard street markers shall be installed at one corner of all street intersections in a subdivision, as defined by Section 30.3.A, as well as any other network-required private streets, before any certificates of occupancy may be issued for buildings or residences along those streets. The design, material, location, and installation of the signs shall be in accordance with standards specified in the Charlotte Land Development Standards Manual (CLDSM).
2. Barricades shall be installed at the end of all street stubs. Design, material, location, and installation of the barricades shall be in accordance with standards specified in the CLDSM.

## **32.6 REQUIRED OFF-STREET PUBLIC PATHS**

### **A. Applicability**

Off-street public paths are required when either of the following occur:

1. Subdivision as defined by Section 30.3.A.
2. Construction of a new principal structure, except for construction of a new single-family, duplex, triplex, or quadraplex structure.

### **B. Off-Street Public Path Standards**

All new off-street public paths shall comply with the requirements of Article 33 as well as with any other applicable provisions of this Ordinance.

### **C. Transit Trail**

1. A transit trail shall be built when such trail is identified in a Council or MTC adopted transit trail plan and located along an existing operating transit line.
2. When a transit trail is identified in a Council or MTC adopted transit trail plan but is not located along an existing operating transit line, an 18 month reservation of land for construction of a transit trail is required. The 18 month reservation shall begin when land development approval is obtained.
  - a. The City shall have 18 months from the date of land development approval to acquire the reservation area by purchase, by receipt of a dedication, or by initiating condemnation proceedings.
  - b. If, at the end of the 18 month period, none of the actions listed above has commenced, the developer may consider the land free of any reservation.
3. The developer may choose to dedicate the area to be reserved. If area for the construction of a transit trail is instead dedicated to CATS, rather than reserved, such area shall count toward the required minimum open space requirement of the site under development. See Section 16.5 for open space requirements.

### **D. Greenway Trail**

An 18 month reservation of land for construction of a greenway trail is required when identified in the adopted Mecklenburg County Greenway Master Plan. The area reserved for construction of a greenway trail shall be the minimum area needed as identified by Mecklenburg County Park and Recreation. The 18 month reservation shall begin when land development approval is obtained.

1. Mecklenburg County shall have 18 months from the date of land development approval to acquire the reservation area by purchase, by receipt of a dedication, or by initiating condemnation proceedings.
2. If, at the end of the 18 month period, none of the actions listed above has commenced, the developer may consider the land free of any reservation.
3. The developer may choose to dedicate the area to be reserved. If area for the construction of a greenway trail is instead dedicated to Mecklenburg County Park and Recreation, rather than reserved, such area shall count toward the required minimum open space requirement of the site under development. See Section 16.5 for open space requirements.

**E. Connections to Off-Street Public Paths or Parks**

1. A connection from a public or network-required private street to a park or off-street public path shall be provided for parcels that meet both of the following conditions:
  - a. The parcel is located between a public or network-required private street and either a park or off-street public path; and
  - b. The parcel has boundaries along a public or network-required private street equal to or greater than the preferred block length in Table 32-1.
2. The connection shall include an easement for public access for the entity having jurisdiction over the facility being connected to and may be combined with other required access such as fire, loading, or service access, provided these connections to the park or off-street public path can adequately and safely provide for both purposes.
3. All new connections shall comply with the requirements of Article 33 as well as with any other applicable provisions of this Ordinance.
4. The developer shall consult with staff of the entity having jurisdiction over the facility being connected, to in order to determine the connection location, design, and/or width of the connection when combined with other transportation facilities.
5. The entity having jurisdiction over the park or off-street public path being connected to may modify the connection location, design, or width, or eliminate the connection, due to ADA considerations, topography, concerns for public health, safety, or welfare, or other site-specific conditions.

**32.7 IMPROVEMENTS TO EXISTING STREETS**

- A. When improvements are required on existing streets per this section, the required right-of-way, per the Streets Map or the CLDSM, shall be dedicated on public streets and a permanent easement shall be recorded on network-required private streets.
- B. Construction of sidewalks and drainage facilities required per this Article shall be accomplished along the entire length of the frontage of the property abutting each publicly maintained street except as otherwise specified in this Article.

**C. Curb and Gutter**

**1. Installation of New Curb and Gutter**

Installation of new curb and gutter and the associated storm drainage, where none currently exists, is required on public streets when any of the following conditions exist:

- a. A CTR as defined by Section 32.1 requires installation.
- b. Approval of a subdivision as defined by Section 30.3.A.
- c. A new principal structure is constructed, except for residential development on properties zoned in an N1-A, N1-B, N1-C, N1-D, or N1-E Zoning District.

- d. A principal structure is expanded by 10% or more, except for expansion of a residential structure on property in an N1-A, N1-B, N1-C, N1-D, or N1-E Zoning District.
- e. An existing structure that is 5,000 square feet or more in gross floor area has:
  - i. A change of use from one use category to another use category; or
  - ii. A change of use to a transportation-intensive use within the same use category. See Table 32-2: Transportation-Intensive Uses for Each Use Category.

Table 32-2: Transportation-Intensive Uses for Each Use Category	
<b>Commercial</b>	<b>Transportation</b>
Amusement Facility - Indoor	Passenger Terminal
Hotel/Motel	Public Transit Facility
Live Performance Venue - Indoor	<b>Open Space &amp; Recreation</b>
Micro-Production of Alcohol	Private Recreation Club
Nightclub	Public Park
Restaurant/Bar	<b>Institutional/Government</b>
Retail Goods Establishment	Community Center
	Place of Worship

**2. Exceptions for New Curb and Gutter Installation**

- a. When the cumulative built-upon area will be less than 25% of the total area of the parcel, new curb and gutter may not be required. However, the CDOT Director, in consultation with the Stormwater Manager, may require certain improvements if the improvements are determined to be needed for adequate drainage or to ensure public safety.
- b. A fee may be required instead of installation of any of the improvements included in this section if a funded Community Investment Plan (CIP) project is in place that will construct the required improvements to an existing street. Right-of-way dedication shall still be required.
- c. For streets maintained by NCDOT, CDOT will coordinate with NCDOT to determine whether curb and gutter is required.

**3. Relocation of Existing Curb and Gutter**

- a. Where existing curb and gutter is not located at the required future back-of-curb location (see Table 34-1 as reference), for both public and network-required private streets, relocation to the future location is required when any of the following conditions exist:
  - i. A CTR as defined by Section 32.1 requires relocation.
  - ii. When land development approval requires turn lanes that cannot be constructed to the standard without moving the existing curb.
  - iii. When an exception for on-street waste collection has been approved per Section 21.4.E.
  - iv. Approval of a subdivision as defined by Section 30.3.A. (See exceptions in item b below.)
  - v. A new principal structure is constructed, except for residential development on properties in an N1-A, N1-B, N1-C, N1-D, or N1-E Zoning District. (See exceptions in item b below.)
  - vi. A principal structure is expanded by 50% or 5,000 square feet, whichever is greater, except for expansion of a residential structure on property in an N1-A, N1-B, N1-C, N1-D, or N1-E Zoning District. (See exceptions in item b below.)
- b. The following exceptions apply to items a.iv, a.v, and a.vi above.
  - i. For parcels located in the Neighborhood 2 Place Type, Neighborhood Center Place Type, Community Activity Center Place Type, Regional Activity Center Place Type, or Innovation Mixed-Use Place Type, or zoned the IC-2 or RC Zoning District, the following exceptions apply.



**(A) Arterial Streets**

If the property frontage is less than half the preferred block length (Table 31-1), relocation of existing curb and gutter is not required unless:

- (1) The property frontage is within a distance equal to or less than the preferred block length from a curb on the same side of the street located per the Streets Map; or
- (2) The property frontage is within a distance equal to or less than the preferred block length from a frontage that includes existing bicycle facilities and/or on-street parking, if these facilities are required for the subject parcel.

**(B) Collector and Local Streets**

All properties are exempt, but on-street parking shall be prohibited if there is not adequate space to accommodate it.

ii. For parcels located in the Neighborhood 1 Place Type, Commercial Place Type, Manufacturing and Logistics Place Type, or Parks and Preserves Place Type, or in the IC-1, ~~or OFC~~, or OG Zoning District, the following exceptions apply.

**(A) Arterial Streets**

Relocation of existing curb and gutter is not required if any of the following apply:

- (1) The property frontage is less than the full preferred block length (Table 31-1).
- (2) The property frontage is located more than a full preferred block length (Table 31-1) from a curb on the same side of the street located per the Streets Map.
- (3) The property frontage includes existing bicycle facilities and/or on-street parking, if these facilities are required for the subject parcel.

**(B) Collector and Local Streets**

All properties are exempt, but on-street parking shall be prohibited if there is not adequate space to accommodate it.

iii. Additional exceptions are listed below. However, any modifications granted from these exceptions shall not override the future curb line location as determined by the standards in Article 33.

**(A)** Curb and gutter relocation may be waived if it is determined by the CDOT Director that the required cross-section elements can be safely and functionally provided in the interim with the existing curb location.

**(B)** A fee may be required instead of relocation of any of the improvements included in this section if a funded CIP project will construct the required improvements to an existing street. Right-of-way dedication shall still be required.

**(C)** On local and collector streets, curb and gutter relocation may be waived if the required relocation will not accommodate the preservation of any heritage trees and/or any City trees meeting heritage tree criteria as defined by Article 20 that meet acceptable standards for tree health, structural integrity, and risk level as determined by the Chief Urban Forester. The CDOT Director, in consultation with the Chief Urban Forester, shall determine any required modifications.

**(D)** On arterials, the transportation facilities necessitating the movement of the curb and gutter may be modified to accommodate the preservation of heritage trees and/or any City trees meeting heritage tree criteria as defined by Article 20 that meet acceptable standards for tree health, structural integrity, and risk level as determined by the Chief Urban Forester. However, if the Planning Director, in consultation with the CDOT Director, determines the accommodation cannot be safely and functionally implemented for a critical transportation facility, the curb and gutter shall be moved.

**(E)** Where a required curb and gutter relocation will significantly impede the safe and effective conveyance of storm water or otherwise adversely affect storm drainage, the developer shall produce engineering design plans for a solution to make curb and gutter relocation feasible. If these plans demonstrate a construction scope that will cause an unusual and unnecessary hardship on the applicant or will otherwise be disproportional to the scale of the development, the CDOT Director, in consultation with the Director of Stormwater Services, may modify the requirement to relocate the curb and gutter.

**(F)** The requirement for relocation of curb and gutter, and the location of the curb and gutter, may be modified if it can be determined by CDOT in consultation with the Planning Department and Stormwater Services, that significant topographical constraints, unusual site-specific conditions related to the land, or significant utility constraints make such improvements infeasible. Significant utility constraints are limited to the presence of high voltage transmission structures.

**c.** Where existing curb and gutter is required to be relocated, the associated sidewalk shall be located and designed consistent with Article 33, street pavement shall be extended to the relocated curb and gutter per CLDSM standards, and the associated drainage per Section 34.1 shall be provided.

#### **D. Sidewalk and Amenity Zone/Planting Strip**

##### **1. New Streetscape**

**a.** All new streetscape installations shall comply with the requirements of Article 33 as well as with any other applicable provisions of this UDO. All new streetscape elements shall be located behind the future back of curb or, for Parkways, behind the right-of-way, the required amenity zone or planting strip shall be located between the future back of curb and the required sidewalk or shared-use path. All newly constructed streetscape shall also comply with any perimeter tree planting requirements as per the tree regulations in Article 20.

**b.** Where there is no existing sidewalk/shared-use path on public and network-required private streets, the required sidewalk/shared-use path and amenity zone/planting strip shall be provided when any of the below conditions exist:

- i.** A CTR as defined by Section 32.1 requires installation.
- ii.** Approval of a subdivision as defined by Section 30.3.A.
- iii.** Curb and gutter are required to be installed or relocated by Section 32.7.C.
- iv.** A new principal structure is constructed.
- v.** For an existing structure that is 1,500 square feet or more in gross floor area when there is a change of use that:
  - (A)** Is from one use category to another use category and that increases trips; or
  - (B)** Is to a transportation-intensive use within the same use category (Table 32-2) and that increases trips.
- vi.** An existing building is expanded by 1,000 or more square feet.
- vii.** Additional parking is added that requires a new sidewalk in order to provide a complete pedestrian connection between the parking area and the principal use of the parcel.
- viii.** Outdoor dining of 1,000 or more square feet is installed or outdoor dining is expanded by 1,000 or more square feet.

- c. The following exceptions to new streetscape requirements apply:
  - i. Residential uses in the Neighborhood 1 Place Type are exempt from items b.iv, b.vi, and b.vii above, except when part of an approval of a new subdivision as defined by Section 30.3.A.
  - ii. A fee may be required instead of installation of any of the improvements included in this section if a funded CIP project is in place that will construct the required improvements to an existing street. Right-of-way dedication shall still be required.
- d. The requirement to construct new streetscape and the associated streetscape standards found in Article 33 may be modified if it can be determined by the Planning Department, in consultation with CDOT, that significant topographical constraints, unusual site-specific conditions related to the land, or significant utility constraints make such improvements infeasible. Significant utility constraints are limited to the presence of high voltage transmission structures.

## 2. Existing Streetscape

- a. Existing sidewalks/shared-use paths and amenity zones/planting strips on public and network-required private streets shall be updated to meet current standards, including those of Article 33 and any other applicable provisions of this UDO, when any of the below conditions exist. All updated streetscape shall be located behind the future back of curb, and the required amenity zone or planting strip shall be located between the future back of curb and the required sidewalk or multi-use path. All updated streetscape shall also comply with any perimeter tree planting requirements as per the tree regulations in Article 20.
  - i. A CTR as defined by Section 32.1 requires streetscape updates.
  - ii. Approval of a subdivision as defined by Section 30.3.A.
  - iii. Curb and gutter are required to be installed or relocated by Section 32.7.C.
  - iv. A new principal structure is constructed.
- b. Sidewalks/shared-use paths are substandard when they are two feet or more less than the required minimum width. Amenity zones/planting strips are substandard if they are less than six feet in width. Substandard sidewalks/shared-use paths and amenity zone/planting strips shall be updated to meet current standards if any of the following conditions exist:
  - i. For an existing structure that is 5,000 square feet or more in gross floor area when there is a change of use that:
    - (A) Is from one use category to another use category and that increases trips, or
    - (B) Is to a transportation-intensive use within the same use category (Table 32-2) and that increases trips; or
  - ii. An existing building is expanded by 1,000 square feet or more.
  - iii. Four or more parking spaces are added and the additional parking requires a new sidewalk in order to provide a complete pedestrian connection between the parking area and the principal use of the property.
  - iv. Outdoor dining of 1,000 or more square feet is installed or outdoor dining is expanded by 1,000 or more square feet.
  - v. Any development which removes any portion or portions of substandard sidewalk along an arterial, greater than 30 linear feet, during construction shall be required to replace that removed sidewalk with a sidewalk and planting strip that meets the standards of Article 33.
  - vi. Any development which removes or damages any portion or portions of substandard sidewalk along an arterial street, which amounts to more than 50% of that property's frontage width along that

arterial, shall be required to replace all substandard sidewalk along that property's arterial frontage with a sidewalk and planting strip that meets the standards of Article 33.

c. The following exceptions apply to the requirements to improve the existing streetscape:

i. Residential uses in the Neighborhood 1 Place Type are exempt from items a.iv and b.ii above for the following:

(A) Development on collector and local streets.

(B) Development of a single-family, duplex, triplex, or quadraplex dwelling on an arterial street.

ii. Nonresidential uses in the Neighborhood 1 Place Type are exempt from items b.i, b.ii, and b.iii above for collector and local frontages.

iii. A fee may be required instead of the required improvements included in this section if a funded CIP project is in place that will construct the required improvements to an existing street. Right-of-way dedication shall still be required.

iv. The requirement to update existing streetscape and the associated streetscape standards found in Article 33 may be modified if it can be determined by the Planning Department, in consultation with CDOT, that significant topographical constraints, unusual site-specific conditions related to the land, or significant utility constraints make such improvements infeasible. Significant utility constraints are limited to the presence of high voltage transmission structures.

### 3. Streetscape Modifications for Tree Preservation

The Chief Urban Forester, in consultation with the CDOT Director, may modify the streetscape requirements and the associated streetscape standards found in Article 33 to accommodate the preservation of trees meeting acceptable standards for tree health, structural integrity, and risk level as determined by the Chief Urban Forester. If a modification to the location of the required sidewalk is necessary, then the location of the required sidewalk shall be prioritized in descending order as follows:

- a. Sidewalk located between trees and building.
- b. Sidewalk located between curb and trees, with substandard planting strip permitted.
- c. Sidewalk located at the back of curb, with an additional foot of width added.

Sidewalk widths may be modified to no less than five feet. On arterials with sidewalks located at back of curb, sidewalk widths may be modified to no less than six feet. Modification for sidewalk location or width shall be for the minimum length of sidewalk necessary to accommodate the preservation of trees meeting acceptable standards for tree health, structural integrity, and risk level as determined by the Chief Urban Forester.

### 4. Constrained Space

The following constrained space standards shall be used where there is less than the required space for a complete streetscape between the face of an existing building that will not be replaced and the back of curb.

- a. Where a sidewalk is required and there is ten feet or more between the face of the building and the back of curb, the available space shall be evenly divided between sidewalk and amenity zone/planting strip. When less than ten feet is available between the face of the building and the back of curb, see Table 32-3: Constrained Space Division When Sidewalk Required to determine use of space.

Table 32-3: Constrained Space Division When Sidewalk Required		
Amount of Space Available	Sidewalk	Remaining Space
Less than 4'	Not required	Hardscape, or planted with grass or groundcover
Less than 8' but 4' or greater	Entire space required to be sidewalk	All sidewalk required
Less than 10' but 8' or greater	Minimum sidewalk width required per Table 34-4	Remaining space can be hardscape, or planted with grass or groundcover

b. Where a shared-use path is required, the available space shall be evenly divided between a shared use path and amenity zone/planting strip. If, after evenly dividing the constrained space there is more than eight feet available allocated to the amenity zone/planting strip, then such extra space shall then be allocated to the shared-use path.

c. When less than 16 feet is available between the face of the existing building that will not be replaced and the back of curb, see Table 32-4: Constrained Space Division When Shared-Use Path Required to determine use of space.

Table 32-4: Constrained Space Division When Shared-Use Path Required		
Amount of Space Available	Shared-Use Path	Remaining Space
Less than 4'	Not required	Hardscape, or planted with grass or groundcover
Less than 8' but 4' or greater	Entire space required to be sidewalk, instead of shared-use path	All sidewalk required
Less than 13' but 8' or greater	8' shared-use path required	Remaining space can be hardscape, or planted with grass or groundcover
Less than 16' but 13' or greater	8' shared-use path required	Remaining space to be amenity zone or planting strip.

d. If the Chief Urban Forester determines that there is not adequate room for tree planting between the building and the curb after the required sidewalk or shared-use path area is deducted and if on-street parking is not provided, the sidewalk/shared-use path may extend across the full width of the area, or the remainder of the area shall be planted with grass or groundcover. Grass or groundcover shall not be used when less than two feet remain after the sidewalk area is deducted.

e. If the Chief Urban Forester determines that there is not adequate room for tree planting between the building and the curb after the required sidewalk or shared-use path area is deducted and if on-street parking is provided, the sidewalk/shared-use path shall extend across the full width of the area.

### 32.8 EXISTING UNIMPROVED RIGHTS-OF-WAY

Where residential development occurs on an existing lot of record abutting unimproved right-of-way, and that right-of-way is the only access to the lot, the provisions below shall apply:

- A. The right-of-way shall be graded only to the extent necessary to provide clear driveway access to the lot.
- B. An access driveway shall be constructed of gravel, asphalt, or concrete.
- C. Any existing utilities in the right-of-way shall be identified prior to construction and either left undisturbed or relocated, as determined in consultation with the appropriate utility provider.
- D. Any new utilities required for service to the lot shall not block access for other lots adjoining the right-of-way.
- E. If the unimproved access currently has a barricade, such barricade shall be removed subject to City approval.
- F. If there is sufficient right-of-way, and the property owner agrees to construct a street with the appropriate cross-section as shown in the CLDSM, the street may be eligible to be maintained by the applicable agency (or agencies) with jurisdiction over such approval.

## **Article 33. Standards for Streets, Off-Street Public Paths, & Cross-Access**

- 33.1 TECHNICAL STANDARDS**
- 33.2 CHARLOTTE STREETS MAP**
- 33.3 STREET DESIGN**
- 33.4 UPTOWN STREETScape DESIGN**
- 33.5 OFF-STREET PUBLIC PATHS**
- 33.6 CROSS-ACCESS**

### **33.1 TECHNICAL STANDARDS**

Construction and technical details for streets, including in-street drainage and water and sewer utilities, off-street public paths, and cross-access are available in one or more of the following:

- A.** Charlotte Land Development Standards Manual (CLDSM)
- B.** Charlotte-Mecklenburg Storm Water Services Design Manual
- C.** Charlotte Water, Water and Sewer Design and Construction Standards
- D.** CATS Bus Stops – Special Details
- E.** Other city code, state, or federal regulations

### **33.2 CHARLOTTE STREETS MAP**

The Charlotte Streets Map (Streets Map) shows the location of existing and planned future arterial and collector streets, and any shared-use paths located along local streets. Collector streets not indicated on the Streets Map shall be located per the standards of Section 32.5.E.

### **33.3 STREET DESIGN**

- A.** Table 33-1: Street Design provides a reference for the required location, dimensions, and standards for each street classification.

**Table 33-1: Street Design**

	Street Classification						
	Limited Access	Arterials			Collector	Local	Uptown Streets
		Parkway	Avenue/Blvd	Main Street			
<b>New Street – Location and Classification</b>	Streets Map	Streets Map	Streets Map	Streets Map or Sec. 32.5.D	Streets Map or Sec. 32.5.E	If not shown on Streets Map as Limited Access, Arterial, or Collector, or if not established as new Main Street or Collector, then classified as Local; Table 33-2 determines the required local street type	Streets Map
<b>Existing Street – Classification</b>	Streets Map	Streets Map	Streets Map	Streets Map	Streets Map		Streets Map
<b>Future Back of Curb Location</b>	N/A	N/A	Streets Map	Streets Map	CLDSM	CLDSM	Streets Map
<b>Curb and Gutter</b>	N/A	N/A	Standard curb and gutter per CLDSM	Standard curb and gutter per CLDSM	Standard curb and gutter per CLDSM; In the N1-A, N1-B, or N1-C Zoning Districts, may be standard or valley gutter	Standard curb and gutter per CLDSM; In the Neighborhood 1 Zoning Districts, may be standard or valley gutter	See Table 33-6
<b>Right-of-Way Width Measurement</b>	Streets Map	Streets Map	Streets Map <sup>1</sup>	Streets Map <sup>1</sup>	CLDSM <sup>1</sup>	CLDSM <sup>1, 2</sup>	Measured to the setback location per Streets Map classification and Table 33-6

<sup>1</sup> The minimum right-of-way is measured to the back of the required sidewalk/shared-use path. If building is two feet or more behind the required shared-use path, the right-of-way shall be increased by two feet or shall be put in a sidewalk utility easement (SUE).

<sup>2</sup> Or as reflected on a recorded public access easement for private local streets.

B. Table 33-2: Local Street Matrix describes the type of local street required within each Place Type.

Table 33-2: Local Street Matrix										
Local Street Types	Place Type									
	Neighborhood 1	Neighborhood 2	Neighborhood Center	Community Activity Center	Regional Activity Center	Commercial	Campus	Innovation Mixed-Use	Manufacturing and Logistics	Parks and Preserves
<b>Residential Medium</b>	Allowed for N1-A, N1-B, N1-C, and N1-D Zoning Districts	Allowed for Condition 1								
<b>Residential Wide</b>	Required unless zoned N1-A, N1-B, N1-C, or N1-D Zoning District	Required unless Condition 1	Allowed for Condition 3	Allowed for Condition 3	Allowed for Condition 3			Allowed for Condition 3		
<b>Office/Commercial Narrow</b>						Allowed for Condition 2	Allowed for Condition 2 for OFC <u>or</u> OG Zoning District			Allowed for Condition 2
<b>Office/Commercial Wide</b>			Required unless Condition 3	Required unless Condition 3	Required unless Condition 3	Required unless Condition 2	Required unless Condition 2 and zoned OFC <u>or</u> OG Zoning District	Required unless Condition 3		Required unless Condition 2
<b>Industrial</b>									Required	

**CONDITIONS**

**Condition 1** – The developer can reasonably demonstrate to the Planning Department, in consultation with the Charlotte Department of Transportation (CDOT), that alternative provisions can be made to ensure adequate on-site parking.

**Condition 2** – The developer can reasonably demonstrate to the Planning Department, in consultation with CDOT, that the anticipated long-term development will not create parking demand on the street.

**Condition 3** – Allowed for a residential development that abuts N1 or N2 zoning districts along an existing local street, if the developer can reasonably demonstrate to the Planning Department, in consultation with CDOT, that the change will not affect the function of the street or the adjacent street network for parking, loading, maneuvering, and/or access.

**NOTE:** While a common design for parking and streetscape on both sides of a local street is preferred, there may be instances where opposite sides of a local street contain different Place Types. In such instances, the Planning Department, in consultation with CDOT, may approve the design of each side of the local street separately regarding the parking and streetscape so long as the resulting corridor operates in a functional and cohesive manner.

New partial streets shall be constructed to the standards of the required local street cross-section per this table, not including streetscape on the incomplete portion of the partial street.



C. Table 33-3: Streetscape Reference provides a reference for the required sidewalk/shared-use path and amenity zone or planting strip for each street classification.

Table 33-3: Streetscape Reference							
	Street Classification						
	Limited Access	Arterials			Collector	Local	Uptown Streets
		Parkway	Avenue/Blvd	Main Street			
<b>Sidewalk/ Shared-Use Path Dimension</b>	N/A; Unless indicated on Streets Map <sup>1</sup>	Streets Map <sup>1</sup>	Streets Map	Streets Map	See Table 33-4, unless a Shared-Use Path shown on Streets Map	See Table 33-4, unless a Shared-Use Path shown on Streets Map	See Table 33-6
<b>Required Amenity Zone or Required Planting Strip<sup>2</sup></b>	Planting Strip <sup>3</sup>	Planting Strip <sup>3</sup>	Streets Map <sup>4</sup>	Streets Map	See Table 33-5	See Table 33-5	Amenity Zone
<b>Required Amenity Zone or Required Planting Strip Dimension</b>	8 feet <sup>5</sup>						See Table 33-6 <sup>5</sup>

<sup>1</sup> Any pedestrian facilities on Limited Access roads and Parkways will be in the form of a shared-use path located either in a sidewalk utility easement outside the right-of-way or, with NCDOT approval, at the back of the right-of-way.

<sup>2</sup> Where the area between the sidewalk and the back of curb is three feet or more than the required minimum width of an amenity zone, grass or groundcover is permitted in the area that exceeds the required minimum width. If the area between the sidewalk and the back of curb is three feet or less than the required minimum width of an amenity zone, the amenity zone shall extend to the back of curb.

<sup>3</sup> Location of trees may be required to be outside the clear zone for North Carolina Department of Transportation (NCDOT) facilities.

<sup>4</sup> If the Charlotte Streets Map requires an amenity zone, a planting strip is permitted instead of an amenity zone for the TOD-TR Zoning District.

<sup>5</sup> If the Chief Urban Forester determines that planting trees in the required planting strip or amenity zone is not feasible due to shallow depth of existing underground utilities, the required trees may be relocated behind the sidewalk. In that case, a minimum four foot planting strip, planted with grass or groundcover, shall be retained for collector and local streets. A minimum eight foot planting strip planted with grass or groundcover shall be retained for arterials.

D. Table 33-4: Sidewalk Dimensions – Collector and Local Streets contains the required dimensions for sidewalks on collector and local streets based on Place Type. For collector and local streets, a shared-use path shall be required instead of a sidewalk when shown on the Charlotte Streets Map.

Table 33-4: Sidewalk Dimensions – Collector and Local Streets		
Place Type	Sidewalk - 6 feet	Sidewalk - 8 feet
Neighborhood 1	Collector & Local	
Neighborhood 2		Collector & Local
Neighborhood Center		Collector & Local
Community Activity Center		Collector & Local
Regional Activity Center		Collector & Local
Commercial	Collector & Local	
Campus	Collector & Local, if zoned the OFC, <u>OG</u> , or IC-1 Zoning Districts	Collector & Local for all other zoning districts
Innovation Mixed-Use		Collector & Local
Manufacturing and Logistics	Collector & Local	
Parks and Preserves	Collector & Local, for all zoning districts not listed to the right	Collector & Local, if zoned a Neighborhood Center Zoning District, Community Activity Center Zoning District, Regional Activity Center Zoning District, Innovation Mixed-Use Zoning District, or IC-2 or RC Zoning Districts

E. Table 33-5: Amenity Zone or Planting Strip – Collector and Local Streets indicates when amenity zones or planting strips are required and allowed based on Place Type.

Table 33-5: Amenity Zone or Planting Strip – Collector and Local Streets		
Place Type	Amenity Zone	Planting Strip <sup>3</sup>
Neighborhood 1 <sup>1</sup>	Allowed instead of a planting strip	Required
Neighborhood 2 if zoned N2-A, N2-B <sup>1</sup> Zoning Districts	Allowed instead of a planting strip	Required
Neighborhood 2 if zoned N2-C Zoning District	Required when abutting on-street parking	Allowed when not abutting on-street parking
Neighborhood Center	Required when abutting on-street parking	Allowed when not abutting on-street parking
Community Activity Center <sup>2</sup>	Required when abutting on-street parking	Allowed when not abutting on-street parking
Regional Activity Center <sup>2</sup>	Required when abutting on-street parking	Allowed when not abutting on-street parking
Commercial	Required when abutting on-street parking	Allowed when not abutting on-street parking
Campus if zoned IC-1, OFC, <u>OG</u> <sup>1</sup> Zoning Districts	Allowed instead of a planting strip	Required
Campus if zoned IC-2 or RC Zoning District	Required when abutting on-street parking	Allowed when not abutting on-street parking
Innovation Mixed-Use	Required when abutting on-street parking	Allowed when not abutting on-street parking
Manufacturing and Logistics <sup>1</sup>	Allowed instead of a planting strip	Required
Parks and Preserves <sup>1</sup>	Allowed instead of a planting strip	Required

<sup>1</sup> Planting strips are the standard requirement for these Place Types. Amenity zones may be allowed if the Chief Urban Forester, in consultation with the CDOT Director and Planning Director, determines installation of an amenity zone supports the listed urban forest characteristics for the corresponding Place Type while also supporting other key interests (transportation, sidewalks, etc.)

<sup>2</sup> Planting strips are permitted instead of an amenity zone in the TOD-TR Zoning District.

<sup>3</sup> Planting strips are permitted for any zoning district located within the Water Supply Watershed Protection Areas per Article 23.

### 33.4 UPTOWN STREETScape DESIGN

Table 33-6: Uptown Streetscape Design Elements contains the required dimensions for sidewalks and amenity zones and indicates streetscape requirements for amenity zone elements, pavers, lighting, and curb design for Uptown Streets.

Table 33-6: Uptown Streetscape Design Elements					
	Uptown Street Classifications				
	Uptown Signature Street	Linear Park	Uptown Primary	Uptown Secondary	Tryon Street <sup>1</sup>
<b>Sidewalk/ Shared-Use Path Dimension</b>	12'	12'	10'	8'	12'
<b>Required Amenity Zone Dimension</b>	9.5'	9.5'	8'	8'	9.5'
<b>Amenity Zone Elements</b>	Tree Grates <sup>2</sup>	Planter no more than 16' in width	Tree Grates <sup>2</sup>	Tree Grates	Tree Grates <sup>2</sup>
<b>Pavers</b>	CLDSM <sup>3</sup>	CLDSM <sup>3</sup>	CLDSM <sup>3</sup>	CLDSM <sup>3</sup>	Tryon Street Mall Streetscape Guidelines
<b>Pedestrian Lighting<sup>4</sup></b>	Required-Open Deluxe Acorn with 60'-80' spacing <sup>4</sup>	Required-Open Deluxe Acorn with 60'-80' spacing <sup>4</sup>	Required-Open Deluxe Acorn with 60'-80' spacing <sup>4</sup>	Required-Open Deluxe Acorn with 60'-80' spacing <sup>4</sup>	Required to match existing
<b>Curb and Gutter</b>	Granite Curb	Granite Curb	Standard per CLDSM	Standard per CLDSM	Required to match existing

<sup>1</sup> Tryon Street (within Uptown) shall follow existing Tryon Street Mall Streetscape Guidelines for amenity zone elements, pavers, lighting, and curb design but shall otherwise be classified as an Uptown Signature Street.

<sup>2</sup> Utilities are required in Tree Grates.

<sup>3</sup> Concrete paver blocks in herringbone are permitted under encroachment agreement from applicable agency.

<sup>4</sup> Pedestrian lighting spacing is based on proximity to trees and street lighting, as determined by CDOT. Typically, where trees are spaced 40' apart, provide lighting at 80' spacing, alternating between pedestrian lighting and street lighting. Where trees are spaced 30' apart, provide lighting at 60' spacing with one street light for every two pedestrian lights.

### 33.5 OFF-STREET PUBLIC PATHS

#### A. Transit Trail

1. The minimum width of a transit trail, and any required planting strip or other elements, are based on the applicable Council-adopted transit trail plan.
2. No tree planting associated with the construction of a transit trail is required unless indicated by a Council-adopted transit trail plan.

#### B. Connections to Off-Street Public Paths or Parks

The minimum width of a connection to an off-street public path or park is twelve feet. If combined with other required access such as fire, loading, or service access, then the connection shall meet the greater of the required dimensions. The developer shall consult with the staff of the entity having jurisdiction over the facility being connected to in order to determine if any design and/or width modifications are necessary to ensure that any intended purposes can be provided adequately and safely.

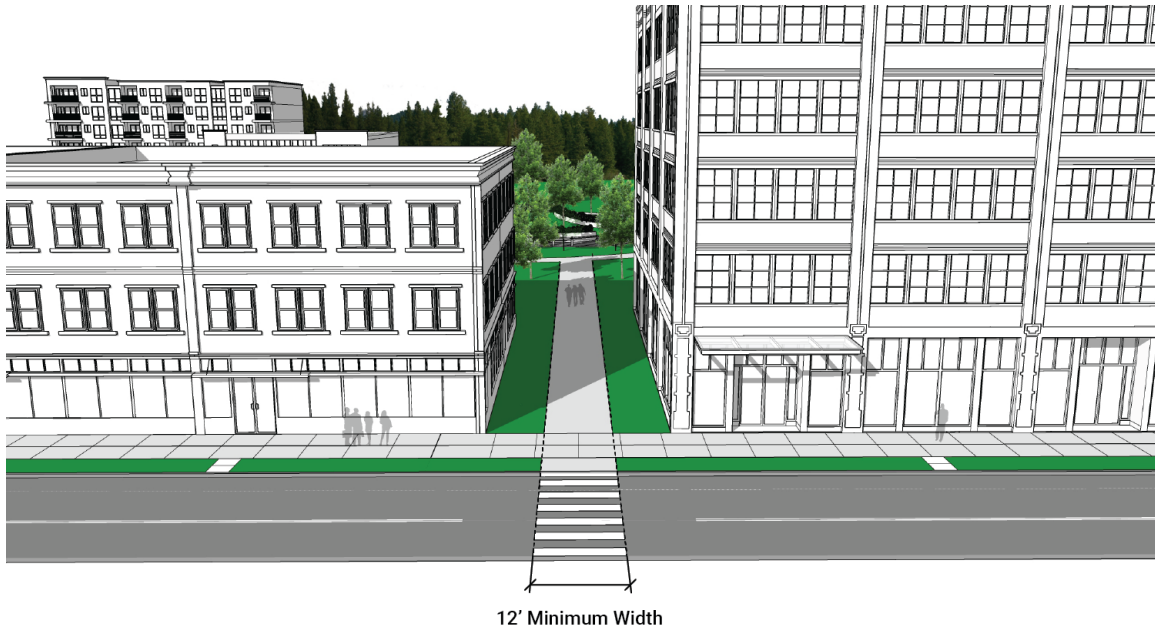
#### C. Pedestrian and Bicycle Connection

1. For parcels located in the Neighborhood 2 Place Type, Neighborhood Center Place Type, Community Activity Center Place Type, Regional Activity Center Place Type, or Innovation Mixed-Use Place Type, or zoned the IC-2 or RC Zoning District, the minimum width of a pedestrian and bicycle connection shall be twelve feet, with five feet abutting each side of the path.
  - a. No buildings or structures shall be in the five foot area abutting each side of the path.
  - b. No fixed obstacles to pedestrian or bicycle traffic shall be within two feet of the path's edge.

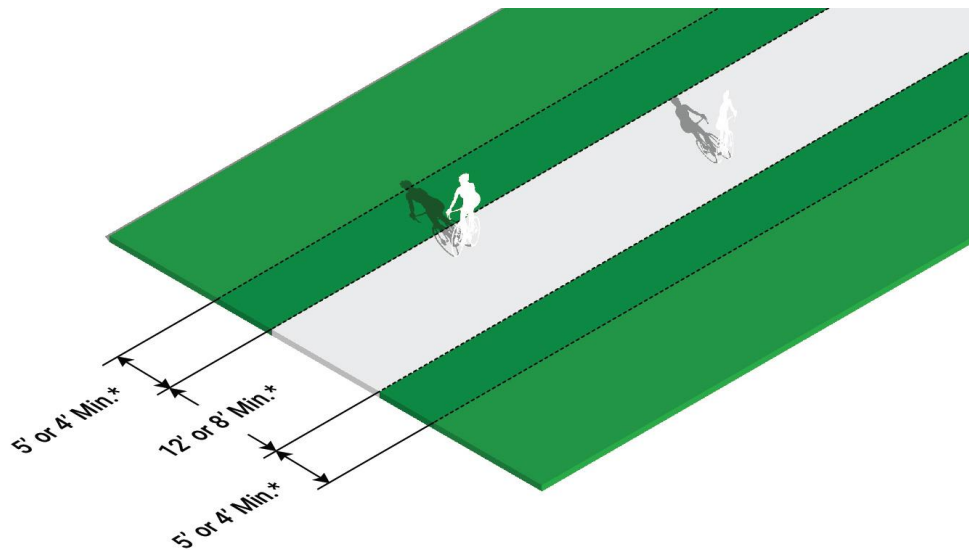
2. For parcels located in the Neighborhood 1 Place Type, Commercial Place Type, or Manufacturing and Logistics Place Type, or zoned the IC-1, ~~or OFC,~~ or OG Zoning District, the minimum width of a pedestrian and bicycle connection shall be eight feet, with four feet abutting each side of the path.

- a. No buildings or structures shall be in the four foot area abutting each side of the path.
- b. No fixed obstacles to pedestrian or bicycle traffic shall be within two feet of the path's edge.

**CONNECTIONS TO OFF-STREET PUBLIC PATHS OR PARKS**



**PEDESTRIAN AND BICYCLE CONNECTION**



\* (By Place Type or Zoning District, as applicable)

### **33.6 CROSS-ACCESS**

A cross-access connection shall have a minimum 20 foot wide two-way paved connection.