

## Article 4. Neighborhood 1 Zoning Districts: N1-A, N1-B, N1-C, N1-D, N1-E, N1-F

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### 4.1 PURPOSE

The Neighborhood 1 Zoning Districts respect the character and development patterns of Charlotte's established residential neighborhoods and promote new residential neighborhood development in a manner that implements the City's vision for the future. The N1-A through N1-E Zoning Districts allow for the development of single-family, duplex, and triplex dwellings on all lots. Additionally, quadraplex dwellings are allowed on arterial streets in these zoning districts when an affordable housing unit is provided within the dwelling. The N1-F Zoning District allows all dwelling types allowed in N1-A through N1-E Zoning Districts, as well as small-scale multi-family dwellings, and is intended for application typically on arterial streets within Neighborhood 1 Place Type.

Specific standards within each of the zoning districts address building form and promote context-sensitive, compatible neighborhood development. The Neighborhood 1 Zoning Districts also allow for select nonresidential uses, such as places of worship and educational facilities, and for the reuse of existing neighborhood commercial establishments under prescribed conditions.

#### A. N1-A Neighborhood 1 Zoning District

The N1-A Zoning District allows for the development of residential dwellings on lots of 10,000 square feet or greater. The N1-A Zoning District is typically applied to established neighborhoods.

#### B. N1-B Neighborhood 1 Zoning District

The N1-B Zoning District allows for the development of residential dwellings on lots of 8,000 square feet or greater. The N1-B Zoning District is typically applied to established neighborhoods.

#### C. N1-C Neighborhood 1 Zoning District

The N1-C Zoning District allows for the development of residential dwellings on lots of 6,000 square feet or greater. The N1-C Zoning District is typically applied to established neighborhoods.

#### D. N1-D Neighborhood 1 Zoning District

The N1-D Zoning District allows for the development of residential dwellings on lots of 3,500 square feet or greater.

#### E. N1-E Neighborhood 1 Zoning District

The N1-E Zoning District allows for the development of residential dwellings on lots of 3,000 square feet or greater.

#### F. N1-F Neighborhood 1 Zoning District

The N1-F Zoning District allows for the development of residential dwellings on lots of 3,000 square feet or greater and is intended to be applied predominantly along arterials.

### 4.2 USES

Article 15 lists permitted, temporary, and accessory uses for the Neighborhood 1 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.

### 4.3 DIMENSIONAL AND DESIGN STANDARDS

#### A. General

1. The tables below include the dimensional and design standards for the Neighborhood 1 Zoning Districts. Abbreviation included shall be interpreted as follows: MF = Multi-family. (Additional abbreviations are described in Section 2.2.)
2. Where this Ordinance refers to frontages in general, a transit station, off-street public path, or public park shall not be considered a frontage within the Neighborhood 1 Zoning Districts.

3. In the tables below, where a cell contains a standard or a “✓” the standard shall be applicable. Where a cell is blank and shaded, the standard shall not apply.

**B. 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.

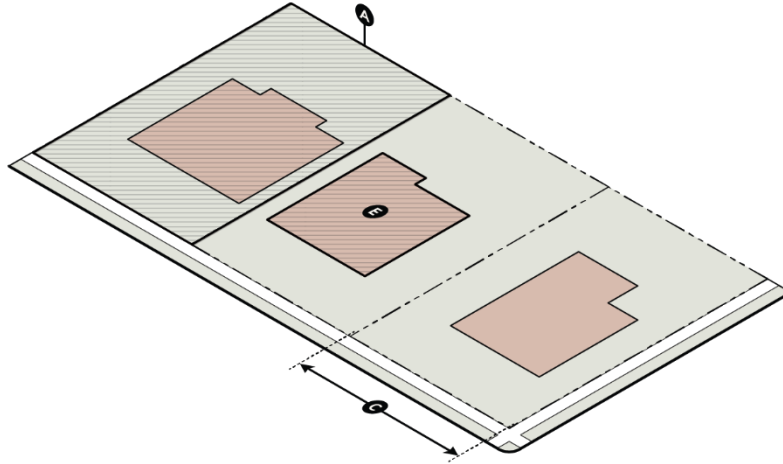
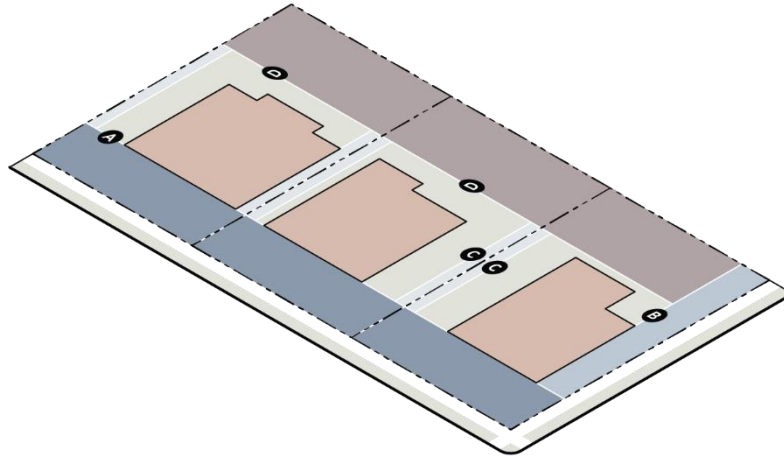


Table 4-1: Neighborhood 1 Zoning Districts Lot Standards <sup>1</sup>							
		N1-A	N1-B	N1-C	N1-D	N1-E	N1-F
<b>A</b>	<b>Minimum Lot Area – Residential</b> (square feet)	10,000	8,000	6,000	3,500	3,000	3,000
<b>B</b>	<b>Minimum Lot Area – Nonresidential and Mixed-Use</b> (square feet)	12,000	12,000	12,000	12,000	12,000	12,000
<b>C</b>	<b>Minimum Lot Width – Residential</b> (feet)	70	60	50	40	30	30 MF: 50
<b>D</b>	<b>Minimum Lot Width – Nonresidential and Mixed-Use</b> (feet)	70	70	70	70	70	70
<b>E</b>	<b>Maximum Building Coverage (%)</b>	Lots 10,000 square feet and greater: 40 Lots Less than 10,000 square feet: 50					

<sup>1</sup> Lot Standards do not apply to individual sublots but do apply to the parcel on which the subplot(s) is located.

### C. 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 4-2: Neighborhood 1 Zoning Districts Building Siting Standards**

		N1-A	N1-B	N1-C	N1-D	N1-E	N1-F
<b>A</b>	<b>Min. Front Setback from Street</b> (Measured from Right-of-Way) (feet) <sup>1, 2, 3, 4, 6</sup>	27	27	17	17	10	17
<b>B</b>	<b>Min. Corner Side Setback from Street</b> (Measured from Right-of-Way) (feet) <sup>4, 5, 6</sup>	13.5	13.5	10	10	10	10
<b>C</b>	<b>Minimum Side Setback</b> (feet)	5	5	5	5	5	5
<b>D</b>	<b>Minimum Rear Setback</b> (feet)	40	35	30	25	20	20

- <sup>1</sup> Front setbacks shown on a plat recorded at the Register of Deeds shall supersede required zoning district front setbacks.
- <sup>2</sup> The following alternative setback standards may be used for an established blockface that is at least 25% developed or has at least four existing dwellings:
  1. A new single-family, duplex, or triplex dwelling on an established blockface shall be located at or behind the average of the front setback of the two closest residential buildings on the same blockface.
  2. In no case shall the minimum setback be less than ten feet or intrude into a required clear sight triangle at an intersection (Section 16.1).
- <sup>3</sup> In the case of a lot abutting both a local or collector street and a parallel arterial street (through lot), buildings shall orient toward the local or collector street.
- <sup>4</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>5</sup> When the corner side setback is located along an arterial street, the corner side setback shall be subject to the minimum front setback dimension for the zoning district.
- <sup>6</sup> Street includes public and network-required private streets. For network-required private streets, front setback is measured from the back of curb, and shall be as indicated for the zoning district, plus an additional 14 feet.

**D. Building Height**

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

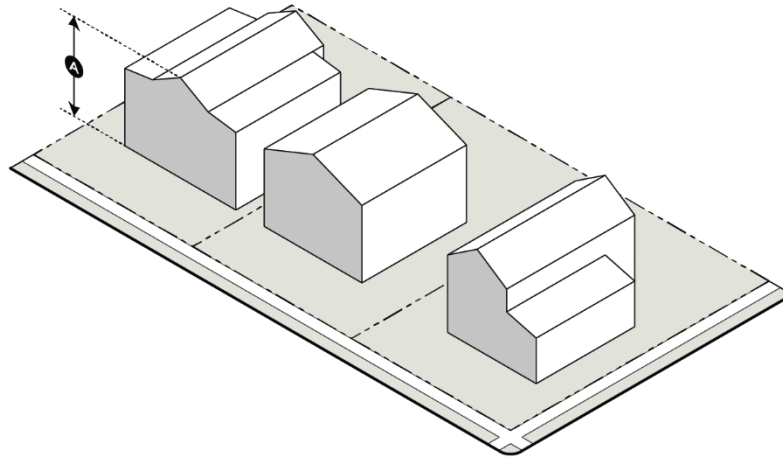
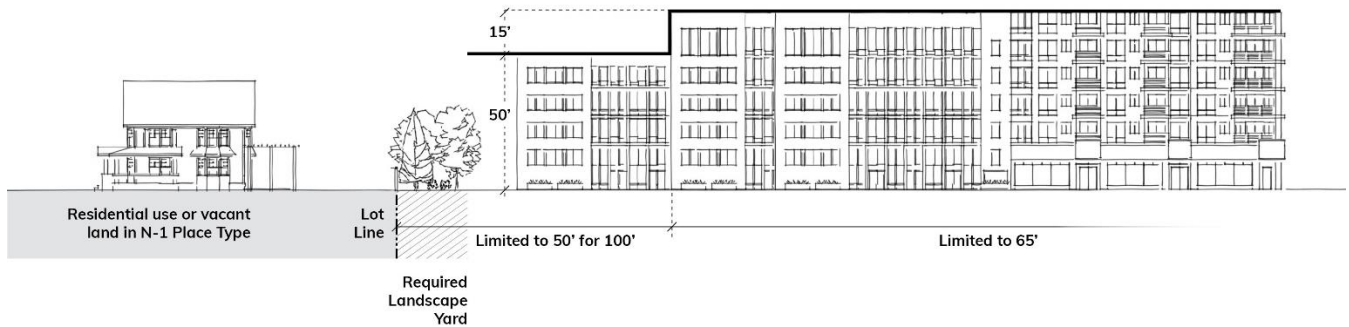


Table 4-3: Neighborhood 1 Zoning Districts Building Height Standards							
		N1-A	N1-B	N1-C	N1-D	N1-E	N1-F
<b>A</b>	<b>Maximum Building Height – Residential (feet)</b> <sup>1</sup>	48	48	40	40	40	48
<b>B</b>	<b>Maximum Building Height – Nonresidential and Mixed-Use (feet)</b> <sup>1,2,3</sup>	48	48	48	48	48	48

- <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. Building heights for all portions of a structure shall be measured from the average grade established for the whole building.
- <sup>3</sup> Building height may be increased by one foot for each additional one foot of building setback from required side and rear setbacks to a maximum height of 65 feet.



## **1. Maximum Sidewall Height for Duplexes and Triplexes**

All duplex and triplex buildings within the Neighborhood 1 Zoning Districts shall meet the maximum sidewall height regulations below.

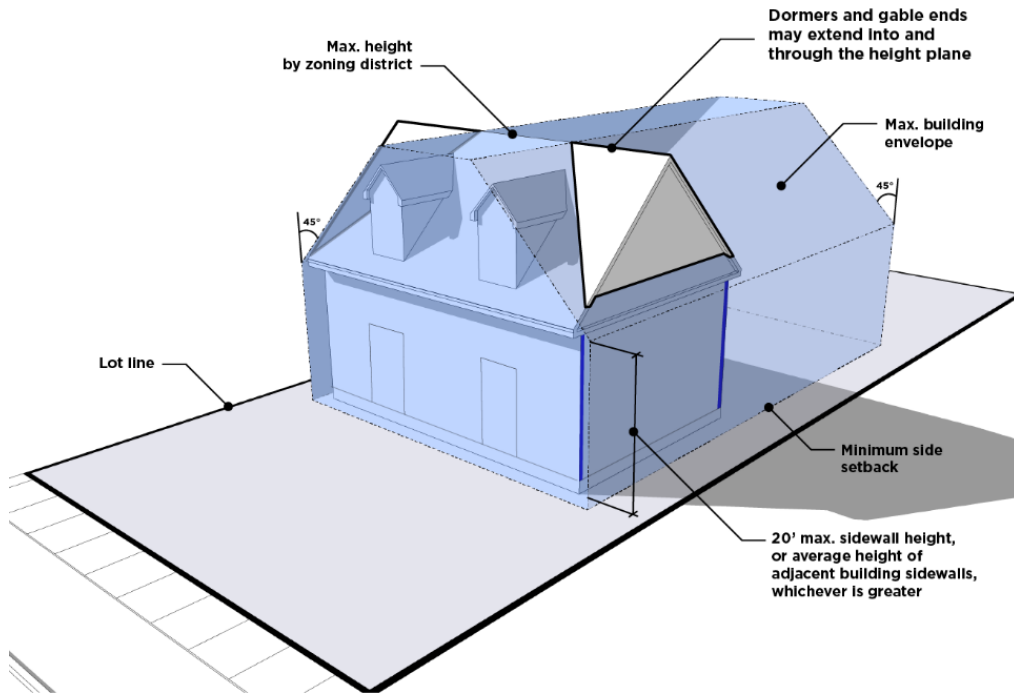
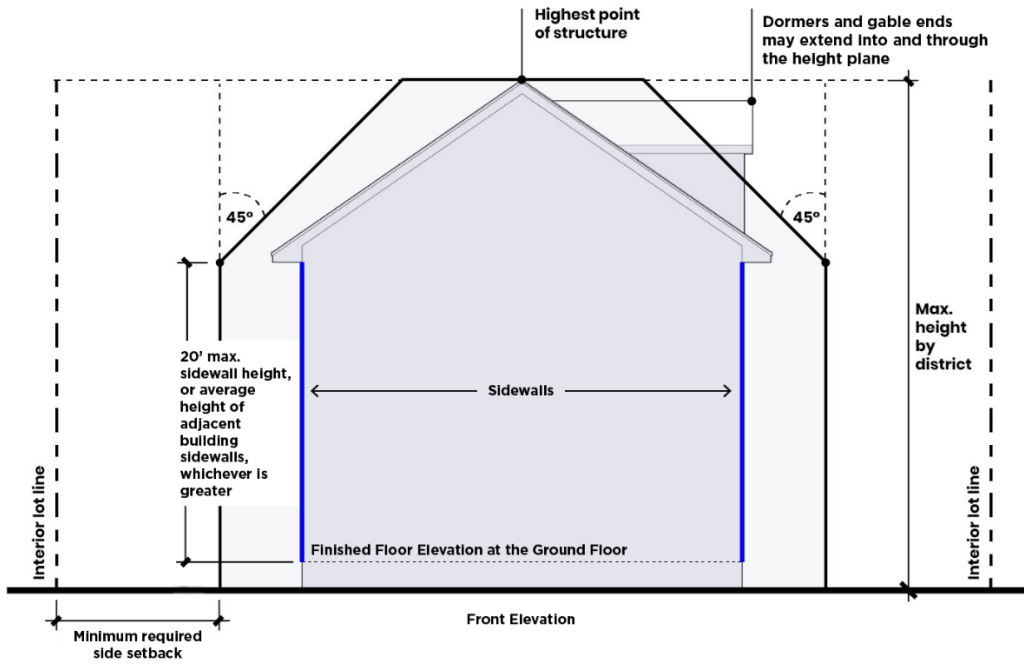
- a.** The sidewall height for all duplex and triplex buildings is limited to 20 feet. The sidewall height may be increased above 20 feet if the average height of the facing sidewalls of the single-family, duplex, or triplex buildings on both sides of the lot exceeds 20 feet. In such case, the sidewall height of the subject duplex or triplex building may be increased up to this average height.
  - i.** Sidewalls shall be measured from the finished floor elevation at the ground floor to the eave or, if no eave is present on the building, to the bottom of the finished roof plane.
  - ii.** For a lot that does not have single-family, duplex, or triplex buildings on both sides of the lot, the two closest single-family, duplex, or triplex buildings on the same blockface are used for averaging.
  - iii.** When a sidewall height of greater than 20 feet is proposed, a sidewall height survey of the relevant single-family, duplex, or triplex buildings is required at the time of plan submittal.
- b.** If no single-family, duplex, or triplex buildings exist on the same blockface as a new duplex or triplex building under development, the maximum building height for the zoning district controls.
- c.** When an existing local street is extended for a new subdivision, as defined by Section 30.3.A, a 50' wide landscape yard may be used to establish a new blockface if it meets the following:
  - i.** The landscape yard shall be planted to Class B standards, per Table 20-2, for each 25' of width of landscape yard.
  - ii.** The landscape yard shall abut, and be the depth of, the last existing residential lot(s) prior to the new local street extension.
  - iii.** The new blockface shall only be for the purposes of establishing the maximum sidewall height requirements of this Section.

## **2. Building Height Plane for Duplexes and Triplexes**

In addition to the maximum building height requirement for the zoning district, all duplex and triplex buildings within the Neighborhood 1 Zoning Districts shall meet the building height plane regulations below.

- a.** One additional foot of height, above the maximum permitted sidewall height at the required minimum side setback, is allowed for each additional one foot in distance the portion of the building is located from the required minimum side setback. This establishes a building height plane of 45 degrees. The building height plane does not allow an increase in the maximum sidewall height. Buildings may not exceed the maximum building height of the zoning district.
- b.** Dormers and gable ends may extend into and through the 45 degree building height plane but shall comply with the maximum building height. The cumulative width of dormers extending into and through the building height plane shall be limited to 25% of the depth of the sidewall.

## BUILDING HEIGHT PLANE (DUPLEX AND TRIPLEX)



**E. 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. The following standards apply only to building façades facing a frontage, except for Limited Access. The standards below apply to all uses unless a use has a specific standard. When only specific uses are cited, then the standard applies only to those uses.

Table 4-4: Neighborhood 1 Zoning Districts Building Articulation Standards							
		N1-A	N1-B	N1-C	N1-D	N1-E	N1-F
<b>A</b>	<b>Maximum Building Length – Residential</b> (feet)						MF: 150
<b>B</b>	<b>Maximum Building Length – Nonresidential and Mixed-Use</b> (feet)	300	300	300	300	300	300
<b>C</b>	<b>Maximum Blank Wall Area – Residential</b> (Ground floor and upper floors; Horizontal or Vertical; Per building) (feet)						MF <sup>1</sup> : 20
<b>D</b>	<b>Maximum Blank Wall Area – Nonresidential and Mixed-Use</b> (Ground floor and upper floors; Horizontal or Vertical; Per building) (feet)	20	20	20	20	20	20
<b>E</b>	<b>Maximum Spacing for Required Prominent Entrances - Residential</b> (feet)						MF <sup>1</sup> : 250
<b>F</b>	<b>Maximum Spacing for Required Prominent Entrances – Nonresidential and Mixed-Use</b> (feet)	250	250	250	250	250	250

<sup>1</sup> Does not apply to Multi-family Attached When Units are on Sublots.

**F. 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. The following standards apply only to building façades facing a frontage, except for Limited Access. These standards do not apply to multi-family attached development on sublots. The standards below apply to all uses unless a use has a specific standard. When only specific uses are cited, then the standard applies only to those uses.

Table 4-5: Neighborhood 1 Zoning Districts Transparency Standards							
		N1-A	N1-B	N1-C	N1-D	N1-E	N1-F
<b>A</b>	<b>Ground Floor Transparency – Residential</b> (% of wall area between 3’ and 10’ from grade; Per building)						MF: 25
<b>B</b>	<b>Ground Floor Transparency – Nonresidential and Mixed-Use</b> (% of wall area between 3’ and 10’ from grade; Per building)	30	30	30	30	30	30
<b>C</b>	<b>Upper Floor Transparency – Residential</b> (% of Wall Area per Story; Per building)						MF: 15
<b>D</b>	<b>Upper Floor Transparency – Nonresidential and Mixed-Use</b> (% of Wall Area per Story; Per building)	15	15	15	15	15	15

**G. Site Layout Standards**

**1. Residential Site Layout Standards**

The table below establishes site layout standards for multi-family attached, both when located on and when not located on sublots, multi-family stacked, and triplex and quadraplex development. Multi-dwelling developments are also subject to the prescribed conditions in Article 15.

**RESIDENTIAL SITE LAYOUT STANDARDS**

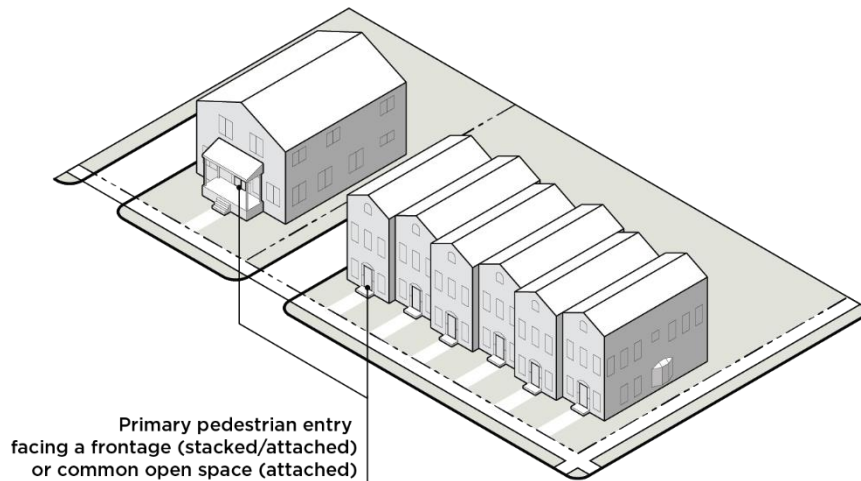




Table 4-6: Neighborhood 1 Zoning Districts Residential Site Layout Standards				
	Multi-family Attached When Units Not On Sublots	Multi-family Stacked	Multi-family Attached When Units On Sublots	Triplex / Quadraplex
<p>The primary pedestrian entry to each principal structure abutting a frontage shall face the frontage. On corner lots, the primary pedestrian entry may be oriented to either frontage.</p> <p>If a principal structure abuts both a frontage and common open space perpendicular to the frontage, the primary pedestrian entry may face the common open space<sup>1</sup> if it meets the following:</p> <ol style="list-style-type: none"> <li>1. The common open space has a minimum width of 50' for the length of the common open space provided.</li> <li>2. The common open space has a maximum length of 500'.</li> </ol> <p>Principal structures not abutting a frontage do not have to orient primary pedestrian entries to a frontage or common open space.</p>	✓	✓		
<p>The sidewalls of each principal structure abutting a frontage shall be oriented perpendicular to the frontage. On corner lots, sidewalls may be oriented perpendicularly to either frontage.</p> <p>If a principal structure abuts both a frontage and common open space, the sidewalls may orient perpendicularly to the common open space<sup>1</sup> if it meets the following:</p> <ol style="list-style-type: none"> <li>1. The common open space has a minimum width of 50' for the length of the common open space provided.</li> <li>2. The common open space has a maximum length of 500'.</li> </ol> <p>Principal structures not abutting a frontage do not have to orient sidewalls perpendicularly to a frontage or common open space.</p>			✓	✓

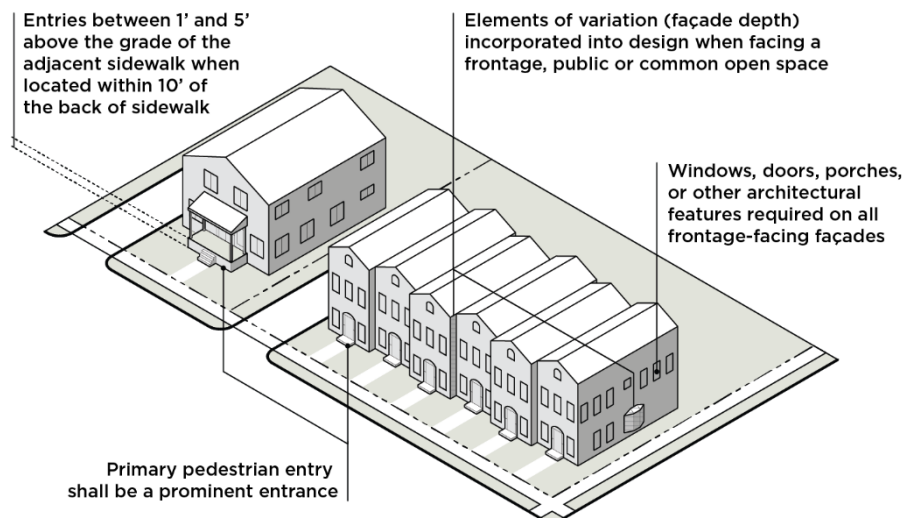
<sup>1</sup> Common open space shall also comply with the standards of Table 16-2: Design of Open Space.

## H. Building Design Standards

### 1. Residential Building Design Standards

The table below establishes building design standards for multi-family stacked and multi-family attached development when not on sublots within the Neighborhood 1 Zoning Districts.

#### RESIDENTIAL BUILDING DESIGN STANDARDS (MULTI-FAMILY STACKED AND MULTI-FAMILY ATTACHED WHEN NOT ON SUBLOTS)



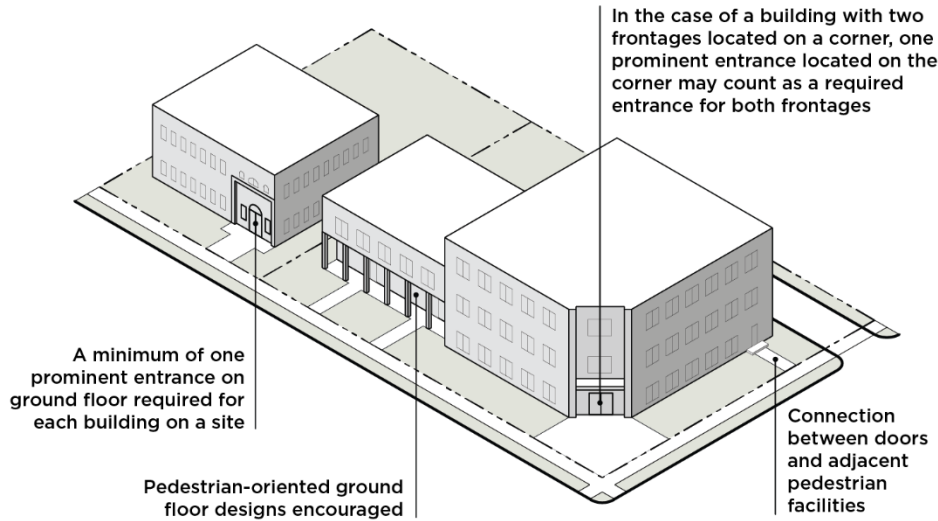
	Multi-family Attached When Not On Sublots	Multi-family Stacked
The primary pedestrian entry shall be a prominent entrance along a frontage as defined by this Ordinance, except for a Limited Access frontage. In the case of a building with individual units with multiple exterior entrances, at least one of the entrances for each individual unit shall be a prominent entrance and that entrance shall be located on the highest frontage classification as per the hierarchy in Section 3.5.D.	✓	✓
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>	✓	✓
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 buildings when not on sublots, one of the following shall be incorporated into the design of the structure: <ul style="list-style-type: none"> <li>a. Variation in the façade depth of adjoining dwelling units of at least 3'. Such variation shall extend the entire height of the façade.</li> <li>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.</li> </ul> 2. For multi-family stacked buildings 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' linearly. This shall not be required on any portion of a multi-family stacked building 50' or more in height above average grade.	✓	✓
Windows, doors, porches, or other architectural features are required on all frontage-facing facades to avoid the appearance of blank walls.	✓	✓

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

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

The following design standards apply to nonresidential and mixed-use buildings in the Neighborhood 1 Zoning Districts.

### NONRESIDENTIAL AND MIXED-USE BUILDING DESIGN STANDARDS



- a.** A frontage shall have a minimum of one prominent entrance, as defined in this Ordinance. This does not apply to Limited Access roads. The number of prominent entrances required shall be determined by the building length along the frontage and the maximum spacing in F of Table 4-4.
  - i.** In the case of a building with two frontages located on a corner, one prominent entrance located on the corner may count as a required prominent entrance for both frontages, subject to the following:
    - (A)** A prominent corner entry shall include design features that reinforce intersections as key locations for pedestrian activity. Two of the following shall be included:
      - (1)** A chamfered or rounded corner design.
      - (2)** Awnings, canopies, or other covered entry features.
      - (3)** Special paving, landscape, or lighting features.
      - (4)** Unique architectural detailing that emphasizes the corner entry.
- b.** A minimum of one prominent entrance on the ground floor is required per building on a site.
- c.** 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. 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.
- d.** Pedestrian-oriented ground-floor designs are encouraged, including arcades, galleries, colonnades, outdoor dining areas, and outdoor plazas.

#### I. Building Material Restrictions

The building material restrictions apply to the following development in the Neighborhood 1 Zoning Districts: nonresidential development, mixed-use buildings, multi-family stacked, and multi-family attached when not on sublots.

1. 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.

- a. 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
- b. 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)
- c. Plain concrete masonry units (CMU)
- d. Plastic
- e. T-111 composite plywood siding
- f. Vinyl

#### **4.4 OPEN SPACE REQUIREMENTS**

New construction of a principal building of 1,000 square feet or greater and/or expansion of buildings by 5,000 square feet or 20% of the building area, whichever is less, is required to provide open space as specified in this section.

##### **A. Residential On-Site Open Space**

On-site open space is required in the N1-F Zoning District for all multi-family and multi-dwelling developments in accordance with the following:

- 1. For multi-family stacked and multi-dwelling developments, a minimum of 10% of the site area shall be designed as on-site open space. Such open space may be private open space, common open space, public open space, or any combination thereof. For multi-family attached dwellings which are components of multi-dwelling developments, the provisions of item 2 below, as applicable by appropriate zoning district, may be used in lieu of this requirement.
- 2. Multi-family attached development shall provide a minimum of 250 square feet of open space per dwelling unit. Such open space may be private open space, common open space, public open space, or any combination thereof.
- 3. Residential on-site open space shall meet the design requirements of Section 16.5.
- 4. 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.
- 5. For projects with multiple phases, the open space required for each phase, per this Section, shall be installed prior to completion of that phase.

##### **B. Nonresidential and Mixed-Use On-Site Open Space**

- 1. Nonresidential and mixed-use development in the Neighborhood 1 Zoning Districts is required to provide on-site open space, except for developments on sites of one-half acre or less in size.
- 2. Development shall provide a minimum of 10% of the site area in on-site open space. Such open space may be common open space, public open space, or any combination thereof.
- 3. Nonresidential and mixed-use on-site open space shall meet the design requirements of Section 16.5.
- 4. 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.
- 5. For projects with multiple phases, the open space required for each phase, per this Section, shall be installed prior to completion of that phase.

## 4.5 ALTERNATIVE RESIDENTIAL DEVELOPMENT OPTIONS

### A. Conservation Residential Development

A conservation residential development permits a reduction in minimum lot size in exchange for the provision and conservation of green area and common open space beyond the requirements of this Ordinance. The purpose of the conservation residential development standards is to protect open space and/or natural resources and features through alternative development standards. The intent of the conservation residential development standards of this Section is to emphasize the importance of the conservation of natural areas and important habitats, enhance surface water quality, maintain and enhance tree canopy and provide useable common open space for residents.

#### 1. Applicability

Conservation residential development is permitted in the N1-A, N1-B, and N1-C Zoning Districts. A conservation residential development site shall be a minimum of five acres. The conservation residential development provisions shall not be paired with the Voluntary Mixed Income incentives of Section 4.5.B.

#### 2. Development Standards

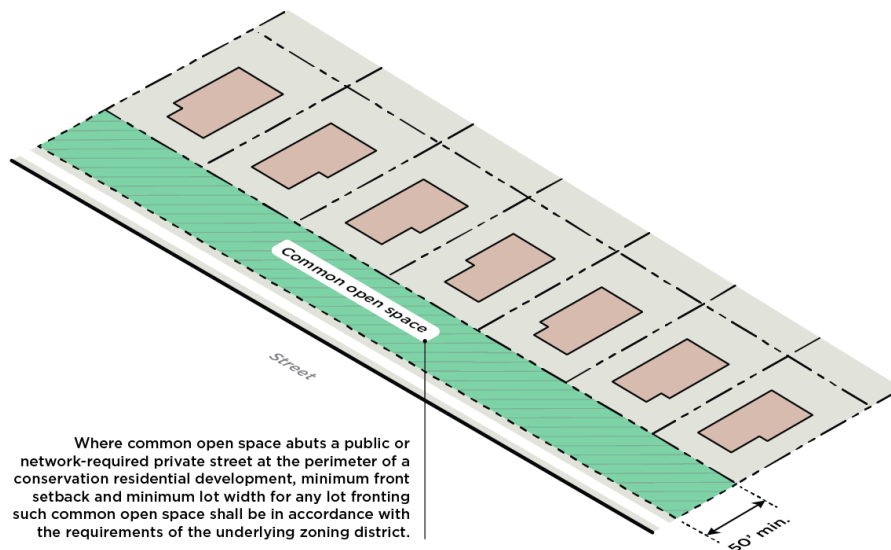
##### a. Site Layout

- i. All lots within a conservation residential development shall front a public street, common open space, or green area. All applicable emergency access requirements must be met regardless of lot frontage.
- ii. A 25 foot Class B landscape yard shall be provided along the perimeter of a conservation residential development site, except for where the site abuts an existing public street or network required private street. The perimeter landscape yard shall not be in a lot or subplot and shall not count toward any required common open space. As an alternative, a 30 foot perimeter landscape yard that meets the planting standards of a Class B landscape yard per Table 20-2 may be counted toward green area credits if the standards of Section 20.15.E (Tree Save Standards) are also met.
- iii. The maximum number of lots permitted within a conservation residential development is determined by the gross acreage of the site, exclusive of the rights-of-way for existing public streets, divided by the minimum lot area of the zoning district.
- iv. Lots within the conservation residential development shall meet the standard lot requirements of the underlying zoning district with the exception of the following:
  - (A) Minimum lot area and minimum lot width may be reduced by 50%.
  - (B) Maximum building coverage does not apply to lots of 5,000 square feet or less.
- v. Minimum setbacks apply as follows:
  - (A) A minimum side setback of five feet applies to all lots within a conservation residential development.
  - (B) A minimum corner side setback of ten feet applies to all corner lots within a conservation residential development.
  - (C) Front and rear setbacks may be reduced by 50% for all lots within the conservation residential development, unless otherwise specified below.
  - (D) Where a lot within a conservation residential development fronts on a common open space or green area, the front setback shall be five feet behind the property line abutting the common open space or green area.
  - (E) Where a garage is accessed from an alley and parking is not located between the garage and alley, the garage shall be located between five and seven feet from the edge of pavement of an alley. Where parking spaces are located between a garage and an alley, the garage shall be located at least 20 feet from the edge of pavement of the alley.

(F) The driveway requirements of Section 19.6.1 are applicable in a conservation residential development unless otherwise noted in this Section.

(G) Where a lot within the conservation residential development abuts a public or network-required private street at the perimeter of the conservation residential development, minimum front setback and minimum lot width shall be in accordance with the underlying zoning district requirements.

(H) Where common open space abuts a public or network-required private street at the perimeter of a conservation residential development, the minimum front setback and minimum lot width for any lot fronting on this common open space shall be in accordance with the underlying zoning district requirements.



vi. Alleys where lots on both sides of the alley front on common open space or green area shall not exceed 200 feet in length. Alleys where all lots on at least one side of the alley front a public street are not limited in length.

vii. In addition to any required parking, the conservation residential development shall provide one visitor parking space for every four units in the development site.

(A) Any required visitor parking spaces may be satisfied through on-street parking or one or more common parking lots.

(B) No common parking lot shall contain more than ten parking spaces.

#### b. Conservation Protection Area

i. A minimum of 40% of a conservation residential development shall comprise conservation protection area. For the conservation protection area, 30% of the overall site shall be green area and 10% of the overall site shall be common open space. The 30% green area shall be inclusive of the base 15% requirement for green area per Section 20.15.D. The standards of Table 16-2 for common open space do not apply for conservation residential development. Additional standards for green area and common open space are as follows:

(A) Green area credits shall be used to achieve required green area. Green area credits are based on the corresponding multipliers for each credit and found in Table 20-5.

(B) Trees on private lots or sublots shall not count toward required green area.

(C) Dimensions of required green areas are subject to the requirements of Section 20.15.

- (D)** Green areas fronted by residential lots shall have a minimum width of 50 feet.
- (E)** Required common open space areas need not be contiguous, but each common open space area shall have a minimum dimension of at least 50 feet in all dimensions.
- (F)** All required common open space areas shall have a minimum frontage of 50 feet on a public street.
- (G)** At least one common open space area shall be accessible from all residential lots in the conservation residential development within a 1,000 foot radius of the common open space area. This radius is measured in a straight line from the lot line, without regard for street, sidewalk or trail connections, to the nearest point of the open space. Multiple common open space areas may be needed to meet this requirement.
- (H)** Easements for above-ground utilities located within the site area shall not count toward required common open space.
- (I)** The required common open space shall be improved for either active or passive use.
  - (1)** The required common open space area shall be improved with grass, live groundcover, shrubs, plants, trees, or usable outdoor hardscape features, such as courtyards, walkways, seating areas, patios, or fountains/water features.
  - (2)** Usable outdoor amenities, such as grills, pools, tennis courts, or playgrounds, are permitted as part of the required common open space area.
- (J)** No more than 25% of the required common open space area shall be covered by water, such as a naturally occurring or manmade lake or stream. These bodies of water shall not be part of a stormwater control measure.
- (K)** Residential lots fronting common open space per Section 2.a.i. above shall provide perimeter trees at a rate of one large maturing tree for every 40 feet of lot width. Perimeter trees may be located anywhere within the common open space area abutting said lots, subject to the tree planting requirements of Section 20.17.B.
- (L)** Structures located within any required common open space shall be accessory to any recreational use of the space.
- (M)** Structures located in designated green areas shall be subject to the requirements of Article 20.
- (N)** Retaining walls in required common open space areas shall be limited to five feet in height. Retaining walls are not permitted within 10 feet of a green area.
- ii. Green area and common open space may be conveyed as follows:
  - (A)** To Mecklenburg County in support of the Mecklenburg County Park and Recreation Department, if accepted by the County.
  - (B)** To a conservation organization approved by the City, if accepted by the designated organization.
  - (C)** To one or more homeowner's associations.
- iii. Green area and common open space shall not be sold.
- iv. Green area and common open space shall have no development rights except when these areas are improved for active or passive recreational purposes.

## **B. Voluntary Mixed-Income Residential Development**

A voluntary mixed-income residential development allows for an increase in development intensity in exchange for the provision of a mixture of affordable and market-rate housing units, expanding housing options and opportunities within the City. The voluntary mixed-income residential development provisions shall not be paired with the conservation residential development incentives of Section 4.5.A.

### **1. Applicability**

Voluntary mixed-income residential development is permitted in the N1-A, N1-B, N1-C, and N1-D Zoning Districts.

### **2. Development Bonus**

In exchange for setting aside affordable housing units, voluntary mixed-income residential developments may receive a bonus allowing for the development of property in accordance with the standards of a zoning district of greater intensity as follows:

- a. Property zoned the N1-A Zoning District may be developed in accordance with the standards of the N1-C Zoning District.
- b. Property zoned the N1-B Zoning District may be developed in accordance with the standards of the N1-D Zoning District.
- c. Property zoned the N1-C Zoning District may be developed in accordance with the standards of the N1-E Zoning District.
- d. Property zoned the N1-D Zoning District may be developed in accordance with the standards of the N1-E Zoning District.

*An example of a calculation of bonus lots is as follows: If the N1-A Zoning District allows 100 lots and the N1-C Zoning District allows 167 lots, then there are 67 bonus lots. (167 lots minus 100 lots).*

### **3. Affordability Set-Aside**

- a. All units constructed on 50% of the bonus lots accommodated through the development bonus shall be developed as affordable units set aside for households earning 80% Area Median Income (AMI) or less. The period of affordability shall be 15 years for rental properties and the City or a nonprofit shall have first right of refusal for for-sale properties.
- b. AMI averaging is permitted; however, no unit designated as affordable shall be set aside for households earning more than 100% AMI.
- c. For lots on arterial streets, any affordable units required for a quadraplex dwelling are in addition to the required number of affordable units in item a above.

### **4. Development Standards**

- a. A minimum contiguous development site of one acre is required for a voluntary mixed-income residential development. No fewer than two affordable units may be developed as part of a voluntary mixed-income development receiving a development bonus.
- b. Development standards applicable to a voluntary mixed-income development shall be those of the zoning district achieved through the development bonus.
- c. Affordable housing units provided as a component of the voluntary mixed-income residential development shall be distributed throughout the development, not concentrated in any one structure or area of the site, unless the total affordable housing units in the development is five or fewer.

### **5. Compliance and Monitoring**

Voluntary mixed-income residential developments are subject to monitoring to ensure continued compliance with the standards of this section, and in accordance with Section 2.1 of the UDO Zoning Administration Manual.



### **C. Compact Residential Development**

A compact residential development permits a reduction in lot size and setbacks in exchange for the provision of common open space beyond the requirements of this Ordinance. The purpose of these compact residential development standards is to align residential development standards with current development and design patterns to support increased access to housing.

#### **1. Applicability**

a. Compact residential development is permitted in the N1-A, N1-B, N1-C, and N1-D Zoning Districts. A compact residential development site shall include at least one parcel with a minimum size of two acres as of June 1, 2023. If the site does not include at least one parcel of two acres or more, assembly of multiple parcels into a parcel of two acres or more is allowed when a site has frontage on an arterial street of four lanes or more, per the Charlotte Streets Map either of the following conditions are met:

i. At least one of the parcels in the assemblage has frontage on an arterial street of four lanes or more, per the Charlotte Streets Map.

ii. The assemblage includes no more than three separate parcels to achieve the minimum two-acre requirement. If the minimum two-acre requirement is met, additional parcels may be added to the assemblage.

b. The compact residential development option shall not be used on properties a parcel, or a portion thereof, included in the 65 DNL contour on the most recently published Airport Noise Exposure Map for Charlotte-Douglas International Airport, nor the Critical and Protected Watershed Areas (Article 23).

c. The compact residential development provisions shall not be paired with the Conservation Residential Development option of Section 4.5.A or the Voluntary Mixed Income incentives of Section 4.5.B.

#### **2. Development Standards**

Where there are comparable development standards in the N1-A, N1-B, N1-C, and N1-D zoning districts, the development standards below replace those development standards. All other applicable UDO standards apply unless otherwise stated.

##### **a. Site Layout**

i. All lots within a compact residential development shall front a public street or common open space. However, no more than 30% of residential lots on the development site shall front on common open space. All applicable emergency access requirements must be met regardless of lot frontage.

ii. No new street shall be located along the perimeter of the development site unless separated from the perimeter of the site by a 25 foot Class B landscape yard.

iii. A 25 foot Class B landscape yard shall be provided along the perimeter of a compact residential development site where the site abuts the Neighborhood 1 Place Type, except for where the site abuts an existing public street or network required private street. The perimeter landscape yard shall not be in a lot or subplot and shall not count toward any required common open space. As an alternative, a 30 foot perimeter landscape yard that meets the planting standards of a Class B landscape yard per Table 20-2 may be counted toward green area credits if the standards of Section 20.15.E (Tree Save Standards) are also met.

iiiv. No landscape yard is required between lots fronting an external street and abutting property in a Neighborhood 1 Place Type. This allowance does not exempt a compact residential development from the landscape yard requirements of Sections 20.10 and 20.11.

iv. Lots within a compact residential development shall meet the following standards:

<b>Table 4-8: Compact Residential Development Standards</b>					
		<b>N1-A</b>	<b>N1-B</b>	<b>N1-C</b>	<b>N1-D</b>
<b>A</b>	<b>Minimum Front Setback (feet)<sup>1</sup></b>	<u>10</u>	<u>10</u>	<u>5</u>	<u>5</u>
<b>B</b>	<b>Minimum Corner Side Setback (feet)</b>	<u>10</u>	<u>10</u>	<u>5</u>	<u>5</u>
<b>C</b>	<b>Minimum Side Setback (feet)</b>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>
<b>D</b>	<b>Minimum Rear Setback (feet)<sup>1</sup></b>	<u>15</u>	<u>10</u>	<u>10</u>	<u>10</u>
<b>E</b>	<b>Minimum Lot Area – Residential (square feet)</b>	<u>5,000</u>	<u>4,000</u>	<u>3,000</u>	<u>3,000</u>
<b>F</b>	<b>Minimum Lot Width – Residential (feet)</b>	<u>50</u>	<u>40</u>	<u>30</u>	<u>30</u>
<b>G</b>	<b>Maximum Building Coverage (%)</b>				

<sup>1</sup> The rear setback may be reduced to 5 feet if the parking and garages for all units in a building are accessed from an alley to the rear of the building. This reduction shall be available when the front setback is increased by five feet.

**(A)** Where a lot within a compact residential development fronts on a common open space, the front setback shall be five feet behind the property line abutting the common open space.

**(B)** Where a lot within the compact residential development abuts a public or network-required private street at the perimeter of the compact residential development, the minimum front setback shall be in accordance with the underlying zoning district requirements.

**(C)** Where common open space abuts a public or network-required private street at the perimeter of a compact residential development, the minimum front setback for any lot fronting on this common open space shall be in accordance with the underlying zoning district requirements.

**(DC)** A driveway access from an alley shall either be located between five and seven feet from the edge of pavement of the alley or a minimum of 20 feet from the edge of pavement of the alley.

**(ED)** The driveway requirements of Section 19.6.1 are applicable in a compact residential development unless otherwise noted in this Section.

**vi.** The maximum height for buildings in a compact residential development is 48 feet. The maximum sidewall height standards for duplexes and triplexes in Section 4.3.D.1 shall apply.

**vii.** Alleys where lots on both sides of the alley front on common open space shall not exceed 200 feet in length. Alleys where all lots on at least one side of the alley front a public street are not limited in length. Alleys that connect at either end to a public street within the development are also not limited in length.

**viii.** Alleys shall not be located within the property boundaries of lots or sublots.

**b. Common Open Space and Green Area**

**i.** A minimum of 10% of the compact residential development site area shall be comprised of common open space. The standards of Table 16-2 for common open space do not apply for compact residential development. The site shall also meet the base 15% green area requirement and standards per Section 20.15.D. Additional standards for common open space and green area:

**(A)** Required common open space areas may be noncontiguous, but each area of common open space shall have a minimum dimension of at least 50 feet in all dimensions. Common open space areas located between lots shall have a minimum dimension of at least 50 feet in all dimensions.

(B) All required common open space areas shall have a minimum frontage of 50 feet on a public street.

(1) In lieu of a 50 foot minimum frontage on a public street, a 20 foot wide connection that includes a minimum six foot wide hardscape path may be provided to connect common open space to the public street.

(2) The 20 foot wide connection shall not count toward the required common open space.

(C) At least one common open space area shall be accessible from all residential lots in the compact residential development within a 1,000 foot radius of the common open space area. This radius is measured in a straight line from the lot line, without regard for street, sidewalk or trail connections, to the nearest point of the open space. Multiple common open space areas may be needed to meet this requirement.

(D) Required common open space shall not include more than 25% of its area for above-ground utilities easements.

(E) The required common open space shall be improved for either active or passive use.

(1) The required common open space area shall be improved with grass, live groundcover, shrubs, plants, trees, or usable outdoor hardscape features, such as courtyards, walkways, seating areas, patios, or fountains/water features.

(2) Usable outdoor amenities, such as grills, pools, tennis courts, or playgrounds, are permitted as part of the required common open space area.

(F) No more than 25% of the required common open space area shall be covered by water, such as a naturally occurring or manmade lake or stream. These bodies of water shall not be part of a stormwater control measure.

(G) Residential lots fronting common open space per Section 2.a.i above shall provide perimeter trees at a rate of one large maturing tree for every 40 feet of lot width. Perimeter trees may be located anywhere within the common open space area abutting said lots and need not be arranged along the edge of the open space, subject to the tree planting requirements of Section 20.17.B.

(H) Structures located within any required common open space shall be accessory to any recreational use of the space.

(I) Retaining walls in required common open space areas shall be limited to five feet in height. Retaining walls are not permitted within 10 feet of a green area.

(J) Trees on private lots or sublots, except for preserved heritage trees as defined by Section 2.3 and governed by Section 20.14, shall not count toward the green area (tree save) requirements of Section 20.15.

(K) Landscape yards shall not be located on private lots or sublots.

ii. Common open space and green area may be conveyed as follows:

(A) To Mecklenburg County in support of the Mecklenburg County Park and Recreation Department, if accepted by the County.

(B) To a conservation organization approved by the City, if accepted by the designated organization.

(C) To one or more homeowner's associations.

(D) Green area and common open space shall not be sold.

iii. Green area and common open space shall have no development rights except when these areas are improved for active or passive recreational purposes.

#### **4.6 ON-SITE PEDESTRIAN CONNECTIVITY REQUIREMENTS**

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

#### **4.7 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 rights-of-way unless otherwise allowed by this Ordinance.
- 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.
- E. All uses and structures shall be located on the parcel(s) for which the uses and structures are approved, and shall not encroach onto other parcels or rights-of-way, unless otherwise allowed by 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).
  - 5. 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>	<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>
Continuum Care Retirement Community (CCRC)								PC	PC				PC	PC			PC
Dormitory								PC	PC				PC	PC			X
Dwelling – Duplex	PC	PC	PC	PC	PC	PC	PC	PC			PC		PC	PC	PC		
Dwelling – Live Work								X	X								X
Dwelling – Manufactured Home										X							
Dwelling – Multi-Family Attached Unit						PC	PC	PC	PC		PC	PC	PC	PC			PC
Dwelling – Multi-Family Stacked Unit						PC		X	X		PC	PC	PC	PC			X
Dwelling – Quadraplex	PC	PC	PC	PC	PC	X	PC	PC					PC	PC			X
Dwelling – Single-Family	X	X	X	X	X	X	PC	PC		PC	PC		PC	PC	PC		
Dwelling – Triplex	PC	PC	PC	PC	PC	PC	PC	PC					PC	PC			
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	PC			PC
Residential Care Facility						PC	PC	PC	PC				X	X			X
Single Room Occupancy (SRO)							PC	PC	PC				PC	PC			PC
<b>Commercial 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 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	X	X	X	X	X
Arts or Fitness Studio											X	X	PC	PC	X	X	X
Auction Sales																	
Bed and Breakfast	PC	PC	PC	PC	PC	PC	PC	PC									
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			PC		X
Commercial Kitchen											PC	PC			PC		PC
Contractor Office with Outdoor Storage																	
Convention Center												X	PC	PC	X		X

**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
Drive-Through Establishment											PC	PC					
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	
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			
Telecommunications and Data Storage Facility											X	X			X		X
Vehicle Auction Facility																	
Vehicle Dealership: Enclosed											X	X					
Vehicle Dealership: Outdoor											PC	X					
Vehicle Fueling Facility											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
Vehicle Rental: Enclosed											X	X				X	
Vehicle Rental: Outdoor											PC	X					
Vehicle Repair Facility: Major																	
Vehicle Repair Facility: Minor											PC	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	X	X	PC	PC	PC
Childcare Center	PC	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	X	X	PC	PC	PC
Childcare Center, Large	PC	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	X	X	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	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				X	X			
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>OG</b>	<b>RC</b>
Educational Campus													X	X			
Government Campus													X	X			
Medical Campus													X	X			
Religious Campus													X	X			



**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																	
Rail Yard																	
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)	PC	PC	PC								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	PC	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	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
Conservation Area	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
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 Outdoor Recreation Facilities	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Private Recreation Club	PC	PC	PC	PC	PC	PC	PC	PC	PC				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
Outdoor Produce Sales	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Outdoor Seasonal Sales	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	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC

Table 15-1: Use Matrix																	
<i>Neighborhood 1 Zoning Districts, Neighborhood 2 Zoning Districts, MHP Zoning District, Commercial Zoning Districts, Campus Zoning Districts</i>																	
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
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>
Continuum Care Retirement Community (CCRC)			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			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
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			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Dwelling – Single-Family													
Dwelling – Triplex			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
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	PC
Amusement Facility – Outdoor	PC												
Animal Care Facility	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Animal Shelter	PC	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	X
Auction Sales	X	X											
Bed and Breakfast													
Broadcasting Facility – No Antennae	X		X		X	X	X	X	X	X	X	X	X
Broadcasting Facility – With Antennae	PC	PC											
Car Wash	X												
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											

**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
Financial Institution			X	X	X	X	X	X	X	X	X	X	X
Funeral Home	X	X											
Greenhouse/Nursery – Retail													
Greenhouse/Nursery – Wholesale	X	X											
Heavy Rental and Service Establishment	X	X											
Heavy Retail Establishment	X	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	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	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				
Telecommunications and Data Storage Facility	X	X	X					X					
Vehicle Auction Facility	X	X											
Vehicle Dealership: Enclosed	X		X		X	X	X	X	X				X
Vehicle Dealership: Outdoor	X												
Vehicle Fueling Facility	PC	PC	PC	PC	PC	PC							PC
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	PC	PC											
Vehicle Repair Facility: Minor	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>Institutional and Governmental Uses</b>	ML-1	ML-2	IMU	NC	CAC-1	CAC-2	RAC	UC	UE	TOD-UC	TOD-NC	TOD-CC	TOD-TR
Adult Care Center			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
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	PC	PC	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	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>	ML-1	ML-2	IMU	NC	CAC-1	CAC-2	RAC	UC	UE	TOD-UC	TOD-NC	TOD-CC	TOD-TR
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>	ML-1	ML-2	IMU	NC	CAC-1	CAC-2	RAC	UC	UE	TOD-UC	TOD-NC	TOD-CC	TOD-TR
Educational Campus													
Government Campus													
Medical Campus													
Religious Campus													
Social Service Campus													
<b>Industrial Uses</b>	ML-1	ML-2	IMU	NC	CAC-1	CAC-2	RAC	UC	UE	TOD-UC	TOD-NC	TOD-CC	TOD-TR
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											
Rail Yard		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	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 Outdoor Recreation Facilities			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
Private Recreation Club			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Public Park	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
<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
Outdoor Produce Sales	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Outdoor Seasonal Sales	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.

**Auction Sales.** The selling, by a broker or auctioneer, of the real or personal property of others during scheduled sales or events to persons registered to bid on the sale offerings. Auction sales may include, but are not limited to, the offering of equipment (heavy or light), food, household goods, land, livestock, machinery and tools, materials (for example, construction materials), and vehicles (commercial or passenger). Auction sales may take place both indoors and outdoors.

**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 ten 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, pest control, or disinfecting services, 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.

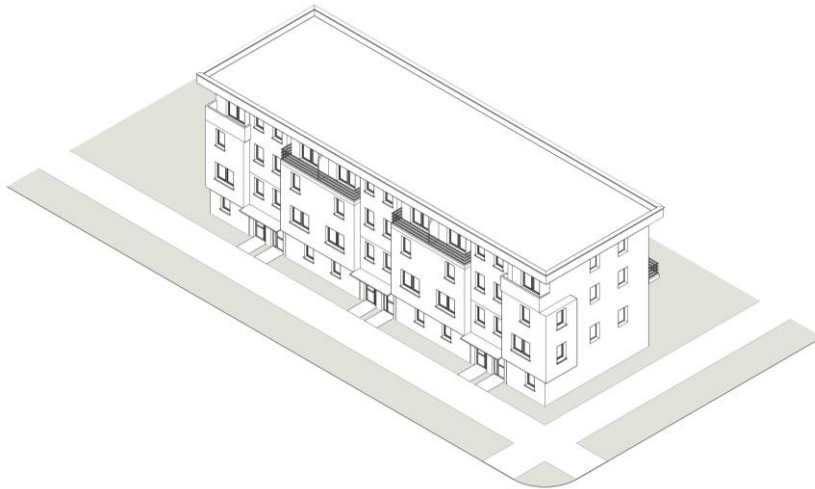
1. **Multi-Family Dwelling Attached Unit.** Attached unit design refers to multi-family residential structure designed with primarily side-by-side dwelling units, each with an individual entry. Units may or may not be on sublots.

#### 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 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.

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

**Educational Facility – Primary or Secondary.** An educational establishment, licensed by the state, 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.** An educational establishment, licensed by the state, 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 research facilities, dormitories, cafeterias, restaurants, retail sales, childcare facilities, indoor or outdoor recreational facilities, stadiums, and similar uses.

**Educational Facility – Vocational.** An establishment 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.

**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.

**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 lumberyards, recreational vehicle, semi truck, and semi trailer dealerships, manufactured homes, 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.

**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.

**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 Produce Sales.** Temporary uses, which may include temporary structures, where fresh produce (fruit and vegetables) and limited produce-derived products are sold.

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

**Outdoor Seasonal Sales.** Temporary uses, which may include temporary structures, where seasonal goods are sold, such as Christmas tree sales, holiday sales, plant sales, and pumpkin sales.

**Outdoor Seating/Activity Area.** An outdoor seating/activity area accessory to a nonresidential 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 Outdoor Recreation Facilities.** A facility for outdoor recreation, constructed by a private entity, which may include pools, tennis courts, basketball courts, baseball fields, soccer fields, football fields, picnic shelters, fitness courts, disc golf, skateboard parks, and similar recreation facilities which are not enclosed in buildings. Private outdoor recreation facilities are primarily for the use of persons who do not reside on the same lot as that on which the private outdoor recreation facility is located. Private outdoor recreation facilities may include recreational facilities affiliated with or serving, but not located on the same property as, an educational institution, place of worship, or similar use. Private outdoor recreation facilities may include ancillary facilities, such as dugouts, concession stands, bleachers, bathrooms and changing rooms, and structures used for the maintenance and servicing of such facilities. Open space as required by this Ordinance as part of a development standard is not considered to be a private outdoor recreation facility.

**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.

**Rail Yard.** An area of land, a portion of which is covered by a system of tracks, that provides for the making up of trains by one or more railroads or private industry. Functions of a rail yard include, but are not limited to, the classifying, switching, storing, assembling, distributing, consolidating, moving, maintaining, repairing, weighing, and/or transferring of rail cars, trains, engines, locomotives, and rolling stock.

**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.

**Research and Development (R&D).** A facility where research and development 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 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.

**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, and may include ancillary facilities associated with the stadium such as, but not limited to, parking lots, parking structures, and practice facilities.

**Telecommunications and Data Storage Facility.** A facility, accessed only by employees, that houses computer systems and associated components, related to the transmittal and receiving of information, including but not limited to, telecommunications systems, telecommunication and telephone switching systems, cloud storage systems, and server farms.

**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, flea markets, and rummage sales. 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, outdoor produce sales, or outdoor seasonal sales.

**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), watercraft, 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), watercraft, 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 Fueling Facility.** An establishment where fuel for vehicles or electric vehicle supply equipment is stored and dispersed from fixed equipment into motor vehicles. A vehicle fueling facility may also include retail uses and an accessory car wash bay.

**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, motorcycles, and watercraft, 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, motorcycles, and watercraft, 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), watercraft, 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, motorcycles, and watercraft, 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.

### B. Adult Care Center

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

### 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. 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 site approval. Beneficial fill sites of less than 1/4 acre on one parcel do not require 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.

**T. 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.

**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.

## **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 vehicles that enter the drive-through lane. When an establishment has more than one drive-through lane, bail out capability shall only be required for one 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, and shall not be located in a required front or side setback.

### **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 collocated 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. In the IMU, NC, CAC-1, CAC-2, RAC, UC, UE, TOD-UC, TOD-NC, TOD-CC, and TOD-TR Zoning Districts, duplex buildings shall only be allowed as a component of a multi-dwelling development.
  - a. For multi-dwelling developments less than two acres, the combination of duplex, triplex, and quadraplex buildings may be up to 50% of the buildings in the development.
  - b. For multi-dwelling developments two acres or more, the combination of duplex, triplex, and quadraplex buildings may be up to 25% of the buildings in the development.

**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 Zoning 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.

**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 Zoning 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.

**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 quadrplex dwelling shall be a related component intended to serve and support an educational, religious, or CCRC campus.
  - a. Quadrplex 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. Quadrplex 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. In the IMU, NC, CAC-1, CAC-2, RAC, UC, UE, TOD-UC, TOD-NC, TOD-CC, and TOD-TR Zoning Districts, quadrplex buildings shall only be allowed as a component of a multi-dwelling development.
  - a. For multi-dwelling developments less than two acres, the combination of duplex, triplex, and quadrplex buildings may be up to 50% of the buildings in the development.
  - b. For multi-dwelling developments two acres or more, the combination of duplex, triplex, and quadrplex buildings may be up to 25% of the buildings in the development.

#### **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. In the MHP Zoning District, one single-family detached dwelling may be permitted on a lot existing prior to June 1, 2023 subject to the standards of Section 14.7.F.

## **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. In the IMU, NC, CAC-1, CAC-2, RAC, UC, UE, TOD-UC, TOD-NC, TOD-CC, and TOD-TR Zoning Districts, triplex buildings shall only be allowed as a component of a multi-dwelling development.

a. For multi-dwelling developments less than two acres, the combination of duplex, triplex, and quadraplex buildings may be up to 50% of the buildings in the development.

b. For multi-dwelling developments two acres or more, the combination of duplex, triplex, and quadraplex buildings may be up to 25% of the buildings in the development.

5. No more than 25% of lots in development sites **over of two acres or more** in the N1-A and N1-B Zoning Districts shall include triplex buildings, except for projects using the voluntary mixed-income residential development option in Section 4.5.B.

#### **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.

4. In the ML-1 and ML-2 Zoning Districts, the gross floor area shall be a maximum of 5,000 square feet.

#### **OO. Farm**

1. For farms one acre in size or greater, the following shall apply:

a. Activities that are considered an agriculture - industrial process, as defined in this section, are prohibited.

b. All structures for the keeping of animals shall be located 100 feet from any lot line.

c. Permanent farmstands for the sale of items grown on the farm are permitted. Products for sale shall be limited to those goods grown and produced on the subject farm property. The sale of goods from external vendors is prohibited.

d. 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.

e. 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.

2. For farms less than one acre in size, the following shall apply:

a. Activities that are considered an agriculture – industrial process, as defined in this Article, are prohibited.

b. Permanent farmstands for the sale of items grown on the farm are prohibited.

c. Temporary farmstands are permitted subject to the following:

i. Hours of operation for temporary farmstands are limited to between 8:00 a.m. and 9:00 p.m.

ii. All structures associated with a temporary farmstand shall be erected and removed daily.

iii. Products for sale shall be limited to those goods grown and produced on the subject farm property.

iv. The sale of goods from external vendors is prohibited.

d. Farming activities shall be limited to bee keeping and the growing of crops, produce, and/or flowers.

e. 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. RESERVED**

#### **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.

2. In the ML-1 and ML-2 Zoning Districts, government office uses shall be a maximum 40% of the cumulative building gross floor area on the site.

#### **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.

### **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 Zoning 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. For the purposes of this standard, a non-network required private street does not have angled or perpendicular parking on each side of the travel lanes.
  - 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.

### 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, office uses shall be a maximum 40% of the cumulative building gross floor area on the site.
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. 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 adjacent to a Neighborhood 1 or Neighborhood 2 Place Type, the outdoor storage yard shall be located a minimum of 200 feet from the Neighborhood 1 or Neighborhood 2 Place Type. No storage is permitted within this separation.
2. The outdoor storage yard requires a Class C landscape yard along all property lines of the lot on which it is located, 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.
2. Parking lots are permitted in the N1-A, N1-B, and N1-C zoning districts only when part of a conservation residential development site developed under the standards of Section 4.5.A.

**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.

**NNN.2 Private Outdoor Recreation Facilities**

1. Outdoor recreation facilities shall have a 50 foot separation measured from the closest edge of any active-use component or ancillary facility to the nearest lot line.
2. A Class B landscape yard is required along all rear and side lot lines abutting a Neighborhood 1 or Neighborhood 2 Place Type.
3. Outdoor recreation facilities adjacent to a Neighborhood 1 or Neighborhood 2 Place Type shall limit hours of operation to between 6:00 a.m. and 11:00 p.m.



4. The use of temporary enclosures for swimming pools shall be permitted for periods not exceeding six months in any calendar year, provided such temporary enclosures do not exceed 30' in height.

#### **NNN.3 Private Recreation Club**

1. Outdoor recreational facilities located within a private recreation club shall have a 50 foot separation measured from the closest edge of any active-use component or ancillary facility to the nearest lot line.
2. Outdoor recreational facilities located within a private recreation club shall have a Class B landscape yard along all rear and side lot lines abutting a Neighborhood 1 or Neighborhood 2 Place Type.
3. Outdoor recreational facilities located within a private recreation club, and which are adjacent to a Neighborhood 1 or Neighborhood 2 Place Type, shall limit hours of operation to between 6:00 a.m. and 11:00 p.m.
4. The use of temporary enclosures for swimming pools shall be permitted for periods not exceeding six months in any calendar year, provided such temporary enclosures do not exceed 30' in height.

#### **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 and Manufactured Home Park 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. 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.
2. In the N1-F and N2-A Zoning Districts, residential care facilities shall front on arterial streets or limited access roadways and primary vehicular access is only permitted via arterial streets, collector streets, and limited access roadways where allowed.

### **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. 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 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 around the area of the substation equipment.
- 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 Fueling Facility**

1. Vehicle fueling facility 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. Vehicle fueling facilities 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. Vehicle fueling facilities shall have four stacking spaces per service island.
4. When located in an IC-1 or IC-2 Zoning District, a vehicle fueling facility shall be a related component intended to serve and support an educational, government, or medical campus. The vehicle fueling facility is intended only for the fueling of fleet vehicles associated with the campus and shall not include retail components.

#### **EEEE.2. 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.

#### **IIII. 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 14 consecutive calendar days, including set-up and breakdown time, and no more than six mobile retail sales shall be allowed per tax parcel per calendar year.
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. Outdoor Produce Sales**

1. A zoning use permit is required.
2. Outdoor produce sales shall be permitted for 365 consecutive days.
3. Outdoor produce 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.
4. Outdoor produce sales, including all sale and display items, shall not be located in any required build-to zone, required setback, sight distance triangle, required landscape yard or parking space.
5. Hours of operation for outdoor produce sales are limited to between 8:00 a.m. and 9:00 p.m.
6. 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 outdoor produce sales vendors locate on a site. Any site plan approval is valid for the duration of the use.

7. Up to 10% of the total outdoor produce sales may be used to sell fruit- or vegetable-derived products.

#### **E. Outdoor Seasonal Sales**

1. A zoning use permit is required.
2. Outdoor seasonal 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. Outdoor seasonal sales, including all sale and display items, shall not be located in any required build-to-zone, required setback, sight distance triangle, required landscape yard or parking space.
4. Outdoor seasonal sales are allowed up to 90 days per sale. No more than three outdoor seasonal sales events shall be allowed per tax parcel per calendar year.
5. Hours of operation for outdoor seasonal sales are limited to between 8:00 a.m. and 9:00 p.m.
6. 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 outdoor seasonal sales vendors locate on a site. Any site plan approval is valid for the duration of the use.

#### **F. 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.

#### **G. 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.

#### **H. 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.

**I. 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, sight distance triangle, required landscape yard or parking space.
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 temporary outdoor sales 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 zoning use permit beyond 14 days. No more than six temporary outdoor sales events shall be allowed per tax parcel per calendar year.
6. Hours of operation for temporary outdoor sales 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.
8. 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 temporary outdoor sales vendors locate on a site. Any site plan approval is valid for the duration of the use.

**J. 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, and shall not be located in a required front or side setback.
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. Signs are permitted in accordance with Section 22.6.B.
3. Childcare centers in residence are subject to the standards for a single-family dwelling unless modified by this section.
4. A single-family dwelling containing a childcare center in residence shall be the primary residence of the operator/primary caregiver.
5. 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.
6. Outdoor play space and play equipment shall be located to the rear of the principal structure.
7. A childcare center in residence shall be limited to a maximum of two employees that reside outside of the residence at any one time.
8. 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. Signs are permitted in accordance with Section 22.6.B.
3. 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.
4. 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.
5. Outdoor play space and play equipment shall be located to the rear of the principal structure.
6. A family childcare home shall be limited to a maximum of one employee that resides 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.

**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 located on a corner lot, a through lot abutting two parallel local public streets, or a lot that abuts an alley, a separate driveway may be provided from the side street, the local public street with reverse frontage, or the alley,

whichever applies.

6. 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. However, in no case shall the ADU exceed 1,000 heated square feet.
  - b. The structure shall be subject to the requirements of Section 17.1.

#### **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 Section 22.6.B.
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.
17. Any home occupation is subject to all other applicable regulations including but not limited to Building Code, Mecklenburg County Health Department, Mecklenburg County Environmental Health regulations, and any other state or federal regulations governing the use.

**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 the property owner and the property owner shall reside within the dwelling.
3. A rooming house is subject to the standards for a single-family dwelling unless modified by this section.
4. 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.
5. There shall be no separate private entrance for any of the rooming units.
6. A maximum of five boarders is permitted.
7. No signs are permitted.
8. 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 that are part of a conservation residential development may be placed on a lot that abuts a common open space area or green area per the standards of Section 4.5.A.
4. Buildings that are part of a compact residential development may be placed on a lot that abuts a common open space area per the standards of Section 4.5.C.
45. Buildings within a cottage court development.
56. Buildings within a multi-dwelling development that meet the requirements of Section 15.4.HHH.2.b.
67. 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.
78. 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.
89. For cul-de-sac lots, the minimum lot frontage at the right-of-way shall be no less than 15 feet.
910. 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.

#### **G. Relationship of Structures**

1. Structures connected via a breezeway, as defined in Article 2 of this Ordinance, shall be considered detached from each other, and considered as separate structures.
2. Structures connected via a partially walled or completely enclosed passage, or via an unenclosed passage with a width between structural supports greater than eight feet, shall be considered attached and considered as a single structure.

### **16.2 EXTERIOR LIGHTING**

The following exterior lighting requirements apply to lighting for multi-family dwellings, multi-dwelling developments, 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, OG, 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, OG, 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, OG, 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:</b> 20 points</p> <p><b>CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, OG, CG, and CR Zoning Districts:</b> 12 points</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><b>UE, RAC, IC-2, RC, and TOD-UC Zoning Districts: 15 Points</b></p> <p><b>CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, OG, CG, and CR Zoning Districts: 10 Points</b></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>*Up to 25% of the bonus EV parking spaces may be designed and designated for compact vehicles per Charlotte Land Development Standards Manual (CLDSM) standards.</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, OG, CG, and CR Zoning Districts: 10 points</b></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>*Up to 25% of the bonus EV parking spaces may be designed and designated for compact vehicles per CLDSM standards.</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, OG, CG, and CR Zoning Districts: 20 points</b></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><b>UE, RAC, IC-2, RC, and TOD-UC Zoning Districts: 15 points</b></p> <p><b>CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, OG, CG, and CR Zoning Districts: 10 points</b></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><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, OG, CG, and CR Zoning Districts: 15 points</b></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><b>UE, RAC, IC-2, RC, and TOD-UC Zoning Districts: 25 points</b></p> <p><b>CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, OG, CG, and CR Zoning Districts: 20 points</b></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><b>UE, RAC, IC-2, RC, and TOD-UC Zoning Districts: 30 points</b></p> <p><b>CAC-1, CAC-2, NC, IMU, TOD-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, OG, CG, and CR Zoning Districts: 25 points</b></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, OG, 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, OG, 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, TOC-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, OG, 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, TOC-CC, TOD-NC, TOD-TR, N2-C, IC-1, OFC, OG, 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, OG, 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 quadraplex 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.

Table 16-2: Design of Open Space			
Design Requirement	Public	Common	Private
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.