

Revised 3-4-20

Petition No. 2020-044

Petitioner: Charlotte Planning, Design and Development

**AN ORDINANCE AMENDING APPENDIX A OF
THE CITY CODE –ZONING ORDINANCE**

ORDINANCE NO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. TABLE OF CONTENTS

1. Amend the Table of Contents by (1) modifying the title of Section 15.6.3, (2) renumbering subsections 15.6.4, 15.6.5, and 15.6.6. to 15.6.5, 15.6.6, and 15.6.7, and (3) adding a new section 15.6.4 titled, "Loading Area Screening". The revised entries in the Table of Contents shall read as follows:

~~15.6.3~~ 15.6.3 Parking Lot and Loading Area Perimeter Landscape

15.6.4 Loading Area Screening

~~15.6.4~~ 15.6.5 Parking Lot Interior Landscape

~~15.6.5~~ 15.6.6 Buffer Yards

~~15.6.6~~ 15.6.7 Parking Structure Landscape Yard

2. Amend the Table of Contents by adjusting the page numbers after these text amendments.
3. Adjust page headers throughout Chapter 15 after these text amendments.

B. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

1. PART 2: Definitions

- a. Amend Section 2.201, "Definitions" by deleting the definition for "Large Waste Container". The deleted definition is as follows:

~~Large Waste Container.~~

~~A dumpster, compactor, open top container, and detachable container that is used for collecting, storing or transporting residential solid waste.~~

C. CHAPTER 10: PEDESTRIAN OVERLAY DISTRICT

1. Amend Section 10.802, “Applicability” by adding Transit Oriented Development-Urban Center District (TOD-UC), the Transit Oriented Development-Neighborhood Center District (TOD-NC), the Transit Oriented Development District- Community Center (TOD-CC), and the Transit Oriented Development District -Transit Transition (TOD-TR) to the first sentence as districts where PED will not be applicable. The revised section shall read as follows:

Section 10.802. Applicability.

The PED will be applied to selected corridors as an overlay to existing zoning districts, but will not be applicable to the Mixed Use Development District (MUDD), Uptown Mixed Use District (UMUD), ~~and~~ the Neighborhood Services District (NS), the Transit Oriented Development-Urban Center District (TOD-UC), the Transit Oriented Development-Neighborhood Center District (TOD-NC), the Transit Oriented Development District- Community Center (TOD-CC), and the Transit Oriented Development District -Transit Transition (TOD-TR). If the regulations and standards of this Pedestrian Overlay District conflict with those of the underlying district, those of this overlay district shall apply, with one exception. If the regulations and standards of this Pedestrian Overlay District conflict with those of an Historic Overlay District, then Historic Overlay District regulations and standards for exterior features as described in Section 10.204 shall take precedence over the PED regulations and standards.

A PED is not established until a rezoning petition is approved designating the boundaries for the particular corridor and a streetscape plan is approved by the City Council. The designated PED shall be shown on the official zoning maps. The development and urban design standards for a PED are stated in Sections 10.812 and 10.813 respectively.

D. CHAPTER 15: TRANSIT ORIENTED DEVELOPMENT

1. Amend Section 15.1.3, “TOD-UC Transit Urban Center”, subsection B, “Applicability” by modifying the text to adjust the applicability of the TOD-UC zoning district, and clarify the requirements. The revised section shall read as follows:

B. Applicability. The TOD-UC district may be applied to parcels within ½ mile walking distance of an existing rapid transit station, or within ¼ mile walking distance of an existing streetcar stop, or within ½ mile walking distance of an adopted Metropolitan Transit Commission alignment station location on an existing rapid transit corridor, or within ½ mile walking distance of a funded and adopted Metropolitan Transit Commission alignment station location on other rapid transit corridors, or within ¼ mile walking distance of an adopted and funded streetcar stop.

2. Amend Section 15.1.5, “TOD-CC Transit Community Center”, subsection A, “Purpose” to correct inaccuracies in the first paragraph. Other paragraphs within subsection A remain unchanged. The revised subsection shall read as follows:

A. Purpose. The TOD-CC district is appropriate for parcels near moderate-intensity rapid transit stations and streetcar stops. Its lower maximum building heights, and less stringent design standards, ~~and higher maximum parking limits~~ are intended to accommodate and encourage transit oriented and transit supportive development in transit station areas where there is not a current market demand for more intense development. These station areas are generally further from Uptown.

3. Amend Section 15.1.7, “Applicability of Frontages”, by clarifying the first paragraph. The revised first paragraph shall read as follows:

15.1.7 Applicability of Frontages

A frontage is that part of the lot and/or building façade that faces: 1) an existing or ordinance required public or private street, 2) a street designated on an adopted Streets Map, 3) a platted right-of-way offered for dedication and at least 30 feet in width, or 4) a public space, such as an open space, public path, or transit corridor. ~~Frontages are that part of the lot and/or building facade that faces a public or private street or public space, such as an open space, public path, or transit corridor.~~ Many of the regulations for the TOD Districts including, but not limited to, dimensional and design standards, are controlled by frontage type.

4. Amend Section 15.1.7. “Applicability of Frontages”, subsection A, “Application”, subsection 1.a, 1.b and subsection 2 by clarifying the text. The revised text shall read as follows:

A. Application. Street classifications and Ffrontage types within the TOD Districts are as follows:

1. ~~For that~~ That portion of a lot that abuts an arterial street or collector, classified as a Main Street, 4+ Lane Avenue/ Boulevard, or Limited Access Road. ~~S~~street classifications and frontage types are determined as follows:
 - a. If a Streets Map has been adopted, the Streets Map ~~classifications~~ designates the street classification and frontage type.
 - b. If a Streets Map has not been adopted, the street classifications in an adopted Station Area Plan designates the street classification and frontage type.
2. Where a Streets Map or adopted ~~Station~~ Area Plan does not provide adequate information to designate a frontage type for a non-local or

arterial street, the frontage type shall be assigned the designation of ~~other frontage~~, either other frontage - primary or other frontage - secondary. Reference sections 15.1.7.B.4 and 15.1.7.B.5 for criteria for these frontage types.

5. Amend Section 15.1.7, “Applicability of Frontages”, subsection B, “Street Classifications and Frontage Types”, subsection 1, “Main Street – Street Classification and Frontage Type” to clarify the requirements. The revised text shall read as follows:

1. **Main Street - Street Classification and Frontage Type.** Destination streets that provide access to and function as centers of civic, social, and commercial activity with the highest level of comfort, security, and access for pedestrians and development focused toward the pedestrian realm, as defined by ~~the~~ an adopted Streets Map. Until such time as a Streets Map is developed and adopted for the area in which a property is located, a street designated as a “Main Street” or a “Retail Street” by an Area Plan shall be considered a “Main Street”. or the adopted Station Area Plan. A street designated as a “Retail Street” by an Area Plan shall be considered a Main Street.

6. Amend Section 15.1.7, “Applicability of Frontages”, subsection B, “Street Classifications and Frontage Types”, subsection 3, “Limited Access Road – Street Classification and Frontage Type” to relocate text originally found in 15.1.7.B.6.b. into this subsection. All other subsections remain unchanged. The revised text shall read as follows:

3. **Limited Access Road - Street Classification and Frontage Type.** A limited-access road is an interstate, parkway, or similar roadway designated for high-speed traffic which has limited or no access to adjacent property, and typically a degree of separation of opposing traffic flow. Any frontage abutting a freight rail corridor and/or a transit corridor that does not have pedestrian access is designated a limited access road frontage type.

7. Amend Section 15.1.7, “Applicability of Frontages”, subsection B, “Street Classifications and Frontage Types”, subsection 4, “Frontage Type – Other – Primary” to relocate text originally found in 15.1.7.B.6. Reletter subsections accordingly. All other subsections remain unchanged. The revised text shall read as follows:

4. **Frontage Type – Other – Primary** Other frontage – primary applies to the TOD Districts as follows:
 - a. For the purposes of interpretation, a frontage designated as a Main Street or 4+ Lane Avenue/Boulevard frontage type is considered a primary frontage type if such designations are not called out specifically in the regulations.

b. Independence Boulevard is designated an other frontage - primary if there is no other opportunity for a primary frontage designation on the site.

~~b-c.~~ If a frontage abuts any of the following, it is designated as frontage type, other - primary.

i. Two-lane avenues.

ii. Collector streets.

iii. Transit stations and transit corridors that have pedestrian access.

iv. Frontages within 100 feet of a rapid transit station.

v. A street that is a direct connection to a transit station within 1/4 mile.

vi. A street abutting a single-family district.

vii. A public park, plaza, or other public open space, or a public path.

8. Amend Section 15.1.7, “Applicability of Frontages”, subsection B, “Street Classifications and Frontage Types”, subsection 6, “Specific Frontage Type Designation”, by deleting the entire subsection (to be relocated later in this text amendment). The deleted text shall read as follows:

~~6. **Specific Frontage Type Designation.** The following frontage designations are applied to the following specific circumstances within the TOD Districts:~~

~~a. Independence Boulevard is designated an other frontage - primary if there is no other opportunity for a primary frontage designation on the site.~~

~~b. Any frontage abutting a freight only rail corridor and/or a transit corridor that does not have pedestrian access is designated a limited access road frontage type.~~

9. Amend Section 15.1.7, “Applicability of Frontages”, subsection C, “Application to Lots with Multiple Frontages”, by clarifying the requirements in subsections 1, 2, and 3. The revised text shall read as follows:

C. Application to Lots with Multiple Frontages

1. When a lot has two frontages, at least one frontage shall be a primary frontage type. If neither frontage meets the criteria listed for other frontage - primary, one frontage shall be designated as a primary frontage type. If both frontages meet the criteria for primary frontages, they shall both be designated as primary frontages.

2. When a lot has three frontages, at least one frontage shall be designated as a primary frontage type. If no frontage meets the criteria listed for other frontage - primary, one frontage shall be designated as a primary frontage. All frontages that meet the criteria for primary frontages shall be designated as primary frontages.
 3. When a lot has four frontages, at least two frontages shall be designated as primary frontage types. If less than two frontages meet the criteria for other frontage - primary, additional primary frontages shall be designated to meet this minimum. All frontages that meet the criteria for primary frontages shall be designated as primary frontages.
10. Amend Section 15.2, “Dimensional Standards”, subsection 1, “TOD District Dimensional Standards”, subsection B, “Building Siting”, table A, “Required Setback Line by Frontage Type (From Future Back of Curb)” to clarify the requirements by adding a new asterisk and renumbering the remaining asterisks. The revised table shall read as follows:

		TOD-UC	TOD-NC	TOD-CC	TOD-TR
Required Setback Line by Frontage Type (From Future Back of Curb) * **					
A	Frontage Type				
	Main Street	18'			
	4+ Lane Ave/Blvd***	24' for 4-5 Lane, 30' for 6+ Lane			
	Other - Primary	Transit corridor - 20' Public path - 24'			
	Other - Secondary	Other frontage type - 16'			
	Limited Access	10' measured from right-of-way			
Build-To Zone (From Setback Line) ****					
B	Frontage Type				
	Main Street				
	4+ Lane Ave/Blvd ***	0-10'	0-20'	0-10'	0-20'
	Other - Primary				
	Other - Secondary				
	Limited Access	N/A			
Minimum Build-To Percentage					
C	Frontage Type				
	Main Street	100%		80%	
	4+ Lane Ave/Blvd ***	80%	60%	80%	60%
	Other - Primary	80%			
	Other - Secondary	60%	40%	60%	40%
	Limited Access	N/A			
D	Side Setback Line	None, unless abutting single-family residential zoning, then: 10' for TOD-UC & TOD-CC 15' for TOD-NC & TOD-TR			
E	Rear Setback Line	None, unless abutting single-family residential zoning, then 20'			

* In all cases, the required setback line shall be at or behind the required pedestrian facilities and planting strip/amenity zone.

** For property fronting on a transit corridor or greenway that is a primary or secondary frontage, the building setback line shall

be based on an adopted plan. If there is no adopted plan, the Planning Director, in consultation with the CATS Director and/or Mecklenburg County Park and Recreation, will determine the location of the building setback line. The required setback line may need to be increased in some cases to accommodate shared required streetscape elements.

_ With recessed parking, setback calculation begins at back of curb adjacent to travel lane.

_ The build-to zone begins at the required frontage type setback line. If no frontage type setback applies, a setback of 16' from the back of curb is applied and the build-to zone begins at such line.

11. Amend Section 15.2.1, “TOD Districts Dimensional Standards”, subsection C, “Building Height” by revising the footnote asterisk to adjust the standards to address unintended consequences. The revised footnote asterisk shall read as follows:

* In the TOD-NC, TOD-CC, and TOD-TR districts, the maximum building height of any structure within 200' of ~~a single-family residential zoning district parcel boundary~~ uses or vacant land in a single-family residential zoning district is limited to 65'. In the TOD-UC district, the maximum building height of any structure within 200' of ~~a single-family residential zoning district parcel boundary~~ uses or vacant land in a single-family residential zoning district is limited to a maximum building height of 65' within the first 100' and a maximum building height of 75' within the area greater than 100' and up to 200' of ~~a single-family residential zoning district parcel boundary~~ uses or vacant land in a single-family residential zoning district. These standards apply only to that part of a structure within the 200' boundary. This limitation does not apply to public parks of 3 acres or greater within a single-family residential zoning district or a single-family residential zoning district of two or fewer parcels.

12. Amend Section 15.2.1, “TOD Districts Dimensional Standards”, subsection D, “Required Height Stepback” by adding an asterisk footnote, clarifying the first asterisk, and updating the table accordingly. The revised subsection D shall read as follows:

		TOD-UC	TOD-NC	TOD-CC	TOD-TR	
A	Required Stepback *	Main Street	Height above 65' requires a minimum stepback of 10' from the building facade line. Such stepback shall occur above the ground story, and no higher than the 4th story.			
		4+ Lane Ave/Blvd	N/A			
		Other - Primary	** ***	N/A	** ***	N/A
		Other -	N/A			
		Limited Access	N/A			
B	Permitted Corner Tower Element – Corner Lots Only	Limited in width and depth to a maximum 25% of the building frontage. May exceed height at which stepback is required, but may in no case exceed the overall building height.				

* The required stepback applies to each facade located along a frontage type. Where more than one frontage is present, the requirement for such frontage applies to that facade. The following are exempt from stepback requirements: ~~1) stepback requirements do not apply to side or rear facades; and 2) any facades located along a frontage, where the lot width of such frontage is 50' or less in length, are exempt from stepback requirements; and 2) any building or portion of a building located at least 50' behind the setback line.~~

** Height above 120' requires a minimum stepback of 10' from the building facade line. Such stepback shall occur above the ground story, and no higher than the 6th story.

*** For a building line that is 100' or less in length along the frontage, a material change and/or architectural change, with a corresponding change in wall plan of at least 12" is allowed as an alternative to the required stepback. The material and/or architectural change shall occur above the ground story and no higher than the 6th story.

- Amend Section 15.2.1, "Building Articulation", the Building Articulation table, subsection E in the table to clarify the requirements. The revised subsection shall read as follows:

Ground Floor Transparency Area (Measured 3' to 10' From <u>Finished Grade</u>)*****			
Frontage Type	Main Street	60% Min./Residential: 25% Min.	
	4+ Lane Ave/Blvd	60% Min./Residential: 25% Min.	40% Min./Residential: 20% Min.
	Other - Primary	60% Min./Residential: 25% Min.	40% Min./Residential: 20% Min.
	Other - Secondary	50% Min./Residential: 25% Min.	40% Min./Residential: 20% Min.
	Limited Access	N/A	

14. Amend the first paragraph of Section 15.2.2, “Development Bonus” to clarify the requirements. The revised first paragraph shall read as follows:

15.2.2 Development Bonus

In order to exceed the base standards for maximum height or maximum building length, or deviate from the standards for required open space, a development shall meet the standards as described below and in Table 15.1: Bonus Menu. To exceed the base standards for maximum building length, an Administrative Adjustment per Section 15.11.1 or a Variance per Chapter 5 may also be pursued.

15. Amend Table 15.1, “Bonus Menu”, “Economic Mobility”, section 1, “Affordable Housing”, to revise the bonus provisions. The revised Table shall read as follows:

Economic Mobility		
Affordable Housing and the Charlotte Business Inclusion program are designed to promote economic opportunity in the transit station areas.		
Bonus Actions		Points Awarded
1.	<p>Affordable Housing. Devote 10% of Gross Floor Area of each floor having occupiable space above the maximum (without bonus) permitted building height (calculated to number of units) to affordable housing, using local unit size averages. *</p> <p>* Affordable housing must be set aside for affordable units, or equivalent space for special purpose or supportive housing development. Options and administration requirements to provide housing include fees-in-lieu, off-site housing within ½ mile of an existing rapid transit station, and donation of land as outlined in the Charlotte Affordable Housing Bonus Administration Manual.</p>	<p>Height Bonus: All Districts: Additional Height per Floor up to Maximum Height Allowed by Ordinance</p>

16. Amend Table 15.1, “Bonus Menu”, subsection “Transportation Improvements” by deleting lines 8, 9, and 11, and renumbering the remaining subsections.. The revised table shall read as follows:

Transportation Improvements			
A key principle of the TOD Districts is ensuring that Charlotte’s future growth be built around a multi-modal transportation system. Transportation bonuses are focused around the provision of facilities, amenities, and infrastructure improvements that will provide efficient mobility options for Charlotteans as the city continues to grow.			
Bonus Actions		Points Awarded	
		TOD-UC, TOD-CC	TOD-NC, TOD-TR
8.	Capital Project: Developer will build or contribute to a project adjacent to property and/or within ¼ mile. Project must be identified on an adopted plan.	15 points	10 points
9.	Capital Projects over 15% of Tax Value of Land at time of permit: See standards above.	20-150 points*	15-40 points*
		*Points to be determined on a case by case basis by the Planning Director in consultation with the CDOT Director and other departments as deemed appropriate, not to exceed 150 points.	
10 <u>8.</u>	New Street Connection: New public or private (built to public standards), beyond those required by the TIS and/or the Zoning/Subdivision Ordinance, as approved by the CDOT Director.	120 points	40 points
11	New Street Connection Right of Way: New public or private Right of Way to be dedicated beyond those required by the TIS and/or Zoning/Subdivision Ordinance, as approved by the CDOT Director.	40 points	15 points
12 <u>9.</u>	Dedication of Future Transit Rights of Way along transit corridors (per 100 ft): See recommended alignment for dimension.	3 points	2 points

17. Amend Section 15.3.1, “Non-residential, Mixed Use, and Multi-Family Stacked Design Standards”, subsection C, “Building Articulation”, subsection C, “Building Material Restrictions” by relocating it immediately under subsections A and B, instead of separating it with Table 15.2. The relocated section shall read as follows:

15.3 DESIGN STANDARDS

15.3.1. Non-residential, Mixed-Use, and Multi-Family Stacked Design Standards

- A. Table 15.2 dictates the design standards for non-residential, mixed-use, and multi-family stacked development within the TOD Districts.
 - B. Table 15.2 distinguishes requirements between building facades adjacent to different types of frontages for the TOD Districts. A “UC,” “NC,” “CC,” or “TR” in a column indicates the applicability of these standards to the four respective TOD Districts: TOD-UC, TOD-NC, TOD-CC, and TOD-TR. Standards are applicable to the frontage type indicated.
 - C. Building Material Restrictions
 - 1. Vinyl may only be used for windows, trim, soffits, railings, and fencing.
18. Amend Table 15.2, “Non-Residential, Mixed-Use, and Multi-Family Stacked Design Standards”, section 1 and 2 to clarify the requirements. The revised text shall read as follows:

Facade Articulation & Massing						
Frontage Type		Main Street	4+ Lane Ave / Blvd	Other - Primary	Other - Secondary	Limited Access
1	For buildings of 150' in length or longer, facades shall be divided into shorter segments by means of modulation. Such modulation shall occur at intervals of no more than 60' and shall be no less than 2' in depth, <u>and no less than 10' in width.</u>	UC, NC CC, TR	UC, NC CC, TR	UC, NC, CC	UC, NC	N/A
2	Arcades, galleries, colonnades, outdoor plazas, outdoor dining areas, or similar pedestrian-oriented ground-floor designs shall <u>may</u> be incorporated into facades. When provided, such features that are in line with the building facade above the ground floor are considered to meet any required build-to percentage.	UC, NC CC, TR	UC, NC CC, TR	UC, NC CC, TR	UC, NC CC, TR	UC, NC CC, TR

19. Amend Section 15.3.2, “Multi-Family Attached Unit and Single-Family Attached Design Standards”, subsection C, “Multi-Family Attached Unit and Single-Family Attached”, subsection 3.a, “Site Layout”, to adjust the standards to provide greater flexibility”. The revised text shall read as follows:

a. Site Layout

- i.** Vehicular entrances to garages, including areas used for vehicular access to attached or detached garages, shall be located to the rear of the building and shall not face a frontage or common open space. A residential alley shall not be considered a frontage. The Zoning Administrator may waive this requirement if he determines that, due to site constraints, there is no alternative to vehicular entrances facing a frontage or common open space.

20. Amend Section 15.3.2, “Multi-Family Attached Unit and Single-Family Attached Design Standards”, subsection C, “Multi-Family Attached Unit and Single-Family Attached”, subsection b, “Building Design”, subsection I, “Façade Variation” by clarifying the requirements in subsections (A), (B), and (D) as follows. All other subsections remain unchanged.

- (A)** Variation in the ~~front~~ facade depth of adjoining dwelling units of at least three feet.
- (B)** Stepbacks or projections of the ~~front~~ facade of at least two feet in depth, at intervals of no more than 30 feet.
- (D)** Architectural features, such as balconies, bay windows, or other elements of encroachment, along the ~~front~~ facade of each dwelling unit, as per Section 15.4.10.

21. Amend Section 15.3.3, “Parking Structure Design Standards”, subsection B.3, to clarify requirements. The revised subsection shall read as follows:

- 3.** Parking structures shall be designed so that vehicles parked on all levels of the structure and associated lighting are screened by a wall or panel measuring a minimum of 48 inches in height. Screening Along frontages, the facades of parking structures shall include both vertical and horizontal treatment that resembles patterns and architecture of the occupied portions of the building, including use of similar materials and a similar rhythm of window openings, ~~on frontages~~. The remaining openings shall be screened using decorative elements such as grillwork, louvers, green walls, or a similar treatment. For parking structures with rooftop open-air parking, a parapet wall of sufficient height to ensure vehicles are not visible from the nearest sidewalk is required. Any such parapet wall shall be a minimum of four feet in height.

22. Amend Table 15.3, “Parking Structure Frontage Standards”, by 1) clarifying the first asterisk, and 2) adding a new asterisk to the “ Limited Access” row, and to the asterisk footnotes to clarify the requirements and adjust the standards to address unintended consequences. The revised table shall read as follows:

Table 15.3 Parking Structure Frontage Standards

Frontage / Subdistrict	All Floors Wrapped * + Ground Floor Active	Active Ground Floor + 10' Minimum Stepback for Parking Above	Ground Floor Only Active	Parking Structure at Min. 30' Setback Line with Landscaping **
Main Street	TOD-UC	P	X	X
	TOD-NC	P	X	X
	TOD-CC	P	P	X
	TOD-TR	P	P	X
4+ Lane Boulevard or Avenue	TOD-UC	P	P	X
	TOD-NC	P	P	X
	TOD-CC	P	P	X
	TOD-TR	P	P	P
Other Primary	TOD-UC	P	P	X
	TOD-NC	P	P	X
	TOD-CC	P	P	X
	TOD-TR	P	P	X
Other Secondary	TOD-UC	P	P	X
	TOD-NC	P	P	X
	TOD-CC	P	P	P
	TOD-TR	P	P	P
Limited Access ***	TOD-UC	P	P	P
	TOD-NC	P	P	P
	TOD-CC	P	P	P
	TOD-TR	P	P	P

* All floors wrapped requires a minimum of 70% of the façade above ground floor along any primary frontage to be covered with occupiable building space a minimum of 20 feet in depth. This does not apply to where the façade is not viewable from any frontage or ~~where the~~ for the portion of the façade is beyond 6 stories, above the 6th floor.

** Landscaping shall run the full length of the setback zone, with the exception of areas of vehicular or pedestrian access. The landscaping area shall meet the requirements set forth in Section ~~15.6.6~~ 15.6.7. Such landscaping area shall count toward any required minimum build-to percentage.

*** Freight rail corridors are exempt from this requirement.

23. Amend Section 15.4.2, “Future Curb Line”, subsections A, B, C, D, and E, to clarify the requirements, and adjust the standards. Subsection F remains unchanged. The revised subsections shall read as follows:
 - A. The future curb line for non-local and Main Streets shall be determined by an adopted Streets Map. Until such time as a Streets Map is developed and adopted for the area in which a property is located, the future curb line will be determined by the applicable adopted Area Plan, ~~with the following~~

~~exceptions which will measure the future curb line from the street center line:~~

~~* South Boulevard (Clanton Road to Sweden Road): 46 feet~~

~~* South Boulevard (Sweden Road to I-485): 41 feet~~

~~* South Tryon Street (Clanton Road to I-77): 41 feet~~

~~* North Tryon Street (Old Concord Road to Sugar Creek Road): 57 feet~~

~~* Woodlawn Road (I-77 to Rockford Court): 46 feet~~

- B. If the future curb line for a non-local or Main Street is not adequately defined by the adopted Streets Map or applicable adopted Area Plan, the curb line shall be determined jointly by CDOT and the Planning Department and will take into account adopted policy, including Transportation and Area Plans. The Streets Map shall also be referenced to determine if a ~~12-foot~~ shared-use path is required, ~~in lieu of a standard sidewalk.~~
- C. For an existing or new collector, the future curb line shall be based on the Commercial Wide Street Cross Section found in the Charlotte Land Development Standards Manual. New collectors will be constructed to the Commercial Wide standard. For on-street parking on an existing collector to be allowed, the curb ~~line~~ must be relocated consistent with the Commercial Wide Street Cross Section. The curb ~~line~~ may be left in its current location; however, on-street parking will not be allowed; until such time as the curb is relocated to the future curb line location. Where no curb exists, the curb shall be constructed at the future curb line location.
- D. For an existing local street, the future curb line shall be based on the Commercial Wide Street Cross Section found in the Land Development Standards Manual, ~~if on-street parking is desired.~~ For on-street parking to be allowed, the curb ~~line~~ must be relocated consistent with the Commercial Wide street Cross Section. The curb ~~line~~ may be left in its current location; however, on-street parking will not be allowed; until such time as the curb is relocated to the future curb line location. Where no curb exists, the curb shall be constructed at the future curb line location.
- E. For a new local street, the future curb line and cross section shall be based on the Commercial Wide Street Cross Section found in the Charlotte Land Development Standards Manual.

24. Amend Section 15.4.3, "CDOT Adjustments" by revising the title of the section and clarifying the requirements by adding explanatory text. The revised section shall read as follows:

15.4.3 ~~CDOT~~ Transportation Adjustments

~~The CDOT Director, in consultation with the Planning Director, may adjust the streetscape standards of Sections 15.4.4, 15.4.5, and 15.4.8 when such improvements are not roughly proportional to the need created by the~~

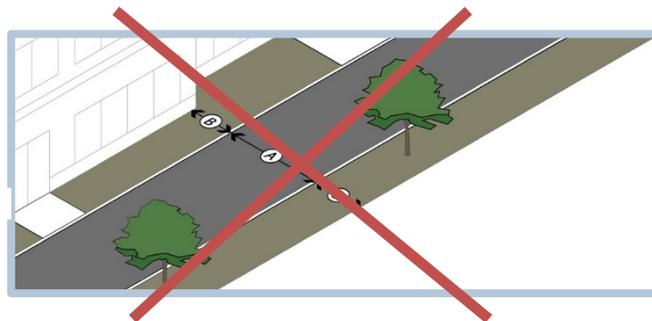
development. Upon request from the applicant, if the CDOT Director determines that any of the requirements in Sections 15.4.4 (excluding tree planting requirements) or 15.4.5 are unrelated to the proposed development’s anticipated transportation impacts or are not roughly proportional to those anticipated impacts, the CDOT Director may modify or waive one or more requirements in Sections 15.4.4 (excluding tree planting requirements) or 15.4.5 to the extent necessary to make those sections’ requirements related to the proposed development’s anticipated transportation impacts and roughly proportional to those anticipated impacts. The CDOT Director will make any determinations and decisions under this Section in consultation with the Planning Director, and the CDOT Director’s determinations and decisions under this Section may be appealed to the Board of Adjustment under Chapter 5 of the Zoning Ordinance.

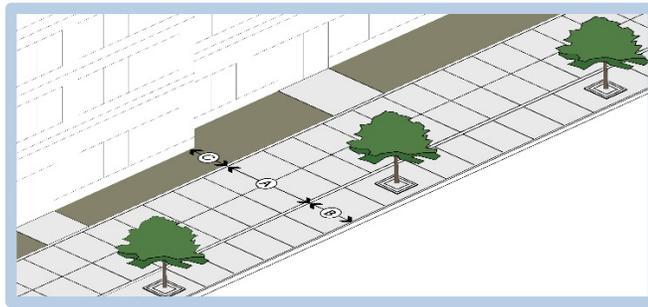
25. Amend Section 15.4.4, “Pedestrian Facilities and Planting Strip/Amenity Zone Standards”, subsection A.2 to clarify the requirements. The revised subsection shall read as follows:

2. Trees shall be planted in the perimeter planting strip or amenity zone, as per the standards found in the Charlotte Tree Ordinance and the Charlotte Land Development Standards Manual. Where streets are maintained by another jurisdiction which precludes such planting, the Planning Director, in consultation with the Urban Forestry Supervisor and City Arborist, may approve alternate locations for such plantings. Where the Charlotte Tree Ordinance does not apply, a mix of shade and evergreen trees shall be planted at an average of one tree for every 50 linear feet of perimeter planting strip or amenity zone.

26. Amend Section 15.4.4, “Pedestrian Facilities and Planting Strip/Amenity Zone Standards”, subsection C, “Shared Use Path” by 1) replacing the graphic and updating the caption, 2) modifying the minimum dimensions, 3) adding a new row “C”, and 4) adding and modifying asterisks. The revised graphic and caption shall read as follows:

C. Shared Use Path *





Shared Use Path and Amenity Zone Dimensions **

		Minimum Dimension
A	Shared Use Path	12'
B	Amenity Zone *** or Perimeter Planting Strip	8' on outer and 4' on inner
C	<u>Amenity Zone ****</u>	4'

* A shared use path is only required when the path is identified in a Council-adopted Streets Map or adopted Area Plan. When the Streets Map or Area Plan indicates that a shared use path is to be provided on a Limited Access frontage, the location of the shared use path will be determined by CDOT, and NCDOT if applicable. This section shall not apply to portions of the Cross Charlotte Trail (XCLT) which are identified on the adopted Streets Map. For Cross Charlotte Trail requirements, see Section 15.4.4.I.

** When abutting a public or private street, dimensions are measured from the future curb line.

*** To determine the requirement for an amenity zone or planting strip, see Section 15.4.4 subsections E, F, G, and H.

**** Either an amenity zone or planting strip is allowed.

27. Amend Section 15.4.4, “Pedestrian Facilities and Planting Strip/Amenity Zone Standards”, subsection D, “Greenway Trail”, by modifying the asterisk as follows: 1) delete the second sentence in the first paragraph and modify the second sentence for clarity; 2) delete the first sentence of the second paragraph and move the sentence up to the end of the first paragraph; 3) modify the last sentence of the second paragraph as shown; and 4) add a new sentence at the end of the third paragraph. The revised subsection shall read as follows:

* The requirement for a greenway trail will be identified in an adopted Mecklenburg County Greenway Master Plan. ~~If the adopted plan does not~~

~~adequately determine the trail requirement, the requirement will be determined by the Director of Mecklenburg County Park and Recreation, in Greenway dimensions are to be determined by the Director of Mecklenburg County Park and Recreation and/or the CDOT Director. Greenway dimensions are to be determined by the Director of Mecklenburg County Park and Recreation and/or the CDOT Director. However, the gGreenway trails shall be a minimum of 12' in width and located no closer than 4' from any building.~~

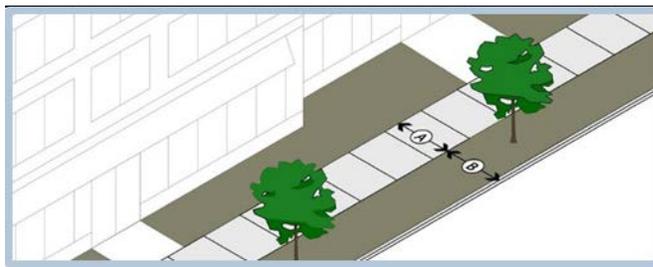
The requirement for construction of a greenway trail may be waived by the Director of Mecklenburg County Park and Recreation and/or the City of Charlotte if either agency has plans for construction of the same trail. In such instances the development shall be required to dedicate the land necessary to accommodate the trail in the location and with the typical dimensions specified in the latest design plans for that project.

28. Amend Section 15.4.4, “Pedestrian Facilities and Planting Strip/Amenity Zone Standards”, subsection G by deleting “4+ Lane” in the title. The revised subsection G title shall read as follows:

G. ~~4+ Lane~~ Avenue or Boulevard (On-Street Parking)

29. Amend Section 15.4.4, “Pedestrian Facilities and Planting Strip/Amenity Zone Standards”, subsection H to 1) delete the “4+ Lane” in the title of subsection H, 2) modify the caption under the graphic, 3) clarify the table, and 4) add a new asterisk to clarify the table.. The revised subsection shall read as follows:

H. ~~4+ Lane~~ Avenue or Boulevard (No On-Street Parking)



Sidewalk and ~~Amenity Zone~~ Planting Strip Dimensions

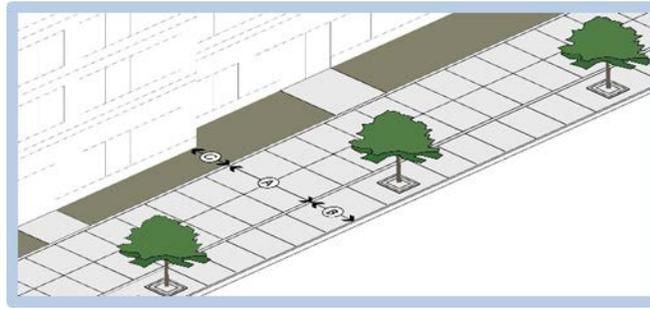
		Minimum Dimension*
A	Sidewalk	8'
B	Amenity Zone or Perimeter Planting Strip **	8' *

* Dimensions are measured from the future back of curb.

** Amenity zone is permitted in lieu of the perimeter planting strip.

30. Amend Section 15.4.4, “Pedestrian Facilities and Planting Strip/Amenity Zone Standards”, by adding a new subsection I, titled “Cross Charlotte Trail (XCLT)*” that includes a new graphic, text, table and asterisks. The new subsection shall read as follows:

I. Cross Charlotte Trail (XCLT)*



Cross Charlotte Trail and Amenity Zone Dimensions**

		Minimum Dimension
A	Shared Use Path	16'
B	Amenity Zone ***	8'
C	Amenity Zone ****	4'

* The Cross Charlotte Trail is only required when the trail is identified in a Council-adopted Streets Map or adopted Area Plan. When the Streets Map or Area Plan indicates that the Cross Charlotte Trail (XCLT) is to be provided on a Limited Access frontage, the location of the trail will be determined by CDOT, and NCDOT if applicable.

** When abutting a public or private street, dimensions are measured from the future curb line.

*** To determine the requirement for amenity zone or planting strip, see Section 15.4.4 subsections E, F, G, and H.

**** Either an amenity zone or planting strip is allowed.

31. Amend Section 15.4.5, “Streetscape Standards”, subsection B.1, B.2, B.3, B.4, B.5, and B.6 by clarifying the requirements. Subsection B. 7 remains unchanged. The revised subsections shall read as follows:

B. The preferred sidewalk and amenity zone/planting strip design as defined in Section 15.4.4 applies as follows:

1. Any development that involves the construction of a new building shall install the required sidewalk and amenity zone/planting strip as indicated in Section 15.4.4.
2. Where the existing sidewalk is a minimum of six feet in width and the existing amenity zone/planting strip is a minimum of six feet in width, such sidewalk and amenity zone/planting strip may be maintained until construction of a new building occurs on the site.
3. Where the existing sidewalk and the amenity zone/planting strip are not each a minimum of six feet in width, they shall be considered substandard and the required sidewalk and amenity zone/planting strip shall be installed when any of the following actions occur. The constrained space standards of Item 5 below may be used.
 - a. Change of use in a structure that is 4,000 square feet or more in gross floor area.
 - b. Expansion of an existing building by 1,000 square feet or 20%, whichever is smaller.
 - c. Addition of 4 or more parking spaces when such parking requires a new sidewalk in order to provide a complete pedestrian connection between the parking area and the principal use.
 - d. Expansion or installation of 1,000 or more square feet of outdoor dining.
 - e. The TOD-TR District is exempt from this section unless sidewalk and planting strip improvements are required by Chapter 19 of City Code.
4. Where there is no existing sidewalk, the required sidewalk and amenity zone/planting strip shall be provided when any of the following actions occur:
 - a. Change of use in a structure that is 1,500 square feet or more in gross floor area and that increases vehicular trips.
 - b. Expansion of an existing building.
 - c. Addition of parking when such parking requires a new sidewalk in order to provide a complete pedestrian connection between the parking area and the principal use.
 - d. Expansion or installation of 500 or more square feet of outdoor dining.

5. The following constrained space standards ~~may~~ shall be used where there is less than 16 feet between the face of the building and the existing back of curb, and the curb line is not required to be moved:
- ~~a. The sidewalk shall be a minimum of eight feet in width.~~
 - ~~b. If there is at least six feet in width remaining after the sidewalk is deducted, a planting strip with trees is required if on-street parking is not provided, or trees shall be planted in grates if on-street parking is provided.~~
 - ~~c. If there is less than six feet remaining after the sidewalk is deducted and if on-street parking is provided, a sidewalk shall be provided across the full width.~~
 - ~~d. If there is less than six feet remaining after the sidewalk is deducted and on-street parking is not provided, either the sidewalk may extend across full width or the remainder of the area may be planted with grass or live groundcover.~~
 - a. Where there is at least 14' feet between the building face and back of curb, that space shall be evenly divided between sidewalk and amenity zone/planting strip space.
 - b. Where there is less than 14' between the building face and back of curb, that space may be evenly divided, subject to the following conditions: the sidewalk shall be a minimum of seven feet wide where a planting strip is provided and a minimum of six feet wide where an amenity zone is provided.
 - c. If the Urban Forestry Supervisor determines that there is not adequate room for tree planting after the required sidewalk is deducted and if on-street parking is not provided, either the sidewalk may extend across the full width or the remainder of the area may be planted with grass or live groundcover. Grass or groundcover cannot be used when less than two feet remain after the sidewalk is deducted.
 - d. If the Urban Forestry Supervisor determines that there is not adequate room for tree planting after the required sidewalk is deducted and if on-street parking is provided, the sidewalk shall extend across the full width of the remainder of the area.
 - e. If there is not enough space to provide the minimum sidewalk width, the space between the building face and the back of curb shall be sidewalk.

6. The ~~CDOT~~ Planning Director, in consultation with the ~~Planning~~ CDOT Director, has the authority to modify the requirements of Sections 15.4.4 and 15.4.5 to preserve existing buildings and trees.
32. Amend Section 15.4.6, “Rapid Transit Corridor Reservation”, subsection C by revising the administrative authority. The revised 15.4.6.C shall read as follows:
- C. The ~~CATS~~ Planning Director, in consultation with the ~~Planning~~ CATS Director, has the authority to modify the requirements of this section if there is an anticipated change in the location of the adopted transit alignment or station location.
33. Amend Section 15.4.10, “Specific Architectural Features”, subsection A.5 by clarifying the requirements. The revised 15.4.10.A.5 shall read as follows:
5. An architectural feature shall not result in an unobstructed horizontal sidewalk clearance of less than eight feet.
34. Amend Table 15.5, “TOD District Maximum Vehicle Parking Limitations” to remove the maximum vehicle parking spaces in TOD-NC and TOD-TR for hotels and motels, which aligns with the fact hotels and motels are not permitted uses in the TOD-NC and TOD-TR districts. The revised table shall read as follows:

PRINCIPAL USE	TOD-UC & TOD-CC	TOD-NC & TOD-TR
	Maximum Vehicle Parking Spaces	Maximum Vehicle Parking Spaces
RESIDENTIAL USE <i>(Includes residential component of mixed-use building.)</i>		
Residential Use	TOD-UC: 0.9/bedroom TOD-CC: 1.0/bedroom	1.1/bedroom
Dormitory	1/dorm room	1/dorm room in parking lot 2/dorm room in parking structure
Residential Care Facility	.5/bed	1/bed
Single-Family Attached	No limit on enclosed/garage spaces 1 space unenclosed on site	No limit on enclosed/garage spaces 1 space unenclosed on site
COMMERCIAL USE <i>(Includes commercial component of mixed-use building.)</i>		
Commercial Use	TOD-UC: 3/1,000sf GFA TOD-CC: 4/1,000sf GFA	5/1,000sf GFA
Hotel/Motel	1/guest room	2/room in parking lot No maximum in parking structure. N/A
INSTITUTIONAL & GOVERNMENTAL USE <i>(Includes institutional and governmental component of mixed-use building.)</i>		
Institutional and Governmental Use	2/1,000sf GFA	3/1,000sf GFA
Educational Facility - Pre-School/Kindergarten	2 per classroom	2 per classroom
Educational Facility - Primary or Secondary	2 per classroom	3 per classroom

PUBLIC HEALTH & SOCIAL SERVICE USE <i>(Includes public health and social service component of mixed-use building.)</i>		
Public Health & Social Service Use <i>No Temporary Residential Component</i>	2/1,000sf GFA	3/1,000sf GFA
Public Health & Social Service Use <i>With Temporary Residential Component</i>	6 spaces	6 spaces
Healthcare Institution	5/patient room	5/patient room
TRANSPORTATION USE		
Transportation Use	None	None
OPEN SPACE USE		
Open Space Use	None	None
INFRASTRUCTURE USE		
Infrastructure Use	None	None

35. Amend Section 15.5.4, “Required Loading Spaces”, subsection A.6, by relocating the first sentence to a new section numbered 15.5.7, later in this amendment. Add a new sentence to subsection A.6 to adjust the standards for greater flexibility. The revised subsection shall read as follows.
6. ~~Loading areas shall be screened along all frontages, and along required side and rear setback lines with a solid wall or fence, a minimum of six feet and a maximum of eight feet in height. For a residential building requiring only one loading space, the loading space may be located in a surface parking lot.~~
36. Amend Section 15.5.5, “Parking Location and Access”, subsection F.1 by clarifying the requirements. The revised text shall read as follows:
- F. Access to off-street surface and structured parking facilities, including driveways accessing internal structured parking within a development, shall be designed in accordance with the following:
 1. Access to surface parking lots shall be located ~~at~~ to the side or to the rear of a structure.
 2. Access shall be from the secondary frontage when available.
 3. No access shall be allowed from street frontages located across from single-family residential zoning districts. If all frontages are located across from single-family residential districts, the Planning Director will determine how access can be achieved with minimal intrusion into a single-family neighborhood.
37. Amend Section 15.5.5, “Parking Location and Access”, subsection G to adjust the text to allow greater flexibility. The revised subsection shall read as follows:
- G. New curb cuts for driveways are prohibited for existing development when alternative vehicular access is available or the driveway can be constructed

to take access from an existing curb cut. An existing curb cut may be relocated to a new location approved by CDOT if the existing curb cut is eliminated, new curb is constructed, and a planting strip and sidewalk are provided where the driveway was previously located.

38. Amend Section 15.5.6, “Valet Parking Standards”, subsection B by deleting the first, second, and third sentence. Add new text to clarify the valet parking standards. The revised 15.5.6.B shall read as follows:

B. ~~A valet parking service may be located at the face of the existing curb on a public or private street. The existing curb line cannot be modified to provide an inset for the valet parking service. When located on a public or private street, such service may only be located on the vehicle way and cannot be located on the amenity zone, planting strip, or pedestrian way.~~ Drop-off/pickup locations for approved valet parking on a public or private street shall only be located on the vehicle way and not on the amenity zone, planting strip, or pedestrian way.

39. Amend Section 15.6.3, “Parking Lot and Loading Area Perimeter Landscape” by 1) modifying the title of subsection 15.6.3 by deleting the text, “and Loading Area”, and 2) adjusting the standards to address unintended consequences in the first paragraph. All subsections located under the first paragraph, remain unchanged. The revised subsection paragraph shall read as follows:

15.6.3 Parking Lot ~~and Loading Area~~ Perimeter Landscape

A perimeter landscape area is required for all surface parking lots ~~and loading areas~~ that abut a frontage or abut another property and shall be established along the edge(s) of the parking lot ~~or loading areas~~ to screen vehicles. The landscape treatment shall run the full length of the perimeter. The edge of a parking lot along a limited access frontage is exempt from this requirement. In addition, parking lot screening will not be required along the edge of the site abutting another property if the Zoning Administrator determines that adherence to this requirement would serve no meaningful purpose. The landscaped area shall be improved as follows:

40. Create a new Section 15.6.4 titled, “Loading Area Screening” that reads as follows:

15.6.4 Loading Area Screening

Loading areas shall be screened along all frontages, and along required side and rear setback lines with a solid wall or fence, a minimum of 6 feet and a maximum of 8 feet in height. The wall or fence shall meet the requirements of Section 15.9.E.2.

41. Amend Section 15.6.4, titled “Parking Lot Interior Landscape” by renumbering the section from 15.6.4 to 15.6.5. The revised Section shall read as follows:

~~15.6.4~~15.6.5 Parking Lot Interior Landscape

All interior parking lot landscaping is governed by the Charlotte Tree Ordinance.

42. Amend Section 15.6.5, “Buffer Yards” by renumbering the subsection from 15.6.5 to 15.6.6. Revise subsection A to address unintended consequences, and revise subsections B and H for clarity. All other subsections remain unchanged. The revised Section number and subsections A, B, and H shall read as follows:

~~15.6.5~~ 15.6.6 Buffer Yards

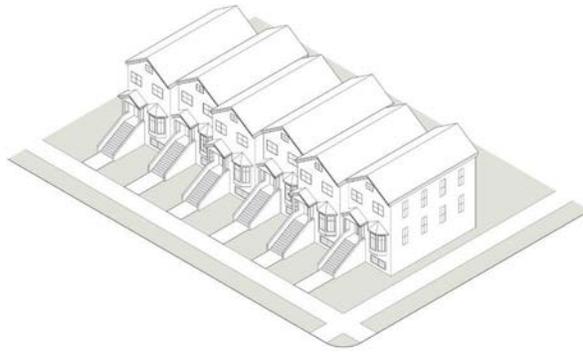
- A.** Buffer yards are required in setback zones abutting residential uses or vacant land in a single-family residential zoning district. This also applies along an alley with a right-of-way width of 25 feet or less that separates a TOD District from residential uses or vacant land in a single-family residential zoning district. However, property boundaries abutting a public park of three acres or more or a single-family residential zoning district containing two or fewer adjacent parcels are exempt from buffer yard requirements.
- B.** Buffer yards may be located within setback zones, but shall be reserved for the planting of material and installation of screening as required by this Section. No parking, stormwater facilities, accessory structures, or required on-site open space, shall be located in the buffer yard area. Stormwater facilities are permitted to cross a buffer yard perpendicularly.
- H.** A solid fence or wall, constructed of wood ~~or vinyl~~ posts and planks, brick, finished masonry, or stone, and a minimum of six feet and a maximum of eight feet in height shall be erected within six inches of the lot line along 100% of the buffer yard length, with the exception of ingress/egress points. The finished side of the fence, as opposed to the side with exposed structural supports, shall face the abutting property.

43. Amend Section 15.6.6, “Parking Structure Landscape Yard” by renumbering the section from 15.6.6 to 15.6.7. All text and subsections under the old Section 15.6.6 shall be located in the new section. The revised Section header shall read as follows:

~~15.6.6~~ 15.6.7 Parking Structure Landscape Yard

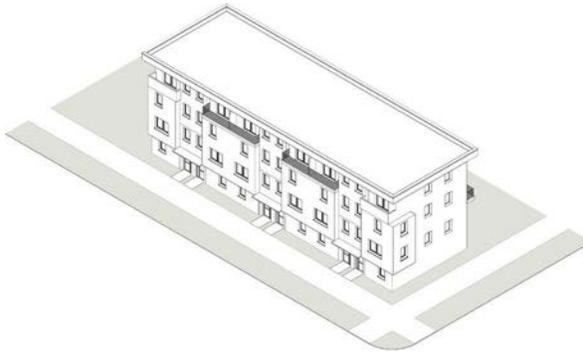
44. Amend Section 15.8.4, “Prescribed Conditions”, subsections 9.b.ii by updating the section reference, and 9.b.iii by adjusting the standard for consistency between ordinance sections. The revised subsections shall read as follows:

- ii. A buffer yard as per Section ~~15.6.5~~ 15.6.6 is required within all side and rear setback zones.
 - iii. Public utility equipment located adjacent to a frontage shall be screened with a solid fence or decorative wall, constructed of wood ~~or vinyl~~ posts and planks, brick, finished masonry, or stone, and a minimum of six feet and a maximum of eight feet in height. Such fence shall be set back seven feet from a required setback line. One evergreen shrub, at least two feet in height at installation and with a minimum spread of two feet, shall be planted for every five linear feet of perimeter area length, spaced linearly on-center, along the outside of the fence. Shrubs shall be listed on the approved plant list in the Approved Plant Species located in the Charlotte Land Development Standards Manual.
45. Amend Section 15.8.4, “Prescribed Conditions”, subsection 10, “Single-room Occupancy (SRO) Residences”, subsection g to update section references. The revised subsection shall read as follows:
- g. All buildings, outdoor active recreation facilities, and off-street parking and service areas will be separated by a buffer per section ~~15.6.5~~ 15.6.6 from any abutting property zoned or used for single-family residential use.
46. Amend Section 15.8.5, “Principal, Accessory, and Temporary Use Definitions”, by revising the definition of “Dwelling – Single-Family Attached”, and “Dwelling – Multi-Family Attached”. In addition, add the definitions for “Multi-Family Attached Unit” (and the graphic illustration) and “Multi-Family Stacked Unit” (and the graphic illustration) to this section [These are existing definitions in Section 15.13.2, being moved into Section 15.8.5, the correct Section.] The revised and added definitions shall read as follows:
- Dwelling – Multi-Family.** A structure containing ~~three~~ five or more dwelling units, with dwelling units either stacked or attached horizontally, located on a single lot.
- Dwelling – Single-Family Attached.** A structure consisting of ~~three~~ two or more dwelling units, the interior of which is configured in a manner such that the dwelling units are attached horizontally, separated by a party wall, and each is located on a separate lot.
- Multi-Family Attached Unit.** Attached unit design refers to multi-family residential designed as a structure with primary side-by-side units, each with an individual entry.



Multi-Family Attached Units

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



Multi-Family Stacked Units

47. Amend Section 15.9, “Accessory Structures”, subsection E, “Fences and Walls”, subsections 1 and 3 to adjust the standards to provide greater flexibility, and update section references. The revised subsection shall read as follows:

E. Fences and Walls

1. Fences and walls in side and rear setback zones are limited to eight feet in height. Fences and walls along a frontage shall be a maximum of eight feet in height, however, the portion of the fence or wall above are limited to three feet shall be constructed to be at least 75% open. Fence or wall height is measured from the base of the fence or wall, except that decorative posts may exceed the maximum height by nine inches.
3. Where a buffer yard with a fence is required by Section ~~15.6.5~~ 15.6.6, the buffer yard regulations control.

48. Amend Section 15.9, “Accessory Structures”, subsection G, “Mechanical Equipment”, subsection 1, “Ground-Mounted Equipment”, subsection b, by adjusting the standard for consistency between ordinance sections. The revised subsection shall read as follows:
- b.** If mechanical equipment is located in a required side or rear setback zone abutting a single-family residential district or is visible from an abutting frontage, it shall be screened from view by a solid fence or decorative wall constructed of wood ~~or vinyl~~ posts and planks, brick, finished masonry, or stone.
 - i.** The wall or fence shall be equal to or up to a maximum of one foot greater than the height of the mechanical equipment being screened.
 - ii.** The enclosure shall be gated. Gates shall visually conceal of the contents of the enclosure, and shall remain closed except when maintenance is needed.
 - iii.** One evergreen shrub, at least two feet in height at installation and with a minimum spread of two feet, shall be planted for every five linear feet of perimeter area length, spaced linearly on-center, along the outside of the fence, excluding the area along the gate. Shrubs shall be listed on the approved plant list in the Approved Plant Species located in the Charlotte Land Development Standards Manual.
49. Amend Section 15.9, “Accessory Structures”, subsection H.2 by adjusting the standards for consistency between ordinance sections. The revised text shall read as follows:
- H. Large Waste Containers and Recycling Stations**
- In addition to the requirements of Sections 12.303 and 12.403 of this Ordinance, the following additional standards apply to large waste containers and recycling stations in the TOD Districts that are permanently stored outside a building.
- 1.** Large waste containers and recycling stations stored outside shall be located to the side or rear of the structure and cannot be located within the build-to zone of any frontage.
 - 2.** If a fence or wall is used to screen a large waste container or recycling station, the fence, gate and wall shall be constructed of the materials allowed in Section 15.9.E.2.
 - 23.** Location and screening requirements of large waste containers and recycling stations are eligible for alternative compliance (Section 15.11.2)
50. Amend Section 15.9, “Accessory Structures”, subsection K, “Utilities (On-Site)”, subsection 3, by clarifying the requirements. The revised subsection shall read as follows:

3. When visible from a frontage or from abutting property, ~~a~~All on-site utilities shall be screened on three sides by a solid wood fence, wall, or wall extension of the principal building equal to or a maximum of one foot greater than the height of the utilities. The enclosure shall be gated on the fourth side. Such gate shall be solid. Alternatively, a hedge row may be used to screen on-site utilities. Such hedge row shall be planted to create a visual barrier and exceed the height of utilities by one foot within three years of planting.

51. Amend Section 15.13.2 “Definitions” by deleting the following definitions that are now located in Chapter 13, “Signs”:

~~**A-Frame Sign.** A temporary sign ordinarily in the shape of the letter “A” or some variation thereof, which is displayed on the ground, not permanently attached to the ground, and usually two-sided, generally connected at the top and separated at the bottom.~~

~~**Awning Sign.** A sign printed or displayed upon an awning, which is a roof-like cover designed for protection from the weather or as a decorative embellishment, which projects from a wall or roof of a structure over a window, walkway, or door, with no supports that extend to the ground.~~

~~**A. Awning Sign – Non-Structural.** An awning, as defined above, constructed of fabric or similar material mounted on a frame.~~

~~**B. Awning Sign – Structural.** An awning, as defined above, constructed of permanent materials, such as metal and or plastic.~~

~~**Changeable Message Board Sign.** A sign designed where a portion of the sign area allows for a message to be changed manually. A changeable message board sign does not include electronic message signs or portable reader board sign.~~

~~**Electronic Message Sign.** A sign designed where a portion of the sign area uses changing light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the electronic display panel to display a message or messages in text and/or image from where the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. Time/temperature signs are not considered electronic message signs. Flashing signs, animated signs, and video display signs are not considered electronic message signs.~~

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

~~**Illumination, Internal (Signs).** Lighting of a sign from internal sources, such as~~

in light source within the framework of a sign cabinet and behind the face of the sign so that light is transmitted through the face of the sign.

Marquee Sign. A permanent roof like structure constructed of permanent building materials that extends from the wall of a structure with no supports extending to the ground providing protection from the elements that includes a sign that is a part of the marquee.

~~Where designed as a changeable message sign, the changeable message portion may be manually changed or electronically changed when permitted in the district.~~

Monument Sign. A sign that is placed on or supported by the ground, independent of a structure on the lot, that has a greater width than height.

Projecting Sign. A sign that is attached to a rigid structure that extends more than 18 inches beyond the surface of the structure to which it is attached.

Roof Sign. A sign mounted on, and wholly supported by, the roof of a building.

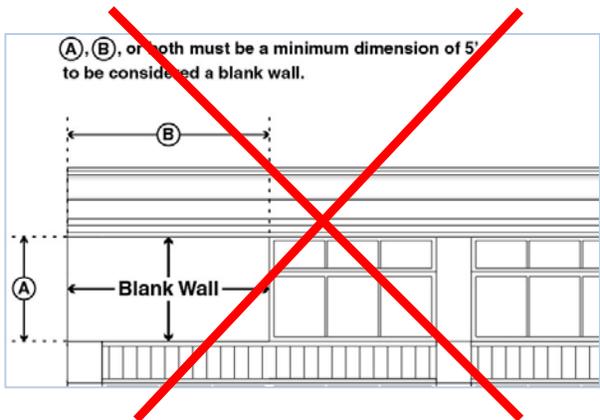
Skyline Sign. A sign attached to the topmost band or bands of the building facade.

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

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

52. Amend Section 15.13.2 “Definitions” by 1) modifying the definition for “Blank Wall Upper Floor” , and deleting the associated graphic, and 2) deleting the definitions and graphics for “Multi-Family Attached Unit” and “Multi-Family Stacked Unit”. [These definitions and graphics are being relocated into Section 5.8.5.] The modified definition is as follows:

Blank Wall, Upper Floor. The horizontal or vertical linear dimension of contiguous building wall that does not contain fenestration, doors, or decorative elements such as banding, medallions, artwork such as murals and mosaics, change in wall plane of at least three inches, or other architectural or material embellishment. Any wall with a minimum dimension of less than five feet (height or width) is not considered to be a blank wall. A wall does not count as a blank wall as long as one of the dimensions of the wall area is less than the maximum dimension in Section 15.2.E.B.



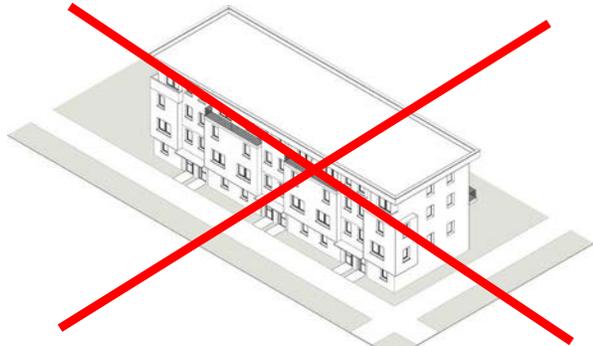
Blank Wall, Upper Floor

~~**Multi-Family Attached Unit.** Attached unit design refers to multi-family residential designed as a structure with primarily side-by-side dwelling units, each with an individual entry.~~



~~***Multi-Family Attached Units***~~

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



~~***Multi-Family Stacked Units***~~

53. Amend Section 15.13.2 “Definitions” by adding new definitions, in alphabetical order, for, “Façade”, “Finished Grade”, “Freight Rail”, and “Frontage”. The new definitions shall read as follows:

Façade. The exterior wall or face of a building.

Finished Grade. The final ground elevation around a building after all earthwork has been completed.

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

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

Approved as to form:

City Attorney

I, _____, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 20____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this _____ day of _____, 20____.