

APPROVED BY COUNTY COMMISSION

Petition No. 99-12(c)

DATE April 13, 1999

REVISED 01/25/99

02/02/99

03/18/99

ZONING REGULATIONS
TEXT AMENDMENT NO. 67

A RESOLUTION AMENDING
THE MECKLENBURG COUNTY
ZONING REGULATIONS

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MECKLENBURG COUNTY,
NORTH CAROLINA:

Section 1. The Mecklenburg County Zoning Regulations as embodied in the Zoning Ordinance are hereby amended as follows:

1. Amend CHAPTER 13: SIGNS, Section 13.109. District regulations for permanent on-premises signs, (5) Business Districts (a) and (b) Type of Sign permitted, by adding the following to the end of each existing regulation:

except signs for theaters where the changeable copy may be
100% of the total sign face area.

The amended section 5(a) and 5(b) Type of Sign Permitted, will read as follows:

Type of Sign Permitted: Identification or Business Sign: the
changeable copy on a business sign shall not exceed 25% of the total
sign face area, except signs for theaters where the changeable copy
may be 100% of the total sign face area.

2. Amend CHAPTER 12, PART 3: BUFFERS AND SCREENING as follows:

- (1) Section 12.302. Buffer requirements (4), by adding the following at the end of the second sentence;

of the developing tract.

The amended subsection (4) will read as follows:

- (4) One hundred (100%) percent of the applicable buffer requirements shall be the responsibility of the developing land use, except when a residential or institutional use is developed abutting an existing more intensive use in a less restrictive zoning district developed prior to the approval of this ordinance and for which no buffer is in

place. In this case, the residential or institutional use shall be responsible for providing a minimum of 50 percent of the required buffer of the developing tract:

- (2) Section 12.302. Buffer requirements (8)(f), by changing the first sentence which reads:

Walls and fences must be located on the interior side of the buffer

to:

Walls and fences must be located within the inner half of the buffer.

3. Amend CHAPTER 12: PART 1: SUPPLEMENTAL DEVELOPMENT STANDARDS, Section 12.106. Uses and structures prohibited and allowed in required setbacks and yards (2), by changing the minimum distance an accessory structure can be located in an established rear yard from 2 feet to 3 feet.

The revised sentence will read as follows:

Except as otherwise provided in this subsection, no accessory structure shall be located within any setback or side yard required by these regulations, nor within three (3) feet of a lot line in the established rear yard.

4. Amend CHAPTER 12: PART 5: SPECIAL REQUIREMENTS FOR CERTAIN USES. Section 12.502. Adult care center, adult care homes, child care center and child care homes, (2)(b), by adding the following to the end of the first sentence;

nor within any required buffer or screening area.

The revised sentence will read as follows:

Any required outdoor play space as required by the Department of Human Resources must be fenced or otherwise enclosed on all sides and may not include driveways, parking areas or land otherwise unsuited for children's play space and may not be in the required setback nor within any required buffer or screening area.

5. Amend CHAPTER 4: DEVELOPMENT APPROVAL, Section 4.104. Zoning review, (2) by entirely eliminating subsection (2). The subsection being eliminated reads as follows:

(2) For uses which are subject to parallel conditional zoning or the conditional district approval, the Zoning Administrator shall forward a copy of the building permit application and site plan to the Planning Director and shall consult with the Planning Director before issuing an approval.

6. Amend CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY, PART 3: BUFFERS AND SCREENING, Section 12.306. Letter of compliance required by entirely eliminating Section 12.306. The subsection being eliminated reads as follows:

Section 12.306. Letter of compliance required.

It is recognized that land development occurs continuously and that vegetation used in landscaping or screening should be planted at certain times of the year to ensure the best chance of survival. In order to ensure compliance with this Section and to reduce the potential expense of replacing landscaping or screening materials which were installed in an untimely or improper fashion, a letter of compliance must be filed with the Zoning Administrator at the time of building permit issuance. This letter will acknowledge that the applicant for the building permit is aware of any buffer or screening requirements which may apply to his or her property and that he or she will comply with those requirements by a specific date, generally, to be within the next planting season, but in no case more than one year after the completion of construction of that portion of the project or building for which the permit was issued. Failure to comply with the provisions of this section within the time noted in the letter of compliance will be a violation of the Zoning Ordinance.

7. Amend CHAPTER 9: GENERAL DISTRICTS, PART 11: INDUSTRIAL, Section 9.1105 (e), Minimum side yard (feet), for both I-1 and I-2 from 0 or 4* to 0 or 5*.

Also, change the footnote to read accordingly as follows:

*In I-1 and I-2 districts, no sideyard is required, but if one is provided, it must be a minimum of five (5) feet.

8. Amend CHAPTER 2, PART 2: DEFINITIONS, Section 2.201 Definitions as follows:

- (1) To the definition of amusement, commercial outdoor, add the use, "par three golf courses" after the use, "miniature golf courses".

The revised definitions will read thusly:

Amusement, commercial outdoor.

Any business establishment operating for profit, which is primarily engaged in providing outdoor recreational activities to the general public. "Commercial outdoor recreation" include such uses as miniature golf courses, par three golf courses, skateboard courses, water slides, mechanical rides, go-cart or motorcycle courses, fish ranches, golf driving ranges or other similar uses.

- (2) To the definition of Dwelling, attached, delete the following wording:

"which are subject to the regulations of subsection 9.303(19)",

The revised definition will read thusly:

Dwelling, attached.

Any duplex, triplex, quadraplex or multi-family dwelling developed side by side where land is sold with each dwelling unit.

9. Amend CHAPTER 9: GENERAL DISTRICTS, PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS, Section 9.101. Table of uses, RESIDENTIAL USES, as follows:

- a. Add the use, "Dwelling, attached (duplex only)" in proper alphabetical order with the symbol "PC" under the R-3, R-4, R-5, R-6 districts, and the symbol "X" in the R-8, R-8MF, R-12MF, R-17MF, R-22MF, R-43MF, O-1, O-2, O-3, B-1, and

B-2.

- b. Add the use, "Dwelling, attached (triplex and quadraplex only)" in proper alphabetical order with the symbol "X" in the R-8, R-8MF, R-12MF, R-17MF, R-22MF, R-43MF, O-1, O-2, O-3, B-1, and B-2.

10. Amend CHAPTER 9: GENERAL DISTRICTS, PART 2: SINGLE FAMILY, as follows:

- a. Section 9.202. Uses permitted by right, by adding the following in place of (1) RESERVED;

(1) Dwellings, attached (duplex, triplex or quadraplex only)(R-8 only).

- b. Section 9.203. Uses permitted under prescribed conditions, by adding the following:

(5.1) Dwellings, attached (duplex only)(R-3, R-4, R-5 and R-6 only), provided that:

- (a) The dwelling will be located on a corner lot;
- (b) If more than one entrance, the entrances to each unit in the structure will face different streets; and
- (c) The minimum setback requirement must be applied to each of the two different streets.

- c. Section 9.205. Development standards for single family districts, (1) Area, yard and bulk regulations as follows:

(1) Add two * symbols after the minimum lot area (c) in all the single family districts (R-3, R-4, R-5, R-6 and R-8) permitting duplex dwellings, and in the R-8 district for triplex and quadraplex dwellings.

(2) Add the following at the end of the table after "*Also, see Section 9.205(2)";

** If land is sold with an attached dwelling, the minimum subplot size must be sufficient to accommodate the dwelling unit and 400 square feet of private open space.

Section 2. That this resolution shall become effective upon adoption.

Approved as to form:

County Attorney

Read, approved and adopted by the Board of County Commissioners of Mecklenburg County, North Carolina, in meeting on the _____ day of _____, 19 _____.

Clerk, Board of County Commissioners

h:\users\pc\share\textamend\chpt13co.signs.wp