

APPROVED BY COUNTY COMMISSIONERS

DATE July 14, 1998

98-33C

ZONING REGULATIONS  
TEXT AMENDMENT NO. 62

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 11: CONDITIONAL DISTRICTS, PART 4: COMMERCIAL CENTER DISTRICT, as follows:

(a) SECTION 11.405. DEVELOPMENT STANDARDS (2) by adding the following sentence after the existing sentence.

This minimum setback may be decreased under the prescribed conditions enumerated in subsection (7) below and approved by the Charlotte-Mecklenburg Planning Commission staff.

Subsection (2) as amended will read as follows:

(2) All principal buildings and structures located within the project area shall meet a minimum setback of 35 feet, a minimum side yard, and a minimum rear yard of 25 feet from any exterior property line. This minimum setback may be decreased under the prescribed conditions enumerated in subsection (7) below and approved by the Charlotte-Mecklenburg Planning Commission staff.

(b) Add a new subsection (7) to Section 11.405 as follows:

(7) The minimum setback of 35 feet as prescribed in subsection (2) above may be reduced to 12 feet from the back of the existing or proposed future curb, whichever is larger as determined by the Charlotte-Mecklenburg Planning Commission staff, if the following criteria are met:

(a) Street walls. The first floors of all buildings, including structured parking must be designed to encourage and complement pedestrian-scale interest and activity.

It is intended that this be accomplished principally by the use of transparent windows and doors arranged so that the uses are visible from and/or accessible to the street on at least 50% of the length of the first floor frontage facing the street.

Where expanses of blank wall are necessary, they may not exceed 20 feet in length. A blank wall is a facade which does not add to the character of the streetscape and does not contain transparent windows or doors or sufficient ornamentation, decoration or articulation.

Doors may not swing open into the minimum 12-foot setback area.

- (b) Structured parking facilities. Structured parking facilities must be designed so that the only openings at the street level are those to accommodate vehicle entrances and pedestrian access to the structure.

In the event that any openings for ventilation, service, or emergency access are located at the first floor level in the building facade, then they must be decorative and must be an integral part of the overall building design. These openings as well as pedestrian and vehicular entrances must be designed so that cars parked inside are not visible from the street. The remainder of the street level frontage must be either occupied retail space or an architecturally articulated facade designed to screen the parking areas of the structure, to encourage pedestrian scale activity, and to provide for urban open space.

Cars on all levels of a structured parking facility must be screened from view from the street utilizing decorative elements such as grill work or louvers. In no instance will cabling alone be sufficient to meet this screening requirement.

The design requirements of this subsection (b) applies to all building facades of parking structures which are visible from any public right-of-way.

- (c) Surface parking. No surface parking or maneuvering space shall be located between any building line and the street, except that driveways providing access to the parking area may be installed across these areas. It is the intent that these driveways be as

nearly perpendicular to the street right-of-way as possible.

- (d) Service and loading areas. No service or loading area may be oriented towards the street from which the reduced setback will occur, nor be within the area between any building line and the street.
- (e) Streetscape requirements. The streetscape requirements for the reduced setback are as follows:
  - (1) Street trees are required in accordance with an approved streetscape plan for the area. If no streetscape plan exists, trees are required along the street frontage as follows:
    - Large maturing tree - One tree per 35 linear feet. The minimum caliper shall be 2 inches measured 6 inches above ground at the time of planting.
    - Small maturing tree - One tree per 24 linear feet. The minimum caliper shall be 2 inches measured 6 inches above ground at the time of planting.
  - (2) Trees must be planted in accordance with the "Charlotte-Mecklenburg Land Development Standards Manual". Trees should be of a type permitted in Appendix 1.
  - (3) Sidewalks will be installed in accordance with an approved streetscape plan for the area. If no streetscape plan exists, sidewalks shall be installed with a minimum width of 6 feet, separated from the curb by a 6-foot wide planting strip. Tree grates may be substituted for the 6-foot wide planting strip. Such tree grates with accompanying irrigation and drainage shall be built in accordance with the "Charlotte-Mecklenburg Land Development Standards Manual".

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

Approved as to form:

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County Attorney

Read, approved and adopted by the Board of County Commissioners of Mecklenburg County,  
North Carolina, in meeting on the 14th day of July, 19 98.

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Clerk, Board of County Commissioners