

Petition No. 00-19c  
Petitioner: Charlotte-Mecklenburg Planning Commission

APPROVED BY COUNTY COMMISSION

DATE January 9, 2001

**ZONING REGULATIONS**

**A RESOLUTION AMENDING  
THE MECKLENBURG COUNTY  
ZONING REGULATIONS**

**TEXT AMENDMENT NO. 82**

**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 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY, PART 1: SUPPLEMENTAL DEVELOPMENT STANDARDS. Section 12.108 "Height Limitations", (8), as follows:

a. Add the following sentence to (8) after the first existing sentence:

All wireless communications transmission facilities located in a residential district (residential districts: R-3, R-4, R-5, R-6, R-8, MX-1, MX-2, MX-3, R-MH, R-8MF, R-12MF, R-17MF, R-22MF, R-43MF, UR-1, UR-2, UR-3, and all of their parallel conditional districts plus any parallel conditional residential districts approved prior to January 1, 1992) or within 400 feet of a residential zoning district shall conform to the concealment standards specified in Section 12.108(8)(j).

b. Add the following sentence to the end of (8)(c):

Any such facility as well as the associated antennae located in a residential district or within 400 feet of a residential district must be indiscernible from the rest of the building or structure.

c. Add the following language to the end of the last sentence (8)(i):

and are not required to conform to the concealment measures of Section 12.108(8)(j).

The entire revised sentence will read thusly:

Such facilities do not trigger the notification provisions or the separation or yard requirements, and are not required to conform to the concealment measures of Section 12.108(8)(j).

d. Insert a new section (8)(j) as follows and re-designate the existing (j), (h) and (l) as (k), (l) and (m) accordingly.

(j) All new wireless communication transmission facilities located in or within 400 feet of a residential zoning district are subject to the following additional standards:

1. The tower must be designed, constructed or integrated into or as a structure in such a manner that it no longer appears to be a wireless communication tower, for example, locate in other towers on buildings, in steeples or be disguised as trees.
2. The tower must have indiscernible antennae.
3. Concealment measures used on any given facility (tower, antennae, and building structures at base) must blend into the character of the area or neighborhood by using architectural treatment similar in design to existing structures.
4. The use of a flagpole as the concealment measure shall only be applicable on a site used for institutional or non-residential uses.

Any wireless communication transmission facility lawfully operating as a conforming use shall not be rendered a non-conforming use by the subsequent rezoning to a residential district within 400 feet of such facility. This subsection (j) shall not apply to Section 12.108 (8) (d) and (e).

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 9<sup>th</sup> day of January, 2001.

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Clerk, Board of County Commissioners