

## Charlotte-Mecklenburg Planning Commission

### Transit Oriented Development Priorities

May 6, 2016

#### Background

The Charlotte-Mecklenburg Planning Commission has adopted a Livable City Policy Statement and Guiding Principles to articulate the Commission's priorities for Charlotte's growth and development and guide the Commission's work in advising the governing bodies it serves. This policy statement is founded in the City's adopted *Centers, Corridors and Wedges Growth Framework*, *General Development Policies* and area plans, and serves to focus and prioritize the Commission's work and recommendations. In particular, the Commission is using this policy statement to guide the development of the City's Unified Development (Zoning) Ordinance, Community Character Policies and area plans, and inform the Commission's recommendation of zoning petitions and mandatory referrals.

Using its "livable cities lens", the Planning Committee began discussing Transit Oriented Development (TOD) at their January 2016 meeting, focusing on recent development in the South End area. At the February and April 2016 meetings, the Committee identified their top priorities for TOD and reviewed the current TOD zoning districts. The Committee identified areas of the current TOD regulations that needed to be strengthened to fulfill the purpose set out in the ordinance: "to require compact urban growth, opportunities for increased choice of transportation modes, and a safe and pleasant pedestrian environment by ensuring an attractive streetscape, a functional mix of complementary uses, and the provision of facilities that support transit use, bicycling, and walking."

#### Issues and Priorities

The accompanying table identifies the Commission's specific priorities and linkages to the livability principles, along with references to the current ordinance language. The Commission's priorities for improving the TOD zoning ordinance are organized into nine categories:

##### TOD Standards

1. Street Level and Pedestrian Activation
2. Parking Design and Street Treatment
3. Rail Trail
4. Architectural Design and Density
5. Parking Standards

##### Overall Design Standards

6. Buffers
7. Dumpsters
8. Lighting

##### Other Concerns

9. Related, Non-Zoning Ordinance

#### Conclusions and Next Steps

In general, the Commission believes that the current TOD standards need to be clarified to better communicate expectations and provide more certainty for all involved in the process. To this end, the Commission recommends that:

- In the short term, the existing TOD standards be enforced to the fullest extent possible, with particular attention given to the Commission's identified priorities;
- The identified priorities be used to help shape the elements included in Charlotte's Community Character Policies/Place Types; and,
- Ultimately, the Commission's identified priorities be incorporated and addressed in the update of the development ordinances (zoning ordinance update), especially related to TOD.

## Street Level & Pedestrian Activation

**Livable City Guiding Principle:** Build vibrant and activity-filled public streets and open spaces that promote community engagement so that Charlotteans of all ages and abilities can participate in a public life.

**Priority:** Strengthening requirements to activate pedestrian oriented streets.

Commission Discussion:

- Require more in Code Section 9.1209 to activate streets in contact with pedestrians.
- Require designs that allow for future activity when demand occurs (need minimum dimensions) and also require some percent of space to be active immediately.
- Require the first floor of residential units facing the street to physically connect to it.
- Require development to have true, honest, walkable, pedestrian scaled connections(s) to the street, leading to where we want activity and pedestrians.

## Existing TOD Ordinance

- Retail and office buildings fronting directly on a public or private street or fronting on a public multi-use path along a transit line and identified in an area plan shall be designed so that the first floor façade of the building(s) along all streets and pathways includes clear glass windows and doors to increase pedestrian interest. These openings shall be arranged so that the uses are visible from and to the street and/or pathway on at least 50% of the length of the first floor street level frontage. **[9.1209(1)(a)]**
- For all other uses, buildings shall be designed so that the first floor street façade along all streets includes the use of clear glass windows and doors arranged so that the uses are visible from and/or accessible to the street on at least 25% of the length of the first floor street frontage. When this approach is not feasible, a combination of design elements shall be used on the building façade, or included into the site design, to animate and enliven the streetscape. These design elements may include but are not limited to the following: ornamentation; molding; string courses; changes in material or color; architectural lighting; works of art; fountains and pools; street furniture; stoops, landscaping and garden areas; and display areas. **[9.1209(1)(b)]**
- The first floor façade of all buildings, including structured parking facilities, shall be designed to encourage and complement pedestrian-scale, interest, and activity. **[9.1209(1)(c)]**
- The first floor of any new building on a street identified as a retail street or site identified for ground floor retail by a Council adopted plan must have at least 50% of the linear street frontage developed to accommodate non-residential uses but may be occupied with residential uses. **[9.1209(1)(l)]**
- Internal sidewalk connections are required between buildings and from buildings to all on site facilities (parking areas, bicycle facilities, urban open space, etc.) in addition to the sidewalk requirements of Section 9.1209(8)(e). All internal sidewalks shall be hard surfaced and at least 6' in width. **[9.1208(11)(a)(1)]**
- External sidewalk connections are required to provide direct connections from all buildings on site to the existing and/or required sidewalk system, and to adjacent multi-use trails, parks and greenways. **[9.1208(11)(a)(2)]**

## Parking Design & Street Treatment

**Livable City Guiding Principle:** Build vibrant and activity-filled public streets and open spaces that promote community engagement so that Charlotteans of all ages and abilities can participate in a public life.

**Priority:** Requiring parking to be designed and located to support walkability.

Commission Discussion:

- Prohibit parking, blank walls, “cars behind bars”, wide roll up doors, fake windows or only wall recesses along streets.
- Hide parking lots from view along a public street, rather than screening them.
- Locate all parking behind a use with access and entrances directly to street.
- Provide pedestrian access through the parking lot to all entrances.
- Prohibit no front door, exiting through the parking deck, and totally walled off compounds.

### Existing TOD Ordinance

- The ground floor of parking structures that are across the street from single family zoning or that abut single family zoning on the same side of the street shall be wrapped with active uses such as residential, office and retail uses. **[9.1209(1)(k)]**
- Expanses of blank wall shall not exceed 20 continuous feet in length. A blank wall is a facade that does not add to the character of the streetscape and does not contain clear glass windows or doors or sufficient ornamentation, decoration or articulation. **[9.1209(1)(d)]**
- No surface parking or maneuvering space shall be permitted within any required or established setback, and no surface parking or maneuvering space is allowed between the permitted use and the required setback (exception may be made for driveways). **[9.1208(6)(c)]**
- Parking that is located to the rear of the primary structure may extend the entire width of the lot, with the exception of any required screening or landscaped areas. Parking that is located to the side of the primary structure shall not cover more than 35% of the total lot width. **[9.1208(6)(g)]**
- At least fifty (50%) of the linear street level frontage of the facility shall be devoted to retail, office, civic, institutional, or residential uses. If 75% or more of the linear street frontage is devoted to such uses, then the total square footage of the uses shall be credited at 200% toward the required FAR minimums. **[9.1208(6)(l)(1)]**
- Structured parking facilities shall be designed to encourage and complement pedestrian-scale interest and activity, and shall be designed so that motorized vehicles parked on all levels of the facility inside are screened from the street, the transitway, and/or from adjacent residentially zoned and/or used property. Decorative elements such as grillwork or louvers may be utilized to accomplish this objective. Openings at the street level are limited to vehicular entrances, pedestrian access to the structure, and ventilation openings. All such openings shall be decorative and be an integral part of the overall building design. **[9.1209(5)]**

## Rail Trail

**Livable City Guiding Principle:** Create a state-of-the-art transportation system that equally provides for the health and safety of pedestrians, bicyclists, transit riders, and motorists and is accessible to people of all ages and abilities.

**Priority:** Requiring development to consider rail trail a front that it must respect and enhance.

Commission Discussion:

- Treat trail as though it were a street – orient towards it, connect to it.
- Make requirements for streets applicable to this pedestrian/bicycle oriented street.
- Develop prototype designs and/or guidelines to demonstrate appropriate design of open space, especially rail trail.

## Existing TOD Ordinance

- Retail and office buildings fronting directly on a public or private street or fronting on a public multi-use path along a transit line and identified in an area plan shall be designed so that the first floor façade of the building(s) along all streets and pathways includes clear glass windows and doors to increase pedestrian interest. These openings shall be arranged so that the uses are visible from and to the street and/or pathway on at least 50% of the length of the first floor street level frontage. **[9.1209(1)(a)]**
- When a lot abuts an existing or proposed public open space system, multi-use trail, or greenway, entrance(s) shall be provided on the building façade closest to public open space, multi-use trail, or greenway. **[9.1209(4)(a)(2)]**
- Sidewalks shall be located and constructed as specified in the approved station area plan. This may include sidewalks along transit corridor right-of-ways. **[9.1209(8)(e)(partial)]**
- External sidewalk connections are required to provide direct connections from all buildings on site to the existing and/or required sidewalk system, and to adjacent multi-use trails, parks and greenways. **[9.1208(11)(a)(2)]**

## Architectural Design & Density

**Livable City Guiding Principle:** Promote a mix of land uses within a close proximity so that Charlotteans can live, work, play, shop and worship in a neighborhood without the need for an automobile;

**Priority:** Requiring development to be more diverse, enhancing the pedestrian environment and contributing to a unique sense of place.

### Commission Discussion

- Break up large buildings with architectural elements.
- Raise minimum density to existing conditions and require a mix of density across the site.
- Require architectural diversification in a development so the buildings do not all look alike, especially relative to adjacent property.

### Existing TOD Ordinance

- Minimum density within ¼ mile walk of the transit stations is 20 DUA for residential or .75 FAR for non-residential or mixed use. These densities are 15 DUA and .50 FAR respectively outside of the ¼ mile walk distance.
- For buildings across from single family zoning or abutting single family zoning on the same side of the street, roof line variation every 30 feet is required. This can be accomplished by using vertical offsets in ridge lines, gables, exaggerated cornices, dormers, roof top patios, material changes, and/or other architectural features such as trellises, portals or porches.  
**[9.1209(1)(g)]**

- For buildings across from single family zoning or abutting single family zoning on the same side of the street, façade variations shall be provided that visually separate individual units. This can be accomplished through measures such as window arrangement and size variation, unit entrance design, roof variation, material changes, and/or offset wall planes.  
**[9.1209(1)(j)]**

### Buildings exceeding 5 stories in height: **[9.1209(2)(a,b,c)]**

- The first 3 floors above street grade shall be distinguished from the remainder of the building with an emphasis on providing design elements that will enhance the pedestrian environment. Such elements as cornices, corbeling, molding, stringcourses, ornamentation, changes in material or color, recessing, architectural lighting and other sculpturing of the base as are appropriate shall be provided to add special interest to the base.
- In the design of the building façade, attention shall be paid to the appearance both during the day and at night. Material and color changes alone do not meet the requirements of this section and design elements, which are used to meet the requirements of this section, shall be visually continuous around the building. In the event that a building façade is not visible from a public street or right-of-way then the Planning Director has the option of waiving this requirement.
- Special attention shall be given to the design of windows in the base. Band windows are prohibited. Recessed windows that are distinguished from the shaft of the building through the use of arches, pediments, mullions, and other treatments are permitted.

## Parking Standards

**Livable City Guiding Principle:** Create a state-of-the-art transportation system that equally provides for the health and safety of pedestrians, bicyclists, transit riders, and motorists and is accessible to people of all ages and abilities.

**Priority:** Revisiting the amount of allowed parking to ensure an appropriate balance between supporting walkability/transit use and negatively impacting surrounding neighborhoods.

Commission Discussion:

- Require freely accessible “minimum visitor parking” for residential developments adjacent to single family and count it towards the maximum parking allowed in the Ordinance.
- Ensure parking standards minimize conflicts between residents (amount, size of spaces and location).
- Provide ride sharing locations, bays, pickup areas.

### Existing TOD Ordinance

Residential Minimum:

- Minimum: 1 space per unit (on blocks with single family zoning), No minimum for all other properties
- Maximum: 1.6 spaces per unit

Office:

- Minimum: none
- Maximum: 1 space per 300 s.f. of office space

Eating, Drinking & Entertainment Establishments

- Minimum 1 space per 150 s.f (within 800 feet of single family zoning)
- Maximum 1 space per 75 s.f.

Retail:

- Minimum: None
- Maximum: 1 space per 250 s.f.

- A 25% parking reduction in the minimum number of parking spaces required is allowed if the principal use is located within 800 feet of a parking facility with parking spaces available to the general public, or within 800 feet of public transit park and ride facilities with an approved joint use agreement. This section in combination with [Section 12.202\(2\)](#) allows for no more than a total of 25% parking reduction of the minimum requirements.

## Buffers

Clarify that required buffer plantings be at the same or higher site elevation than the adjacent property required to be screened. Section 12.302(9)

### Existing TOD Zoning Ordinance

- All uses, other than single-family detached units, shall provide landscaping along all property lines abutting residentially zoned property (single-family, multi-family and urban residential zoning districts) located adjacent to the Transit Oriented zoning district. This requirement also applies in situations where an alley with a right-of-way width of 25 feet or less separates uses in a TOD zoning district from non-TOD zoned residential property. Landscaping shall be provided along all property lines abutting the alley. However, multi-family developments zoned TOD are exempt from this landscaping requirement when they abut other multi-family uses or undeveloped multi-family zoning districts. **[9.1208(9)(a)]**
- Such landscaping shall consist of a 10' wide planting strip. The planting strip shall consist of a combination of evergreen trees and evergreen shrubs. Plant materials shall be provided at a minimum of 6 trees and 20 shrubs per 100 linear feet in accordance with [Section 12.302\(9\) \(b\), \(c\), \(d\) and \(e\)](#). The 10' planting strip may be reduced to 8' and the shrubs need not be planted if a masonry wall with a height of between 6' to 8' in a side yard, or between 8' to 10' in a rear yard is installed. No more than 25% of the wall surface shall be left open. Shrubs and walls may be reduced in height to 30 inches within sight triangles as required by the Charlotte Department of Transportation (CDOT). This landscaping area may be interrupted with a gate/pedestrian access way to an adjacent site, or a driveway to an adjacent alley. **[9.1208(9)(b)]**

## Dumpsters

Address trash and dumpster locations, screening and impacts of on-street trash pickup.

## Lighting

Address “spillover” lighting.

### Commission Discussion

- Modify Section 9.1208.10 to prevent outdoor and parking deck lighting from spilling over into/onto other properties.
- Screen light inside a deck or rooftop from adjacent properties. Parking lot lighting should be screened from adjacent development/have a cut-off requirement.

### Existing TOD Zoning Ordinance

- Dumpsters, recycling containers, compactors, large above-ground utility structures and solid waste handling areas are not permitted in any setback or yard and shall be screened from adjacent property and from public view with a minimum 6-foot high solid and finished masonry wall, with closeable gate that shall be 40% - 50% open for safety and security purposes. In no instance shall a chain link fence or a barbed wire fence be permitted. Dumpsters are not permitted in any required setback or yard space. **[9.1208(8)(b)]**

### Existing TOD Zoning Ordinance

- All outdoor lighting fixtures for parking lots, and pedestrian activity areas shall be classified as full cut-off, cutoff or semi-cutoff. In addition, any building light fixtures used to illuminate parking and pedestrian areas, and service areas shall be classified as full cutoff, cutoff or semi-cutoff. **[9.1208(10)(a)]**
- No outdoor lighting fixture or building light fixtures shall cause glare on public travel lanes or on adjacent residentially used or zoned property. All fixtures shall be screened in such a way that the light source shall not cast light directly on public travel lanes or on adjacent residentially used or zoned property. **[9.1208(10)(b)]**



## Non-Zoning Ordinance

### Transit

- Do more to promote bus ridership, better signage for rail to bus and bus to rail connections.

### Street Design

- Add painted crosswalks, create speed tables, and install slate signs in middle of streets.
- Narrow roads to decrease automobile speeds and make safer for pedestrians and cyclists and use leftover space to build separated bike lanes.
- Ensure that accessible design (e.g., curb ramps) is part of all street projects

### Tree Ordinance

- Require bigger street trees at shorter intervals to provide shade sooner rather than later.
- Require trees on both sides of the sidewalk.

### Affordable Housing

Address affordable housing options within our legal authority.

- There are two types of street trees required by the Tree Ordinance, large maturing trees and small maturing trees. Large trees are normally required at 40' intervals unless there are overhead utility lines. Under overhead utilities, small maturing trees are required at 30' intervals.