

## **PART 6: RESEARCH DISTRICTS**

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### **PART 6: RESEARCH DISTRICTS**

#### **Section 9.601. Research Districts established; purposes.**

The RE-1 and RE-2 Districts are designed to provide areas in which research and related operations may be established ~~and may be given assurance of wholesome surroundings in the future.~~ The standards established for these districts are designed to promote sound, permanent research installations and also to protect nearby residential areas from undesirable aspects of research operations. Research districts are heavily oriented toward research, development and high technology manufacturing operations and similar uses that are characterized by a high degree of scientific and technical input, and the employment of professional, technical or kindred workers. ~~Development within these districts should be characterized by spacious and extensively landscaped settings with emphasis on aesthetic and environmental considerations.~~ While permitted uses are similar in both districts, RE-1 is designed to attract supporting uses and facilities through less stringent lot dimensions.

#### **Section 9.602. Uses permitted by right.**

The following uses shall be permitted by right in the RE-1 and RE-2 districts provided that they meet all requirements of this Part and all other requirements established in these regulations:

- (1) Applied and basic research laboratories.
- (2) Auction sale of real property and such personal property as is normally located thereon for the purpose of liquidating assets.
- (3) Civic, social service and fraternal facilities.
- ~~(3.1) (RESERVED)~~
- (4) Cultural facilities.
- (5) ~~(4.5)~~ Elementary and secondary schools.  
*(Petition 2007-100, §9.602(4.5), 09/17/07)*
- (6) ~~(5)~~ Farms, including retail sale of produce grown on the premise.
- (7) ~~(5.4)~~ Financial institutions.

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- (8)     ~~(6)~~ Government buildings, up to 300,000 square feet and Recreation Centers up to 30,000 square feet.  
*(Petition 2005-63, §9.602(6), 06/20/05)*
- (9)     ~~(7)~~ Graphics research and production facilities.
- (10)    ~~(8)~~ Highway and railroad rights-of-ways.
- (11)    ~~(9)~~ Indoor recreation.
- (12)    ~~(10)~~ Laboratories for testing products and materials.
- (13)    ~~(11)~~ Manufacture of electronic, computing and communications equipment and related devices.
- (14)    Merchandise showrooms, up to 5,000 square feet.
- (15)    ~~(12)~~ Optical, dental and medical laboratories and clinics.
- (16)    ~~(13)~~ Offices, up to 300,000 square feet.
- (17)    ~~(13.1)~~ Outdoor seasonal sales.
- (18)    ~~(14)~~ Parks, greenways and arboretums.
- (19)    ~~(15)~~ Pharmaceutical preparations and production facilities.
- (20)    ~~(16)~~ Prototype production facilities and pilot plants.
- (21)    ~~(17)~~ Radio and television stations and/or offices.
- (22)    ~~(18)~~ Research uses.
- (23)    ~~(19)~~ Subdivision sales offices.
- (24)    ~~(20)~~ Telephone booths.

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~~(21) Uses similar to those listed above.~~

**Section 9.603. Uses permitted under prescribed conditions.**

The following uses shall be permitted in the RE-1 and RE-2 districts if they meet the standards established in this Section and all other requirements of these regulations:

- (1) Adult care center, subject to the regulations of Section 12.502.
- (2) ~~(1.1)~~ Beneficial fill sites, subject to the regulations of Section 12.523.
- (3) ~~(2)~~ Bus stop shelters, subject to the regulations of Section 12.513.
- (4) ~~(3)~~ Childcare centers, subject to the regulations of Section 12.502.
- (5) ~~(3.1)~~ Day Labor Service agency, subject to regulations of Section 12.530.
- (6) Demolition landfills, subject to the regulations of Section 12.503.
- (7) ~~(3.5)~~ Donation drop-off facility, subject to the regulations of Section 12.532.  
*(Petition No. 2004-39, § 9.603(3.5), 09/20/04)*
- (8) Distribution businesses, including warehousing and repair of items stored in a building, provided that:
  - (a) A minimum portion of each building must be used for one or more of these uses: office, repair and servicing, showroom, sorting, labeling, packaging and repackaging, processing, staging or electronic bar coding (pricing). The required minimums are: 25% of buildings up to 200,000 square feet; 35% of buildings between 200,000 and 400,000 square feet; 50% of buildings of 400,000 square feet and above;
- ~~(4) — Demolition landfills, subject to the regulations of Section 12.503.~~
- (9) ~~(4.1)~~ Large childcare centers, subject to the regulations of Section 12.502  
*(Petition No. 2003-008, §9.603(4.1), 2-17-03)*

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- (10) Nursing homes, rest homes, homes for the aged, and elderly and disabled housing
- ~~(5) Nonconforming structures and uses, subject to the regulations of Chapter 7.~~
- (11) ~~(6)~~ Offices and government buildings, over 300,000 square feet, provided that:
  - (a) Primary vehicular access to the use will not be by way of a residential local (Class VI) street;
  - (b) The use will be separated by a buffer from any abutting property located in a residential district, or from any abutting residential use or low-intensity institutional use outside the Research districts (See subsection 9.605(5)); and
  - (c) Submission of traffic impact analysis in accordance with the provisions of subdivision 9.703(17)(c) to identify any needed on-site transportation improvements.
- (12) ~~(7)~~ Open space recreational uses, subject to the regulations of Section 12.516.
- (13) ~~(8)~~ Outdoor recreation, subject to the provisions of Section 12.540. *(Petition No. 2006-169, § 9.603(8), 02/19/07)*
- ~~(9) [RESERVED]~~
- (14) ~~(10)~~ Public utility structures, subject to the regulations of Section 12.504.
- (15) ~~(11)~~ Public utility transmission and distribution lines, subject to the regulations of Section 12.509.
- ~~(12) [RESERVED]~~
- (16) ~~(13)~~ Radio, telephone, cellular telephone and television masts, towers, antennae and similar structures, subject to the regulations of subsection 12.108(7) or subsection 12.108(8).
- (17) ~~(14)~~ Retail establishments and restaurants, provided that:
  - (a) The principal use of the lot is for offices, research laboratories, pilot plants, prototype production plants, or other production facilities;

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- (b) The principal use of the lot occupies at least 30,000 square feet of floor area;
  - (c) Retail establishments and restaurants will occupy no more than 10 percent of the gross floor area of all buildings on the lot and under no circumstances exceed 25 percent of the ground floor area, except a restaurant use may occupy up to 50 percent of the ground floor;
  - (d) If the proposed use is to be located within the same building as the principal use, then there will be no direct public entrance to the proposed use from outside the building except for a restaurant use;
  - (e) If the proposed use is to be located in a building separate from the principal use, then the proposed use will be designed and intended primarily for the use of persons who are employed by the principal use;
  - ~~(f) No merchandise or display of merchandise will be visible from outside the building housing the proposed use; and~~
  - (f) ~~(g)~~ One wall sign is permitted to identify all internal commercial uses, provided that it is no larger than 16 square feet.
- (18) ~~(15)~~ Shelters  
*(Petition No. 2005-35, §9.603(15), 04/18/05)*
- (a) Accessory Shelter, subject to the regulations of 12.536 ~~(RE-1, RE-2, RE-3)~~.
  - (b) Emergency Shelter, subject to the regulations of 12.537 ~~(RE-1, RE-2, RE-3)~~.
  - ~~(c) Homeless Shelter, subject to the regulations of 12.538 (RE-1, RE-2, RE-3).~~
- (19) ~~(16)~~ Stadiums and arenas of no more than 5,000 seats, provided that:

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- (a) All parking areas will meet the landscaping standards set out in Chapter 12, Part 2;
  - (b) Primary vehicular access to the use will not be provided by way of a residential local (Class VI) street;
  - (c) No direct beams of light from outdoor lighting fixtures, signs, or vehicles maneuvering on the site will shine into any abutting property located in a residential district, an abutting residential use or low intensity institutional use;
  - (d) Off-street parking areas and access ways will be designed to allow direct public transit service to the use;
  - (e) All building and off-street parking areas and service areas will be separated by a buffer from any abutting property in a residential district, or an abutting residential use or low intensity institutional use outside the Research district (See subsection 9.605(5)); and
  - (f) Stadiums and arenas shall be located a minimum of 100 feet from any exterior property lines.
- (20) ~~(17)~~ Temporary buildings and storage of materials, provided that:
- The use is in conjunction with construction of a building on the same lot where construction is taking place or on adjacent lots. Such temporary uses are to be terminated upon completion of construction.
- (21) ~~(18)~~ Vehicle leasing offices and associated accessory and transitional automobile parking in RE-2 and RE-3 zoning districts, provided that:
- (a) Vehicle leasing offices will occupy no more than 50 percent of the gross floor area of the building in which such use is located;
  - (b) Only typical office functions permitted as a principal use within Research Districts shall occur within buildings located on the premises. No direct in-person customer transactions related to

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vehicle rentals shall be permitted and customers will not take possession of vehicles directly from the vehicle leasing office.

- (c) No advertising signs or other features typically associated with a vehicle rental facility shall be permitted. Signage shall not be placed on any vehicles parked in the accessory parking area with the exception of identification stickers of no more than 5 square inches

in size. Wall and detached signage is permitted only to identify the administrative office and shall not designate the site as a vehicle rental facility;

- (d) No vehicle maintenance, repair, preparation or cleaning (other than minor exterior washing) shall be permitted;

- ~~(e) The vehicle leasing administrative office will not be identified as a rental car location in the Telephone Directory, Yellow Pages or in any printed or electronic advertising materials;~~

- (e) ~~(f)~~ The accessory automobile parking areas shall be limited to passenger vehicles, trucks and vans. No construction-related equipment, no vehicles with over two axles, no vehicles greater than 24 feet in length, and no inoperable or wrecked vehicles of any type are permitted in the accessory parking areas. Trucks and vans may only be parked in an accessory parking area located within 200 feet of a manufacturing, distribution or production use taking place on the site, and such manufacturing, distribution or production use must exist at the time of issuance of the permit associated with the parking of trucks and/or vans vehicles;

- (f) ~~(g)~~ Accessory ~~and transitional~~ automobile parking shall take place in designated, paved parking areas that shall not exceed a total combined area of one (1) acre in size. Such parking area(s) shall be designed and maintained in accordance with Chapter 12, Part 2. Individual parking spaces located in the designated accessory automobile parking areas shall not be readily visible from public streets and shall not be counted toward meeting the minimum

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number of off-street parking spaces required in Section 12.202 for the vehicle leasing office.

- (g) ~~(h) In recognition of the transitional nature of the accessory automobile parking associated with vehicle leasing offices,~~ The vehicles parked in the accessory automobile parking areas shall be parked in the permitted parking areas on a short term basis, provided, however, that parking of replacement vehicles may continue in the permitted parking areas on a continuous basis subject to the restrictions set forth in this Section; and
- (h) ~~(i)~~ The accessory automobile parking associated with vehicle leasing offices uses set forth in this Section shall be permitted on lots having a minimum size of twenty (20) acres located in the RE-2 and RE-3 Districts.
- ~~(i) Nothing contained in the foregoing shall limit or restrict any uses permitted by right, under prescribed conditions or as an accessory use in Research Districts~~  
*(Petition No. 2004-67, §9.603(18)(a), 7/19/04)*

**Section 9.604. Permitted accessory uses and structures.**

The following uses shall be permitted in the RE-1 and RE-2 districts as accessory uses and structures, subject to the applicable criteria in this Part and Chapter 12 of these regulations:

- (1) Accessory uses and structures clearly incidental and related to the permitted principal use or structure on the lot.
- ~~(1.1) (RESERVED)~~
- (2) Drive-in windows as an accessory to the principal use, subject to the regulations of Section 12.414.
- (3) Dumpsters, trash handling areas and service entrances, subject to the regulations of Section 12.403.
- (4) Fences and walls.

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- (5) Helistops, limited, subject to regulations of Section 12.415.
- (6) Land clearing and inert landfill (LCID): on-site, subject to the regulations of Section 12.405.
- (7) Manager's residence quarters, one dwelling unit/development or project, limited to 1,200 heated square feet.
- (8) Outdoor lighting, subject to the regulations of Section 12.402.
- (9) Petroleum storage, accessory to a permitted principal use or building, subject to the Fire Prevention Code of the National Board of Fire Underwriters.
- (10) Satellite dishes and towers, provided that: ~~subject to regulations of subsection 9.605(4).~~
  - (a) They are a necessary part of a permitted use utilizing such equipment as part of its normal operation;
  - (b) Such dishes and towers may not be located within the setback area of any lot or within the street side yard of a corner lot; and
  - (c) Screening shall be installed on the exterior sides of such dishes and towers in accordance with Section 12.303. If walls are chosen for this screening, materials must be compatible with the exterior of other buildings on the site.
- (11) Security gate or station.
- (12) ~~(14)~~ Vending machines for cigarettes, candy, soft drinks and similar items, and coin-operated laundries located within an enclosed building as an accessory to the uses in the principal building or buildings.
- (13) Structured parking decks as an accessory use to the principal use, subject to the regulations of Section 12.212.

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**Section 9.605. Development standards for research districts.**

All uses and structures permitted in the RE-1 and RE-2 districts shall meet the applicable development standards established in this Section and other requirements of these regulations:

(1) Area, yard and bulk regulations shall be as follows:

	<u>RE-1</u>	<u>RE-2</u>
(a) Maximum floor area ratio (%) <sup>1</sup>	.60	.60
(b) Minimum lot area (acres)	2 acres	4 acres
(c) Minimum lot width (feet)	200*	400*
(d) Minimum setbacks (feet) <sup><u>3,4,5,6,7</u></sup>		
- Lots between 2 and less than 4 acres	40**	N.A.
- Lots between 4 and less than 15 acres	40**	100
- Lots between 15 and less than 20 acres	100	125
- Lots 20 acres or greater	100	150
(e) Minimum side and rear yards (feet) <sup><u>3,4</u></sup>		
- Lots between 2 and less than 4 acres	25***	N.A.
- Lots between 4 and less than 15 acres	25***	35
- Lots between 15 and less than 20 acres	25***	40
- Lots 20 acres or greater	25***	50
	<del><u>RE-1</u></del>	<del><u>RE-2</u></del>
(f) Minimum street side yard on corner lots (feet)		
- Lots between 2 and less than 4 acres	40	N.A.
- Lots between 4 and less than 15 acres	40	75

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- Lots between 15 and less than 20 acres	40	85
- Lots between 20 acres or greater	40	100
(g) Maximum height (feet) <sup>2</sup>	40	40

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\*Lots having any part of their frontage on the circular portion of a cul-de-sac right-of-way may use 100 feet in RE-1 and 200 feet in RE-2 as the minimum lot width.

\*\*Minimum setback shall be 100 feet on thoroughfares and collectors.

\*\*\*Minimum side yard shall be 35 feet when abutting a residential district.

N.A. - Not Applicable

FOOTNOTES TO CHART 9.605(1):

<sup>1</sup> If a parking deck is constructed as part of a building, the allowable FAR may be increased by 50 percent.

<sup>2</sup> A building in a designated district may be erected to a height in excess of 40 feet, provided the minimum side yard is increased one (1) foot for every two (2) feet in building height in excess of 40 feet. If a building abuts a residential zoning district, it may not be constructed above the 40 feet unless the side and/or rear yard which adjoins the residential zoning district is increased one (1) foot for each foot in building height in excess of 40 feet. Height requirements for other permitted structures are set forth in Section 12.108.

<sup>3</sup> A gate or security station may be located in a required yard or setback subject to CDOT approval.

<sup>4</sup> Applicable buffer requirements may require a larger side or rear yard than minimum. See Section 12.302. Also, larger setback and yard requirements may be required along certain streets subject to the requirements of Section 12.103. Larger than minimum setback standard may be required where a nonresidential use abuts a lot in a residential district. See subsection 12.102(1).

<sup>5</sup> The minimum setback shall be measured from the back of all existing or future curbs, whichever is greater. If the existing right-of-way is greater than the minimum setback from the back of existing or future curbs, the right-of-way line shall become the minimum setback. If the existing curb line varies, the setback shall be measured from the widest section.

<sup>6</sup> No surface parking space shall be permitted within any required or established setback, or between the front façade of the principal structure and the required setback, except that driveways providing access to the parking area may be installed across these areas.

<sup>7</sup> The transitional setback requirements of Section 12.103 shall not apply in RE-1 and RE-2 zoning districts.

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~~(2) — (8) Applicable buffer requirements may require a larger side or rear yard than minimum. See subsection 9.605(5). Also, larger setback and yard requirements may be required along certain streets subject to the requirements of Section 12.103. Larger than minimum setback standard may be required where a nonresidential use abuts a lot in a residential district. See subsection 12.102(1).~~

~~(3) — Outside Storage. Outside storage of any materials, supplies or products shall not be permitted in the research districts.~~

~~(4) — Security gate or station. A gate or security station may be located in a required yard or setback.~~

~~(5) — Satellite dishes and towers. Satellite dishes and towers are permitted as an accessory use provided that:~~

~~(a) — They are a necessary part of a permitted use utilizing such equipment as part of its normal operation;~~

~~(b) — Such dishes and towers may not be located within the setback area of any lot or within the street side yard of a corner lot; and~~

~~(c) — Screening shall be installed on the exterior sides of such dishes and towers in accordance with Section 12.303. If walls are chosen for this screening, materials must be compatible with the exterior of other buildings on the site.~~

~~(5) Buffers and Screening. Buffers and screening are required for all uses in accordance with the following:~~

~~(a) At least one half of the depth of the setback, side and rear yards, except where driveways access or utility easements are required, must be maintained with existing vegetation and natural features. Under certain circumstances the retention of existing vegetation or natural features may be inappropriate or ineffective. In such cases, an alternative landscaping and screening plan may be submitted to the Planning Director for consideration and approval. These plans must contain sufficient information to indicate why maintenance of existing conditions would be inappropriate or ineffective due to site design, topography, unique relationships to other properties, absence or type of natural vegetation or other special considerations. Details of the proposed landscaping treatment shall indicate topographic changes as well as number, type and size of plant material. Within 20 days the Planning Director shall advise the applicant of the disposition of the alternate proposal. If no specific alternative plan can be approved the maintenance of existing features must be observed. It should be understood that the alternative plan procedure is strictly voluntary and that requirements other than those set forth in Section 12.303 may be imposed in order to insure that the intent of this subsection is met; and~~

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~~(b) At a minimum, the screening requirements of Section 12.303 shall be enforced for all uses.~~

~~CROSS-REFERENCES~~

~~(6) — Signs. Signs are permitted in the Research districts in accordance with Chapter 13 except that:~~

~~(a) — Signs in the districts may be luminous.~~

~~(b) — Signs lighted internally must be contained within an opaque background with only letters, numbers and symbols being translucent. The intent of this requirement is to provide signs, which consist of lighted letters, numbers and symbols on an opaque background.~~

(2) ~~(7) Parking and Loading.~~ Development of any use in the research districts must conform to the parking and loading standards in Chapter 12, Part 2 except that:

(a) Parking of motor vehicles is not permitted in any ~~required~~ established setback ~~or in the front one-half of any required exterior side yard of a corner lot or in the exterior one-half of any interior lot line, or between the front façade of the principal structure and the required setback~~ except that on through lots adjacent to an Interstate Highway, parking is permitted in the setback to within 50 feet of the Interstate right-of-way. The parking area must be paved with a dust-free, all-weather surface and must be properly drained and landscaped. The space within the required setback must not be used as a maneuvering space for the parking of vehicles, except that driveways providing access to the parking area may be installed across the setback area.

(b) Underground parking structures are permitted in accordance with Section 12.213. At a minimum, the screening requirements of Section 12.303 shall be enforced for all uses:

(c) On-street parking spaces located along the portion of a public street(s) abutting the use where parking is currently permitted may be counted toward the minimum number of parking spaces as required by this ordinance. Those on-street parking spaces must be located on the same side of the street as the use, have a dimension of at least 22 feet in length, and be located in areas approved by the Charlotte Department of Transportation (CDOT). However, on-street parking directly across the

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street from the use may be counted if that parking abuts property that is undevelopable because of physical constraints.

In the event that the City or State removes any on-street parking that was allowed to count toward the minimum requirement, the existing use shall not be required to make up the difference and shall not be made non-conforming, with respect to parking.

- (d) All on-street parking shall comply with *Charlotte-Mecklenburg Land Development Standards Manual*.
  - (e) Shared parking shall be permitted pursuant to the regulations of Section 12.203.
  - (f) Bicycle parking. The bicycle parking standards of Section 12.202 and Section 12.202A are applicable in this district.
  - (g) All surface parking shall conform to the internal planting requirements for parking areas in the *Charlotte Tree Ordinance*.
  - (h) Existing non-conforming parking shall be removed if the property undergoes a change of use or expansion of the principal structure in excess of 20% of gross floor area. However, no additional parking is required for the reuse of an existing building, or due to the removal of non-conforming parking.
- (3) Buffers and Screening. Buffers and screening are required for all uses in accordance with the following:
- (a) At a minimum, the buffer requirements of Section 12.302 shall be enforced for all uses.
  - (b) At a minimum, the screening requirements of Section 12.303 shall be enforced for all uses.
- (4) Open space.
- (a) Open space shall be required for all new development in excess of four acres. Such open space shall equal, at a minimum, 15% of the gross lot area.

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- (b) A minimum of 20% of the required open space shall be improved with seating, plantings, or other amenities and accessible to the public or the users of the principal buildings on site.
- (c) The required open space may include buffers, dedicated greenways, stormwater detention and retention facilities, water bodies, and natural areas.

**Section 9.606 Design Standards**

(1) Signs. Signs are permitted in the RE-1 and RE-2 district in accordance with Chapter 13 except that no sign shall exceed 20 feet in height.

(2) Connectivity and circulation standards.

Internal sidewalk connections are required between buildings and from buildings to all publicly accessible on-site facilities (parking areas, bicycle facilities, open space, etc.). All internal sidewalks shall be hard surfaced and at least 6' in width.

(3) Outdoor lighting. Outdoor lighting, if provided, shall meet the standards of Section 12.402, and

(a) The maximum height of a light source (light bulb) detached from a building shall be 20 feet.

(b) All outdoor lighting shall be screened in such a way that the light source cannot be seen from any property abutting the RE-3 district that is in residential use or zoned for residential use.

(4) Building Entrances and Orientation.

(a) At least one or more operable pedestrian entrances per building shall be provided in at least one of the following circumstances:

1. When a lot abuts a public street right-of-way, at least one entrance(s) shall be provided along all building façade(s) fronting all public rights-of-way.

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2. 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.
- (b) On corner lots, buildings may provide one main entrance oriented to the corner or facing either of the streets.
- (5) Building entrances. Doorways must be recessed into the face of the building to provide a sense of entry and to add variety to the streetscape. For structures less than 100,000 square feet in gross floor area, the entry way must be 1 square foot for each 1,000 square feet of gross floor area with a 15-square-foot minimum. For buildings over 100,000 square feet, the entry way must be at least 100 square feet.
- (6) Streetscape. Streetscape comprised of a planting strip with street trees and a sidewalk shall be provided along all street frontages in accordance with the following standards:
  - (a) A continuous perimeter planting strip shall be required along all street frontages (excluding driveways). The width of the planting strip shall be in accordance with the City Council adopted streetscape plan. When the streetscape plan does not specify a planting strip width, an 8' wide planting strip measured from the curb line shall be constructed. If the streetscape plan does not adequately define the curb line, then the curb line shall be determined jointly by Charlotte Department of Transportation (CDOT) Director, or his/her designee, and the Planning Director, or his/her designee.
  - (b) The perimeter planting strip shall be located adjacent to the curb, unless specified otherwise in the approved streetscape plan. If the right-of-way width varies along the street frontage, the planting strip shall be aligned along the widest section of the street (where there is the widest dimension between the backs of curbs).
  - (c) Trees shall be planted in the continuous perimeter planting strip, per the standards in the *Charlotte Tree Ordinance* and in the *Charlotte-Mecklenburg Land Development Standards Manual*. Tree pits with irrigation and sub-drainage may be installed in lieu of a planting strip, per the requirements of Section 21-13(C)(2)(a)(2) of the *Charlotte Tree Ordinance*.
  - (d) *Charlotte Tree Ordinance* regulations for tree protection and replacement shall be applicable within this zoning district.

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(e) Sidewalks shall be located and constructed as specified in the approved streetscape plan. Typically, sidewalks along public street rights-of-way should abut the perimeter planting strip, and be located on the side closest to the building. The sidewalk width and locations shall be determined by the streetscape plan. If not specified, then the sidewalk shall be 8' in width. Sidewalks shall meet the standards for concrete sidewalks in accordance with the *Charlotte-Mecklenburg Land Development Standards Manual*. A sidewalk easement shall be required if the sidewalk is not located within the public right-of-way.

(f) The Planning Director with the affirmative recommendation of the City Arborist/Senior Urban Forester shall have the authority to modify the requirements of Section 9.606 (6), including the modification of the planting strip, sidewalk location, and width in order to preserve existing trees and to provide flexibility for a hard surface next to the curb, where appropriate for

on-street parking (e.g. handicap parking areas, loading zones).

(7) Street Walls.

(a) All office buildings fronting directly on a street shall be designed so that the first-floor street façade of the building(s) along all streets 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 on at least 50% of the length of the first-floor street-level frontage.

(b) No reflective surfaces shall be permitted on street-level exterior facades.

(c) 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.

**Section 9.607 Administrative Approval.**

To offer some degree of flexibility the Planning Director has the authority to administratively alter any of the development and design standards by 5% in this district. If administrative approval is for parking, the Planning Director will only grant this approval after consulting with the CDOT. On matters that do not involve quantitative measurements, the Planning Director may also make minor alterations if he/she determines that such changes would be an innovative design approach to development and/or would be in keeping with the general intent of the RE-1 and RE-2.

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Any approval must meet the following criteria:

- 1) Incorporates existing buildings, trees, topographic features, or other existing elements consistent with the RE-1 and RE-2 intent; and
- 2) Provides open space, seating, fountains, accent landscaping, or other similar urban pedestrian amenities consistent with the intent of the RE-1 and RE-2.