

Petition No. 2013-026
Petitioner: Charlotte-Mecklenburg Planning Department

**AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE –ZONING ORDINANCE**

ORDINANCE NO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

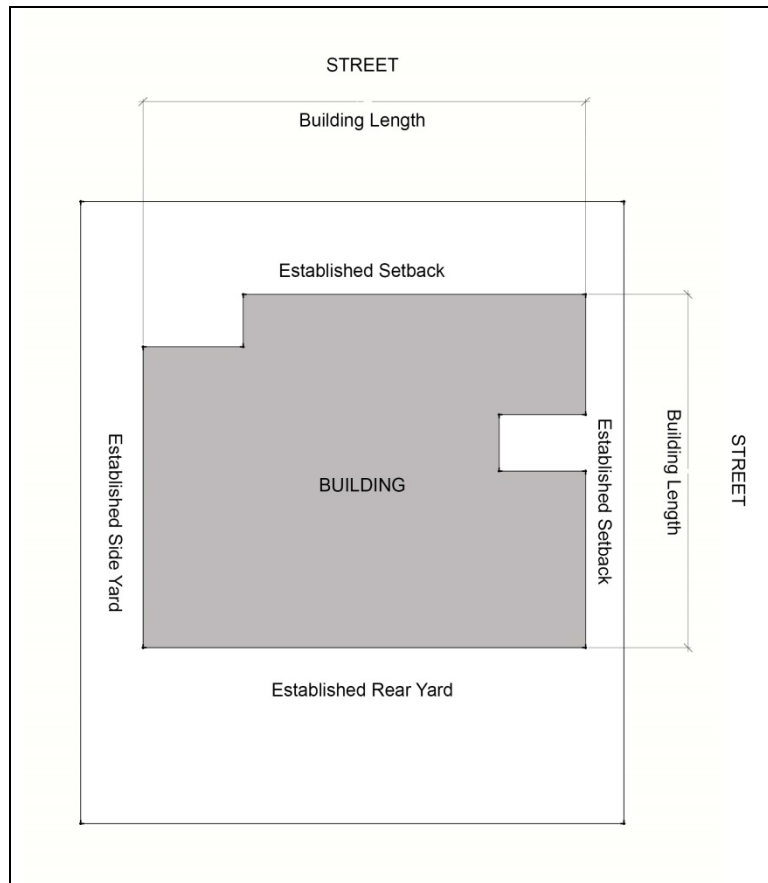
A. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

1. PART 2: DEFINITIONS

- a. Amend Section 2.201, "Definitions" by adding a new definition for "building length" and "façade modulation" in alphabetical order, that reads as follows:

Building length.

That dimension of a building extending between the established yards and/or established setbacks along a street.



Façade Modulation.

Variations in the plane of a building wall that break up the mass and bulk of a building. Façade modulation is calculated as the area created between the front building line and the recessed building façade.

B. CHAPTER 10: OVERLAY DISTRICTS

1. PART 8: PEDESTRIAN OVERLAY DISTRICT

- a. Amend Section 10.812, “Development Standards”, subsection (1), “Areas, yard and bulk regulations”, Table 10.812(1) by adding a new row for “maximum residential density” to the table. All remaining sections and subsections remain unchanged. The revised subsection shall read as follows:

Table 10.812(1)

Minimum Lot Area	None
Maximum Floor Area Ratio (FAR)	None
<u>Maximum Residential Density</u>	<u>None</u>
Minimum Setback (feet) ¹⁻⁶	Varies
Minimum Side Yard (feet)	
-Abutting residential use or zoning	5 feet
-All other conditions	None
Minimum Rear Yard (feet)	
-Abutting residential use or zoning	20 feet
-All other conditions	5 feet
Base Height	40 feet
Maximum Height (feet) ⁷⁻⁹	100 feet

- b. Amend Section 10.812, “Development Standards”, subsection (2), “Parking standards”, by modifying table 10.812(3), “Number of Parking Spaces” to add new regulations for multi-family units located in the Midtown, Morehead, Cherry Pedestrian Overlay District and the East Boulevard Pedestrian Overlay District. The revised table shall read as follows:

Table 10.812(3) Number of Parking Spaces

Use	Minimum/Maximum Number of Parking Spaces
Hotels and motels	Minimum 0.5 spaces per room
Religious institutions	Maximum One (1) space per 8 seats
Residential	Minimum One (1) space per dwelling unit, <u>except in the Midtown, Morehead, Cherry Pedestrian Overlay District and the East Boulevard Pedestrian Overlay District: Minimum 1.25 spaces per dwelling unit for multi-family units.</u> Minimum .25 spaces per unit for Multi-Family Elderly or Disabled
Restaurants/Nightclubs	Minimum One (1) space per 125 square feet
All Other Non-Residential Uses	Minimum One (1) space per 600 square feet

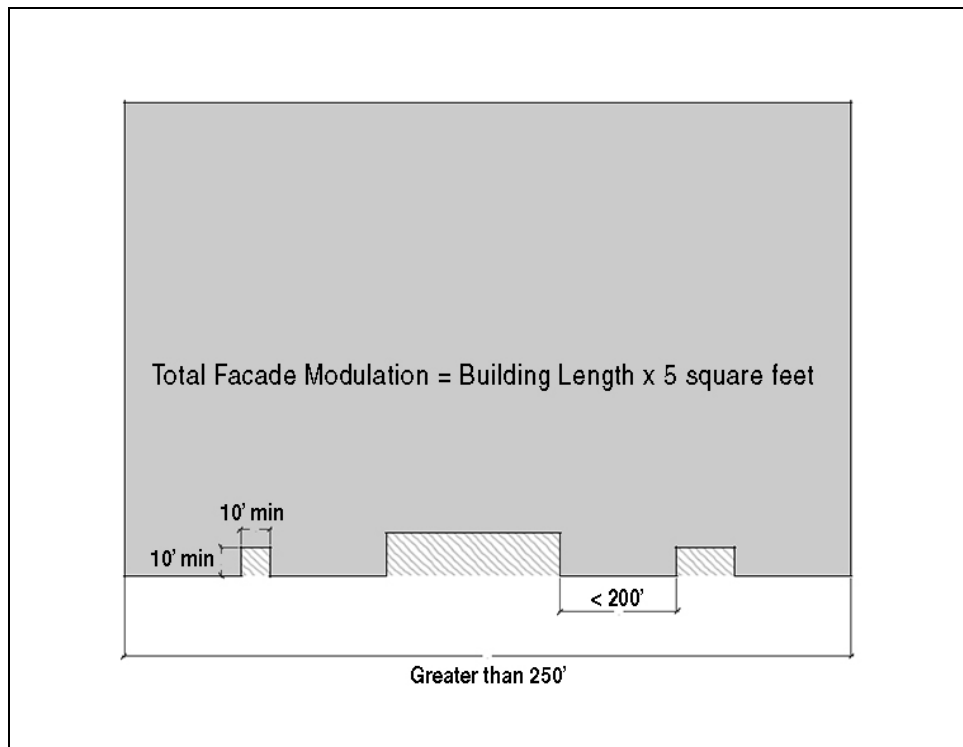
- c. Amend Section 10.813, “Urban Design Standards”, by adding a new subsection (2), titled, “Special Regulations for the Midtown, Morehead, Cherry Pedestrian Overlay District and the East Boulevard Pedestrian Overlay District”, with new supplemental design standards for development within these specific zoning districts. The new subsection shall read as follows:

(2) Supplemental Design Standards for the Midtown, Morehead, Cherry Pedestrian Overlay District and the East Boulevard Pedestrian Overlay District.

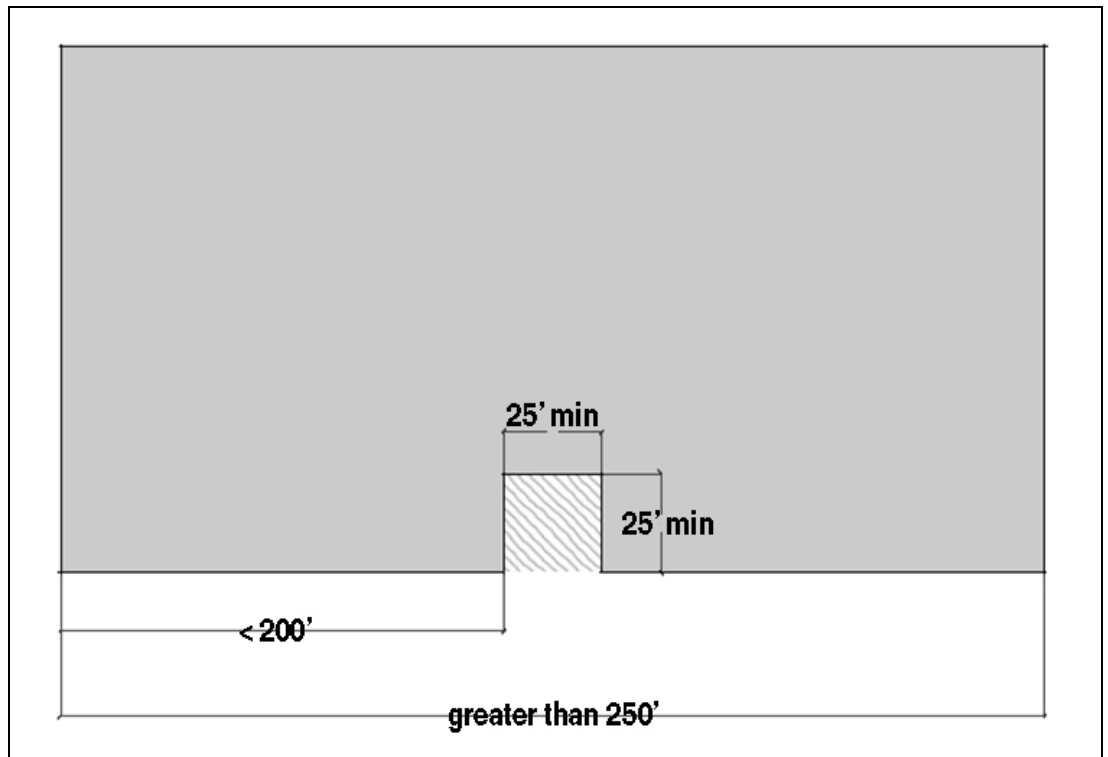
All new buildings and uses located within these boundaries of the Midtown, Morehead, Cherry Pedestrian Overlay District and the East Boulevard Pedestrian Overlay District shall be subject to the requirements of Section 10.813(1) plus the following minimum standards:

(a) Large scale building facades where the total building length is greater than two-hundred fifty (250) feet shall include one or more of the following features to achieve pedestrian scale and break down the building mass and bulk:

1. **Façade Modulation** is intended to create variations in the façade to break up large building masses. The minimum amount of façade modulation shall be 5 square feet per each linear foot of building length fronting a street. Each modulation shall be open to the sky with a minimum width of 10 feet and minimum depth of 10 feet, as measured from the front building line. This calculated amount of modulation may be distributed along the building length within multiple modulations. Modulations shall occur at intervals no greater than 200' in length.



2. **Building Mass Separation** is intended to break up long, continuous building walls and create the appearance of multiple buildings. Building mass separation shall be provided at a depth of at least 25 feet from the front building line and a width of at least 25 feet, open to the sky, for at least every 200 feet of total building length fronting a street.



3. **Architectural Variation** is intended to create the appearance of smaller, attached buildings to reduce the apparent size of a building. The Planning Director, or his or her authorized designee, shall have the authority to approve an alternative design that incorporates architectural variations along public rights-of-way. The alternative design shall utilize a combination of the following, at increments no greater than 100', to break up the building mass: varied roof pitches, building heights, architectural styles, window arrangement and size variations, external building material changes, offset wall planes.

- (b) All buildings over five stories shall be designed with an architectural base distinguishable from the remainder of the building to enhance the pedestrian environment. The base

shall not be more than two stories in height and shall utilize a combination of the following: cornices, belt courses, molding, stringcourses, ornamentation, changes in color and material, or other sculpting of the base.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

I, _____, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the ____ day of ____, 2014, the reference having been made in Minute Book ____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this ____ day of _____, 2014.
