

Staff Recommended Revisions to Public Hearing Draft of the Transit Oriented Development Zoning Ordinance (2018-169)

Page Number	Section Number	Reads as this:	Change to this:	Reason for Change
3	Table of Contents	15.2.2 Building Height Bonus	15.2.2 Development Bonus	Title Error
10	15.1.7	First sentence begins with "Many of the regulations..."	Make second sentence that starts with "Frontages are that part..." the first sentence.	The changes on pages 10-11 are all related to differentiating between a street frontage and a street classification. While some types are both, others are differentiated. This does NOT include any substantive change to the intent or content of the ordinance and is only intended to provide clarity to the user.
10	15.1.7.A	"Frontages within the TOD Districts"	"Frontage types within the TOD Districts"	
10	15.1.7.A.1	"abuts a designated..."	"abuts a street classified as a ..."	
10	15.1.7.A.1	"Such designations are..."	"Street classifications and frontage types are..."	
10	15.1.7.A.1.a	"...the Streets Map classifications determine the frontage type."	"...the Streets Map classifications designate the frontage type."	
10	15.1.7.A.1.b	"an adopted Station Area Plan that maps such designations determine..."	"street classifications in an adopted Station Area Plan designate..."	
10	15.1.7.A.2	"Where a frontage is not designated on the Streets Map or adopted Station Area Plan, it..."	"Where a Streets Map or adopted Station Area Plan does not provide adequate information to designate a frontage type, the frontage type..."	
10	15.1.7.A.2	"either other frontage-primary or other frontage-secondary."	"either other frontage-primary or other frontage-secondary. Reference sections 15.1.7.B.4 and 15.1.7.B.5 for criteria for these frontage types."	
10	15.1.7.B	Frontage Delineations	Street Classifications and Frontage Types	
10	15.1.7.B.1	Main Street.	Main Street - Street Classification and Frontage Type.	
10	15.1.7.B.2	Four Plus Lane (4+ Lane) Avenue/Boulevard.	Four Plus Lane (4+ Lane) Avenue/Boulevard - Street Classification and Frontage Type.	
10	15.1.7.B.2	"...each direction and turning lanes."	"each direction and center space."	
10	15.1.7.B.3	Limited Access Road.	Limited Access Road - Street Classification and Frontage Type.	
10	15.1.7.B.4	Frontage, Other - Primary.	Frontage Type, Other - Primary.	
10	15.1.7.B.4.a	"For the purposes of interpretation...if such designations are not called out specifically in the regulations."	"For the purposes of interpretation, a frontage designated as a Main Street or 4+ Lane Avenue/Boulevard frontage type is considered a primary frontage type if such designations are not called out specifically in the regulations."	
10	15.1.7.B.4.b	"An other frontage - primary is any lot frontage that abuts;"	"If a frontage abuts any of the following, is is designated as frontage type, other-primary."	
10	15.1.7.B.5	" Frontage, Other - Secondary. Other frontage - secondary applies to the TOD districts as follows:"	Frontage Type, Other - Secondary. Frontages that meet the following will be designated as frontage type, other - secondary."	
10	15.1.7.B.5.a	"The frontage is not designated a MainStreet, 4+ Lane Avenue/Boulevard, Limited Access Road, or an other frontage - primary."	"The frontage type is not designated a MainStreet, 4+ Lane Avenue/Boulevard, Limited Access Road, or a frontage type, other - primary."	
11	15.1.7.B.6	Specific Frontage Designation	Specific Frontage Type Designation	
11	15.1.7.B.6.a	"Independence Boulevard is considered..."	"Independence Boulevard is designated..."	
11	15.1.7.B.6.b	"...freight-only rail corridor is considered a limited access road."	"...freight-only rail corridor is designated a limited access road frontage type."	
11	15.1.7.C.1	"When a lot has two frontages...shall be a primary frontage. If neither frontage...designated as a primary frontage."	When a lot has two frontage...shall be a primary frontage type. If neither frontage...designated as a primary frontage type.	
11	15.1.7.C.2	"at least one frontage shall be a primary frontage."	"...at least one frontage shall be designated as a primary frontage type."	

11	15.1.7.C.3	"When a lot has four frontages, at least two frontages shall be as primary frontages."	"When a lot has four frontages, at least two frontages shall be designated as primary frontage types."	
16	15.2.1.G.D	City Engineer may allow adjustments to standards to comply with federal and state law.	Add to sentence - City Engineer may allow adjustments if adjacent average sidewalk grade is greater than 10%	Allow adjustments related to grade to ensure that sites with significant grade issues do not have to go through a separate process for entrances.
16	15.2.1.G.D	75% of ground floor entrances....	75% of Required Prominent Entrances.....	Reason for Change: To add clarity for retail bays so that if additional bays are added after construction they do not through building out of compliance
16	15.2.1.G.D	50% of ground floor entrances....	50% of Required Prominent Entrances.....	Reason for Change: To add clarity for retail bays so that if additional bays are added after construction they do not through building out of compliance
16	15.2.1.G.D	50% of ground floor entrances....	50% of Required Prominent Entrances.....	Reason for Change: To add clarity for retail bays so that if additional bays are added after construction they do not through building out of compliance
16	15.2.1.G.D	Residential:	Residential Entrances to Individual Units:.....(in all cases change)	Reason for Change: Residential uses such as lobbies, amenity areas, leasing offices should be on-grade when feasible for ADA and accessibility purposes
18	Table 15.1.4	TOD-UC: 15 Points, TOD-NC, TOD-CC, TOD-TR: 10 Points	TOD-UC: 20 Points, TOD-NC, TOD-CC, TOD-TR: 12 Points	Reason for Change: Added 5 points due to cost of points and level of priority to align to goals
19	Table 15.1.10	New public or private (built to public standards) beyond those required by the TIS and/or the Zoning/Subdivision Ordinance.	Add to sentence - as approved by the CDOT director.	Clarification of process to ensure street is in a desired location
19	Table 15.1.11	New public or private right-of-way to be dedicated beyond those required by the TIS and/or the Zoning/Subdivision Ordinance.	Add to sentence - as approved by the CDOT director.	Clarification of process to ensure street is in a desired location
25	15.3.3.B.3	"including use of similar materials and a similar rhythm of window openings."	"....window openings on frontages."	Clarification that higher level of design is for frontages and not internal to the blocks
25	15.3.3.B.3	"Any such parapet wall shall be a minimum of five feet in height."	"minimum of four feet in height."	Clarification of standard that meets building code
26	Table 15.3	"2 story minimum for active ground floors + 10'..."	"Active Ground Floor + 10' minimum setback for parking above.."	Reason for Change: Clarify the language to meet the intent of active ground floors with occupiable space.
27	15.4.2.A	North Tryon Street (Old Concord Road to Sugar Creek Rd): 32.5 feet	N. Tryon Street (Old Concord Road to Sugar Creek Road): 57 feet	Clarification to language and specific cross section to include desired facilities
27	15.4.2.C		"The future curb line shall be based on the Commercial Wide Street Cross Section found in the Charlotte Land Development Standards Manual, except where there is a future curb line established in an adopted Area Plan or on a Council adopted Streets Map. If a future curb line is established by both an Area Plan and Streets Map, the Streets Map will supercede the Area Plan."	Clarification of language
29	15.4.4.D Greenway Trail	*The requirement...Mecklenburg County Greenway and Trails Master Plan...."	"The.....Mecklenburg County Greenway Master Plan...."	Clarification of name of plan
29	15.4.4.D Greenway Trail	"shall be located a minimum of 4' from any building."		0 Clarification of language
between 26 and 32	Table Numbering	Missing a Table 15.4 and 15.5 in the document	Renumber to match.	Numbering Error
32	Table 15.6	pubic or required sidewalk	public or required sidewalk	Spelling Error

34	15.4.10.E.2	"Bay windows may not project beyond the required setback line."	"Bay windows cannot encroach into public right of way."	Clarification of intent to match the balcony language
40	15.6.5.B	"Required"	Eliminate cross through	Text Error
40	15.6.5.B	"No parking, stormwater facilities,"	Add sentence "stormwater facilities are permitted to cross a buffer yard perpendicularly"	Clarification of language
73	15.10.1.A	"All existing principal structures as of the effective date of the TOD Districts...Once the principal structure is demolished..."	"All existing principal structures and parking structures as of the date a TOD map amendment is approved for the parcel or parcels...Once the principal structure or parking structure is demolished..."	Change timing of deemed conforming to match date of zoning to TOD; added parking structure
79	15.12.2.B	"in their entirety."	..in their entirety.	Spelling Error

STAFF REVISIONS To Public Hearing Draft of the Transit Oriented Development Ordinance Following Planning Committee Recommendation

Page Number	Section Number	Reads as this:	Change to this:	Reason for Change
10	15.1.7.6.b	Frieght Corridor is considered limited-access	Add "any frontage abutting a frieght-only rail corridor and/or a transit corridor that does not have pedestrian access is designated a limited access frontage."	Simplifies standards + clarifies that there are not active uses where there is no pedestrian access
10	15.1.7.5	b. Frontage along a transit corridor.....	Delete b from ordinance	incorporated into limited access standards per direction above and simplifies
14	15.2.1.D	A. Limited Access: 20' measured from right of way	A. Limited Access: 10' measured from right of way	To be consistant with intent + provide ample transition where necessary between development and right of way
Multiple Pages	Multiple Sections	Transition (as in the TOD-Transition)	Change to transit transition	to be consistent with other district titles
14	D - Setback		Add a general note that indicates that required setback line may need to be increased in some cases to accommodate shared required streetscape elements	Clarification
27	15.4.2.A and B	remove reference to collectors	Add a new paragraph for collectors that says that: For an existing or new collector, the future curb line shall be based on the Commercial Wide Street Cross Section found in the Charlotte Land Development Standards Manual.	clarification of curb line for collectors
27	15.4.2.C	Delete existing text	Replace with: For an existing local street, the future curb line shall be based on the Commercial Wide Street Cross Section found in the Land Development Standards Manual if on-street parking is desired. For on-street parking to be allowed, the curb line must be relocated consistent with the Commercial Wide Street Cross Section. The curb line may be left in its current location; however, on-street parking will not be allowed.	clarification
28	15.4.4.4	change - public sidewalk easement	make it - sidewalk utility easement	consistent with terminology typically used in practice
28	15.4.4.A.1		Add text indicating that required streetscape improvements along streets shall be located behind the future line	clarification and inline with the practice currently used
28	15.4.4.C.	change - future back of curb	to - future curb line	
28	15.4.4.A		Change title to Pedestrian Facilities and Planting Strip/Amenity Zone Standards	recognize planting strips
38	15.5.5.C	"along a frontage..."	"along a primary frontage..." Add sentence "On all other frontages parking shall be located behind the building façade line." This also requires diagram on Page 39 to be updated.	parking along secondary still has to meet requirement for landscaping

73	15.10.1 - multiple locations	Change - deemed conforming	To - legally nonconforming	to be consistent with current terminology in ordinance
82	15.13.2	Build-To Percentage: Plazas, outdoor dining, ..."	Plazas, outdoor dining, and other public open space features that are also bounded by a building facade parallel to the frontage are counted as meeting the build-to percentage. Private residential courtyards that are no more than 18" above or below grade for residential uses may be counted for up to 40% of the build-to percentage in residential developments.	Clarification to language to ensure that private courtyards, as well as open space framed by building counts towards build-to zone

STAFF RECOMMENDED REVISIONS To Public Hearing Draft of the Transit Oriented Development Ordinance Following Transportation and Planning Committee Recommendation

Page Number	Section Number	Reads as this:	Change to this:	Reason for Change
27	15.4.2.C	"...found in the Charlotte Land Development Standards Manual."	Added "For on-street parking on an existing collector to be allowed, the curb line must be relocated consistent with the Commercial Wide Street Cross Section. The curb line may be left in its current location; however, on-street parking will not be allowed" to the end of 15.4.2.C.	Simplifies when curb line is built and parking allowed vs. not allowed
28	15.4.4.C	"...future back of curb."	Added "When the Streets Map indicates that a shared use path is to be provided on a Limited Access frontage, the location of the shared use path will be determined by CDOT, and NCDOT if applicable" to the first asterisk under Shared Use Path.	Ensures on select limited access roads a shared path is built for connectivity and walkability
47	15.7.5.D	A roof sign may only be installed only on a flat roof.	A roof sign may only be installed on a flat roof.	typo to eliminate a double only in the sentence