

## CHARLOTTE CODE

### PART 1: SUPPLEMENTAL DEVELOPMENT STANDARDS

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Revised June 13, 2011

#### CHAPTER 12:

#### **DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY**

##### **Section 12.106. Uses and structures prohibited and allowed in required setbacks and yards.**

- (3) Certain portions of the required rear yard on a lot used for a single family (attached or detached) duplex, triplex, and quadraplex, may be utilized for attached garages, porches, decks, greenhouses, covered patios and utility room extensions of the principal structure in accordance with the following restrictions and as illustrated in Figure 12.106:

*(Petition No. 2006-117, § 12.106(3), 10/18/06)*

- (a) No more than 20% of the area of the required rear yard may be used to accommodate extensions of the principal structure for attached garages, porches, decks, greenhouses, covered patios, or utility rooms;
- (b) No such extension may encroach into the rear yard more than 25% of the depth of the required rear yard; and
- (c) No such extension may be more than 50% of the width of the dwelling at the rear building line.

These extensions must observe the same side yard or building separation as that required for the principal structure. If any portion of the required rear yard is used to accommodate an extension of the principal structure as allowed by this Section, no more than 15% of the remaining required rear yard may be occupied by any detached accessory structure.

- (4) No outdoor storage of goods and materials or refuse containers shall be located within any required setback, or within any required side yard which abuts a street, except for the temporary placement of refuse containers for curbside pick-up in residential districts.
- (5) In respect to a principal structure, architectural features such as cornices, eaves, steps, gutters, and fire escapes may project up to three feet into any required yard, unless they would obstruct driveways, which might be used for service and emergency vehicles. This does not apply to accessory structures.

*(Petition 2002-13, § 12.106(5), 4/15/02)*

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#### #3-Breezeway Design

- (6) A breezeway connection between an accessory use and a principal use is allowed provided the following standards are met:
- (a) The breezeway shall be located in the rear or the side of the principal structure.
  - (b) The breezeway shall meet the minimum yard.
  - (c) The width of the breezeway shall not exceed 5 feet.
  - (d) The height shall not exceed 12 feet.
  - (e) The sides of the breezeway shall be open except for structural support columns.
  - (f) Walkways are not permitted on the roof of a breezeway.
  - (g) Any portion of the breezeway shall be included in the maximum building coverage standards.

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#4-Major Utility Structures
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**Section 12.509. Public utility transmission and distribution lines.**

- (1) All electricity, telephone, CATV, and other utility distribution lines, which deliver service to the end user from a transmission line providing service to an area larger than the individual parcel or project area in developing or redeveloping areas, shall be installed underground in all districts unless terrain, subsurface or surface obstructions inhibit installation. This provision does not apply to the Research, Institutional and BP districts.
- (2) Lots created after December 31, 2011 shall not have major public utility structures supporting transmission lines or otherwise part of the transmission network located in any established front setback. This provision does not apply to neighborhood-serving minor utility structures that provide local distribution.

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### PART 9: OTHER APPLICABLE CITY CODE LAND DEVELOPMENT PROVISIONS

#### Section 12.805. Incentives.

(1) Purpose

The purpose of this section is to set forth incentives to offset restrictions that buffer requirements place on development. These incentives promote open space development that incorporates smaller lot sizes to minimize total impervious area within the development, reduce total construction costs, conserve natural areas, provide community recreational space, and promote protection of streams.

(2) Reduction in lot size

Allow a one-for-one credit in lot size reduction in addition to what is allowed in Section 9.205(4)(a) provided this is not below the minimum requirement for the next lower zoning classification.

(3) Relax lot setback requirements

For all lots within a development requiring a SWIM buffer, setback requirements as specified in Section 9.205(4) are reduced as follows:

- (a) Front setbacks can be reduced to a minimum of 15 feet as measured from the right-of-way line for all lots along a designated thoroughfare or 27 feet from the existing or future back of curb for all lots along local and collector streets. However, front loaded garages must maintain a minimum setback of 20 feet measured from the back of sidewalk or back of right-of-way, whichever is greater.

Along a local street where no curb exists, the default street type shall be a Local Residential-Medium. The future back of curb for a Local Residential-Narrow shall be measured 10' from the existing centerline, Local Residential-Medium shall be measured 13.5' from the existing centerline, and Local Residential-Wide shall be measured 17.5' from the existing centerline. The future back of curb for a collector street shall be measured 18' from the existing centerline.

**#5-Lot Requirements**

5(3)(a), 12/20/10)

- (b) Rear setbacks yards can be located 100 % within a SWIM buffer. Rear setbacks yards can be reduced to 30 feet on all internal lots. Rear yards forming the outer boundary of a project must conform to the minimum of subsection 9.205(1)(g) for the zoning district in which the development is located.
- (c) Side setbacks can be reduced to a minimum of 3 feet provided all fire code requirements are satisfied.