

August 2010

Diagnostic Assessment and Recommendations

for the Charlotte Zoning Ordinance

Charlotte-Mecklenburg Planning Department

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Executive Summary

This **Zoning Ordinance Diagnostic Assessment and Recommendations** for Charlotte-Mecklenburg has two objectives:

1. The Planning Department staff team was tasked with designing a process to review and evaluate the format and organization of the City of Charlotte Zoning Ordinance.
2. The staff team then worked together to research how other zoning ordinances across the country tackled these issues.

Based on the findings, the team is recommending strategies to improve Charlotte's Zoning Ordinance.

Comments on Format and Organization

The staff team assigned to this project designed a successful “listening session” process and methodologically held six such listening sessions with a total of 82 participating City and County employees providing feedback.

The listening session comments—regarding the format, organization and other issues and concerns users of the Zoning Ordinance were experiencing—helped the team focus at a fine-grain level. The comments received were further categorized into the following eleven issue topic areas:

- **Organization Issues:** Comments centered on the disorganization and inconsistency displayed throughout the Ordinance. Examples: Definitions are scattered and sometimes conflicting; development standards are complex and sometimes conflict, and are dispersed through various chapters; zoning districts are dispersed through various chapters making it difficult to determine the applicability of multiple regulations; important information is buried and hard to find, even for frequent users of the Zoning Ordinance.
- **Alphanumeric Outline Issues:** Comments about the alphanumeric outline noted that different sections of the Ordinance are not always formatted the same. The complexities of the numbering system, with many levels of hierarchy, make it difficult to locate and cite information.
- **Table of Content Issues:** Comments focused on ways to improve the table of contents to make it more user-friendly, and to add a “mini” table of contents to the beginning of each chapter.
- **User Guide Issues:** While the current Zoning Ordinance does not include a user guide, it was suggested that adding one—along with frequently asked questions and answers—would help users better navigate the Ordinance.

- **Index Issues:** Comments about the index centered around the fact that it is incomplete and in need of updating.
- **Page Layout, Design, and Formatting Issues:** Comments abounded on this topic. Most focused on the lack of an overall design “style” and formatting in the Ordinance. There were many suggestions made about ways to improve the Ordinance, including utilizing headers and footers; standardizing the order of district sections and subsections between districts; adding more white space; adding hyperlinked tabs and cross-references in an electronic document; and adding more cross-references.
- **Graphics, Illustrations, Photos, Flow Chart Issues** – Comments for this topic touched on the observation that the Zoning Ordinance has too much text, and not enough graphics to illustrate the regulations, not enough flowcharts to explain processes, and a lack of illustrations and photographs to assist the reader.
- **Table Issues** – Comments concentrated on the need to utilize more tables to convey information in the ordinance. In addition, redundancy of information was noted, with tables used alongside the same information provided in written form.
- **Hyperlink Issues** – Comments focused on utilizing hyperlinks in an electronic version of the Zoning Ordinance. Hyperlinks were suggested for the definitions, cross-references, key words, chapter tabs, and linking the table of contents to related regulations.
- **Search Engine Issues** – Comments for this topic included frustration related to the searchability of the Zoning Ordinance on the Planning Department website due to multiple, separate chapters being posted rather than one complete document, and the lack of a search engine.
- **User-Friendliness Issues** – Comments in this topic area focused on frustrations related to the Zoning Ordinance not being very user-friendly, and difficult to use.

Recommended Strategies

The staff team used the comments in each topic area to search for possible solutions to the issues identified. The team reviewed 37 Zoning Ordinances from other communities across the country and found great examples of methods or tools that could be used to update the Charlotte Zoning Ordinance, and resolve some of those issues.

The team has selected the best of the best solutions and offers them in this report as recommended strategies that could be used to modernize and update the Charlotte Zoning Ordinance. Highlights of the recommended strategies, by topic area, are below.

Organization Strategies

- District and use standards should be located at the beginning of the ordinance where users can find it quickly. Place administrative and enforcement information at the end of the ordinance.
- All zoning districts should be located in one chapter.
- Districts should align with the Centers, Corridors, and Wedges Growth Framework and/or suburban/urban categories.
- All definitions should be located in one chapter.

Alphanumeric Outline Strategies

- Improve the alphanumeric outline system with a format that creates logical breaks, with fewer subsections under the main “section.” Titles to subsections could also help.
- Information should not be buried deep in subsections and footnotes, making it hard to find.
- Explore ways the ordinance can be presented in a more effective way, using color, shading, tabs, font types, and font sizes to improve navigation and reduce time spent searching for specific information.

Table of Contents Strategies

- Consider having a more detailed table of contents, including section and subsections.
- Consider creating a separate “mini” table of contents at the beginning of each chapter to improve navigation.
- Consider enhancements such as headers, various font sizes, and bold typeface to make the table of contents easier to navigate.
- Add hyperlinks in the table of contents of an electronic Zoning Ordinance for each chapter, section, and subsection, and for page numbers.

User Guide Strategies

- Add a user guide to help users find information and navigate through the Zoning Ordinance.
- Consider adding a “frequently asked questions and answer” document to aid new users of the Zoning Ordinance.

Index Strategies

- Update the index to be more comprehensive and modify the layout to make it simple to follow and easy to understand.
- Add hyperlinks to the index in the electronic version on the Planning Department website.

Page Layout, Design and Formatting Strategies

- Incorporate improved document design elements to make information easier to find and the document more user-friendly.
- Use headers and footers to create a stylistic theme and provide information such as the chapter number, section numbers, etc. associated with each page. Page numbers should be located in the footer, as well as identifying the ordinance as the “City of Charlotte, North Carolina Zoning Ordinance”.
- Design pages so that section numbers and titles are prominent.
- Use fewer subsections under each section.
- Balance white space with text, illustrations, graphics, tables, etc. Line spacing or white space should be created between paragraphs and headings.
- Consider creating a style for chapters, sections, subsections, titles/headings using various fonts, font sizes, colors, italics, bold or underlining to help user navigation and illustrate the relationship of provisions.
- Create hyperlinks for cross-references, definitions, and other pertinent regulations in the electronic Zoning Ordinance on the Planning Department website.
- Create a consistent indentation system for subsections.

Graphics, Illustrations, Photographs and Flow Chart Strategies

- Supplement the Zoning Ordinance with more graphics, illustrations and photographs to more effectively communicate complex concepts, definitions, and convey information more concisely to users.
- Add flowcharts to clarify specific procedural requirements and to illustrate the various zoning processes and approvals that include recommending and approving bodies.

Table Strategies

- Consideration should be given to how tables are designed with consistent elements throughout the Ordinance. Other details can enhance the appeal of tables: a common design theme, font, and format with horizontal header rows and vertical header columns; the use of colored columns in the use table; alternating rows of fill color, etc.
- Replace lengthy text with information in tables.
- Consider using a generic use table, where uses are combined into broader categories, and remove the written list of uses within each zoning district.

Hyperlink Strategy

- Include hyperlinks to aid in navigation in an electronic version of the Zoning Ordinance on the Planning Department website.

Search Engine Strategy

- Combine all chapters of the Zoning Ordinance on the Planning Department website into one comprehensive document and add a search engine to improve navigation and user-friendliness.

User-Friendly Strategies

- Improve the organization and structure of the Zoning Ordinance.
- Develop an improved alphanumeric system.
- Improve the functionality of the table of contents and index.
- Provide a “user guide”.
- Incorporate graphic design principles for page layout, design and formatting.
- Incorporate more graphics, illustrations, cross-sections, photographs, tables, matrixes, and flow-charts.
- Evolve the Planning Department website Zoning Ordinance so that it is available as one document, with a search engine.

Next Steps

The next step will be expanding input opportunities to a wider group of individuals—including the Planning Commission, neighborhood leaders, the public, developers, consultants, builders and attorneys.

That external input—as well as this internal assessment and the recommended strategies—will be used by staff and future consultants in assessing and evaluating the City of Charlotte Zoning Ordinance in more detail, prior to eventually rewriting and updating the Zoning Ordinance.

Chapter 1

Introduction and Overview



The City of Charlotte is undertaking a multi-phase initiative to update and modernize its Zoning Ordinance. The current Ordinance suffers from more than twenty years of incremental changes that have made it complicated, inconsistent and cumbersome. Rewriting and updating the Zoning Ordinance requires a deliberate, comprehensive, and inclusive process.

The ultimate goals of the update process are to:

- ▶ update the Zoning Ordinance to address contemporary urban development, best practices and market trends;
- ▶ realign the regulations with adopted plans, policies and vision statements; and
- ▶ improve user-friendliness so that the document is easily understood by administrators, the public, and the development community.

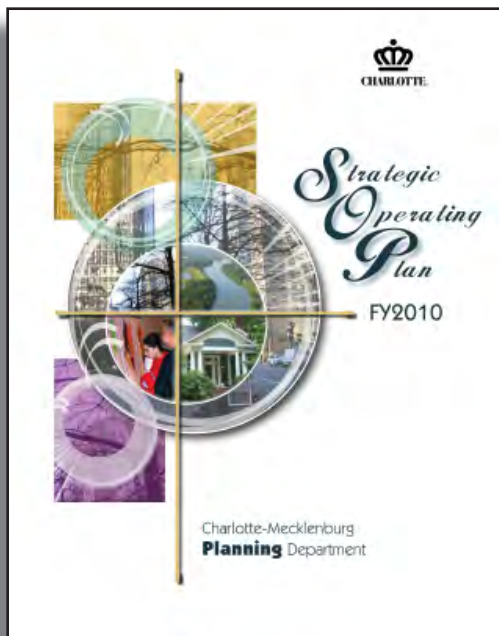
The First Step: Evaluating the Current Zoning Ordinance

The Charlotte-Mecklenburg Planning Department initially planned to engage a consultant to undertake an assessment of the Zoning Ordinance organization and format (Phase I) and then to reorganize and recodify the

Zoning Ordinance for improved readability and ease of accessing information (Phase II). Content changes would be considered at a later date. A Request for Qualifications (RFQ) was issued in late 2008 to select a consultant, and responses were received from ten consultants.

At about the same time, the national economic slowdown was being felt locally with a decrease in development activity and subdivision reviews. This enabled staff to step in and take on Phase I of the project, rather than contracting for outside services.

The assessment and diagnostic portion of the RFQ was assigned to a senior Planning Department staff team. The project became a major strategic initiative in the Planning Department's *FY 2010 Strategic Operating Plan*—and part of the larger City corporate objectives and focus areas. The effort is seen as a way of demonstrating a continuing commitment to effectively deliver quality planning services to its internal and external customers.



The scope of this staff initiative is to:

1. Design an internal stakeholder process to review and evaluate the format, organization, and general content of the Charlotte Zoning Ordinance;
2. Gather feedback about issues and concerns frequent users of the Zoning Ordinance are experiencing;
3. Research how other similar sized cities have utilized alternative tools, approaches, or techniques to address the identified issues and concerns;
4. Recommend strategies that can address the identified issues and concerns that could be used in the future to modernize and update the Ordinance to improve user-friendliness; and
5. Prepare a diagnostic report that summarizes the process, issues and concerns, research, and recommended strategies.

The *Diagnostic Assessment and Recommendations* report—this document—consists of the following:

Executive Summary provides an summary of the Assessment results and recommended strategies.

Chapter 1: Introduction and Overview introduces the purpose and intent of this diagnostic assessment; provides a snapshot of Charlotte’s demographics and growth trends and strategies in the region; details new plans and policy documents adopted and underway; and provides information about some of the current issues and concerns involving the existing Zoning Ordinance.

Chapter 2: Project Description and Processes details the methodology and processes used in this diagnostic assessment.

Chapter 3: Diagnostic Assessment and Recommendations evaluates specific comments regarding format and organization issues and concerns, and presents recommended strategies of how to improve the user-friendliness of the Zoning Ordinance. Examples from other zoning ordinances across the country are provided to illustrate alternative format and organization concepts.

Chapter 4: Types of Codes and Ordinances provides a brief description of different ordinances and code approaches.

Appendix A: Mission and Problem Statement.

Appendix B: Zoning Ordinance Diagnosis Project PowerPoint

Appendix C: Listening Session Comments on Content

Growth Trends

At more than 286 square miles, Charlotte encompasses most of Mecklenburg County’s land area and is North Carolina’s largest city.

Located in the nation’s sixth largest urban region, Charlotte is also the nation’s 17th largest city. In 2010, more than 1.7 million people live within the Charlotte metropolitan area, and more than 2.1 million people live within a 40-mile radius around Charlotte. This number is expected to grow to 3.3 million people by the year 2030, with the regional workforce growing to 1.8 million employees.

Growth has been a key driver of Charlotte’s economic vitality, with the City’s population more than doubling between 1980 and 2010, increasing from 315,000 to over 731,000. The City’s population is expected to surpass the one million mark by the year 2035, with the County’s workforce expected to surpass 950,000 employees.



Charlotte is the heart of the nation's sixth largest urban region.

Charlotte's regional growth has largely been driven by a high quality of life, robust employment market and a relatively low cost of living compared to other similar size cities.

Of the major metropolitan centers in the Southeast, Charlotte has emerged as the financial, distribution and transportation center for the region. Charlotte also serves as headquarters for many major national and international companies, and is the second largest financial center in the nation, with Bank of America headquarters located in Charlotte.

Growth Strategy

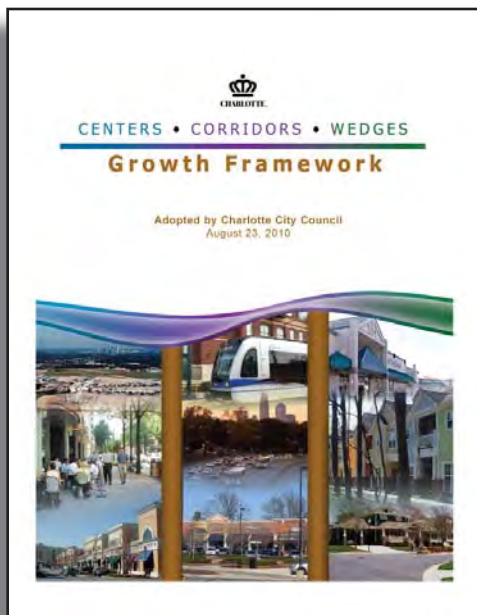
In the early 1990s, the Charlotte City Council recognized that the quality of life in the upcoming years would be largely dependent upon how the City responded to growth and development. After extensive study and citizen input, City Council adopted a concept and framework known as *Centers and Corridors* to guide future growth and development. The intent of the concept is to form a strong link between land use and transportation to guide growth into areas that could support new development or are in need of redevelopment, and away from areas that could not support growth.

The policy document is a valuable tool that provides an overarching policy basis for critical growth-related initiatives such as the development of the *2025 Integrated Transit/Land Use Plan* and the subsequent planning for five rapid transit corridors.

Since *Centers and Corridors* was first presented in 1994, conditions and circumstances have changed over the intervening eighteen years. The most significant conditions impacting the growth strategy are summarized below:

- Redevelopment has become increasingly common, as land for greenfield development has become more limited. New development projects are being built on underutilized land or vacant parcels that were previously bypassed.
- Demographic changes continue to impact how development occurs with Baby Boomers and “Generation X’s” often showing a preference for urban environments.
- The need for infrastructure to support new development continues to grow, and is compounded by the increasing need to repair and upgrade existing facilities.
- Environmental consciousness is increasingly impacting where and how people are choosing to live.
- Affordable housing has become a more significant concern and a growing challenge in our community.

The strategy was updated and adopted by the City Council in August, 2010, and is referred to as the *Centers, Corridors, and Wedges Growth Framework*. The revised document broadens the original transportation-oriented focus to include other aspects of planning and development, such as public facility needs and environmental concerns.



Centers, Corridors and Wedges Growth Framework was adopted in 2010.

The revised strategy refines the vision for future growth and development by identifying three geographic categories known as “activity centers,” “growth corridors” and “wedges” to categorize land in Charlotte’s sphere of influence. Characteristics of each geographic category are outlined and intended to be general in nature.

The *Centers, Corridors and Wedges Growth Framework* is used

- 1) as a basis for development of more detailed policies, plans and regulations;
- 2) to establish a consistent framework and give broad guidance for infrastructure investment; and
- 3) as a tool to evaluate Charlotte’s success in addressing growth and redevelopment issues and maintaining a livable community.

The document also provides an overall vision for future growth and development: “Charlotte will continue to be one of the most livable cities in the country, with a vibrant economy, a thriving natural environment, a diverse population and a cosmopolitan outlook. Charlotteans will enjoy a range of choices for housing, transportation, education, entertainment and employment. Safe and attractive neighborhoods will continue to be central to the City’s identity and citizen involvement key to its viability.”

New Plans and Policies

An important step in implementing the *Centers, Corridors and Wedges Growth Framework* is an assessment to determine if existing policies, plans and ordinances are consistent with the growth framework and whether other updates are needed. In particular, the Zoning Ordinance and the General Development Policies will need updating to implement the goals and policies of the Growth Framework.

In addition to realigning the Zoning Ordinance, new land use plans and policy documents have been adopted or are currently underway. These documents include the *Urban Street Design Guidelines* (adopted October 22, 2007), the

Charlotte Center City 2020 Vision Plan (adopted September 12, 2011), and other land use/transportation integration efforts (i.e. *Transportation Action Plan* (adopted August 22, 2011), *Bicycle Plan* (adopted September 8, 2008) and *Pedestrian Plan/Walkability Strategy* (currently underway).

Charlotte Zoning Ordinance

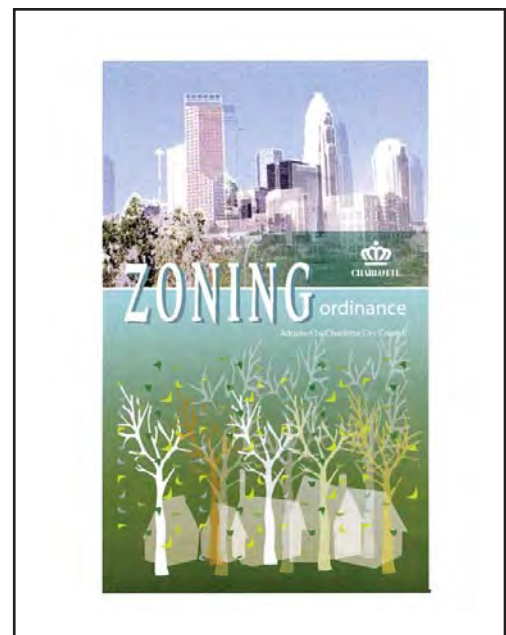
One of Charlotte's major regulatory tools that implement policy and plan documents is the Zoning Ordinance. The last major overhaul of the Zoning Ordinance began in the late 1980s with a consultant hired to reorganize and modernize the ordinance. What was envisioned as a one- to two-year process, ended twelve years later in 1992, after adoption of an Ordinance rewritten by staff. Since then, there have been twenty years of incremental text amendments to the Zoning Ordinance.

Charlotte's Zoning Ordinance is a mix of traditional, Euclidean-based provisions along with a number of more flexible elements that have been added over the years. The basic ordinance includes zoning district and use provisions with dimensional standards such as minimum lot size, lot width, setbacks, height, densities and floor area ratios.

New and modified regulations have been added to reflect changing circumstances, update zoning practices, incorporate new uses, align the regulations with adopted land use and urban design plans, resolve conflicts, add streetscape and urban design provisions, add flexibility, and ensure consistency with North Carolina statutes, to name a few. In addition, new zoning districts have been added, including mixed-use districts, transit oriented development districts, pedestrian overlay districts, watershed overlay districts, and historic overlay districts.

Unfortunately, the cumulative effect of incremental text changes has resulted in an overly complicated set of regulations, inconsistencies, and an ordinance that is cumbersome to navigate, and not user-friendly. The sheer size of the document has grown by 73% from approximately 420 pages in 1992 to over 830 pages today.

To compound the problem, the Zoning Ordinance has not been modernized to take advantage of new digital tools, software enhancements, or best practices that many communities are now utilizing. And, as noted previously, neither has the ordinance been updated to fully align with Charlotte's new vision, adopted plans, and updated policies.



Charlotte's Zoning Ordinance was adopted in 1992, and needs updating.

Chapter 2

Project Description and Processes



Given the economic uncertainty facing the City, no consultants were subsequently interviewed after ten consultants submitted proposals in response to the City's Request for Qualifications. With the lagging economy, fewer subdivisions and rezoning petitions were being pursued by the public. This made subdivision and rezoning staff resources available to undertake the assessment and diagnostic portion of the project, rather than placing the project on hold.

To move the project forward, the Planning Department Director modified the direction and scope of the multi-phase initiative to update and modernize the Zoning Ordinance. The assessment and evaluation portion of the Request for Qualifications was assigned to a staff team. The charge was to:

- ▶ Design a stakeholder process to review and assess the Zoning Ordinance.
- ▶ Prepare a diagnostic assessment report.
- ▶ Research how similar size communities across the country have used various components, methods or techniques to address the issues and concerns raised during the assessment process.
- ▶ Prepare recommended strategies, with examples, to address the concerns raised during the assessment process.

This modification was incorporated in the Charlotte-Mecklenburg Planning Department's *FY 2010 Strategic Operating Plan*. The full "Mission Statement" for this project, laying out the process in more detail, is also found in Appendix A of this document.

- A flow chart for the "Zoning Ordinance Diagnostic Process" is on page 9 of this document.
- The Mission Statement is summarized below.

Component #1: Assessment of Format and Organization, and Research

Process: Through a series of internal (City and County staff) and external (public) input or listening sessions, evaluate and identify components, methods and techniques that can improve the readability, navigation, and understanding of regulations in the Zoning Ordinance.

Purpose: The listening session comments will be categorized by topic area and then analyzed. Research will be undertaken to discover how other communities have addressed these issues and concerns. Staff will then propose techniques, methods or tools that can be used to restructure the Zoning Ordinance to be easy to read, easy to navigate, easy to understand and effective in both a printed and digital format. Examples from exemplary communities will be provided to visually convey concepts.

Component #2: Assessment of General Content for Future Modernization

- Process: During the listening sessions gather comments related to general ordinance content that that may need to be updated, modified, or modernized during a future major rewrite.
- Purpose: The general content comments will be categorized by Zoning Ordinance Chapters. Staff will prepare a brief summary of key content changes that are suggested.

Component #3: Diagnostic Report and Recommended Strategies

- Process: Prepare a technical Diagnostic Report and Recommendations report that includes the following elements: 1) an Executive Summary; 2) Format and Organization comments; 3) Content Comments for future updates to the Zoning Ordinance; and 4) Recommended Strategies to address the format and organization comments, along with examples illustrating the strategy.
- Purpose: The Diagnostic Report and Recommendations will be a reference tool to be used in the next steps of updating, modernizing, and/or rewriting the Zoning Ordinance.

The Staff Team and CORE Team

The staff team began work by determining the steps needed to accomplish all three components of the project. In order to create a successful process, additional planners within the Department were enlisted as a CORE team to provide input and feedback on the project as it moved through various stages.

The first duty of the staff team was to discuss how best to obtain input from internal and external stakeholders. Tasks included drafting an assessment exercise, creating an internal and external stakeholder process, developing a presentation to provide an overview of the project for the stakeholders and creating a flow-chart that diagramed the processes. The draft Mission Statement (Appendix A), stakeholder processes and the flow chart (facing page) were shared with the CORE team and their feedback requested. Updates were made accordingly.

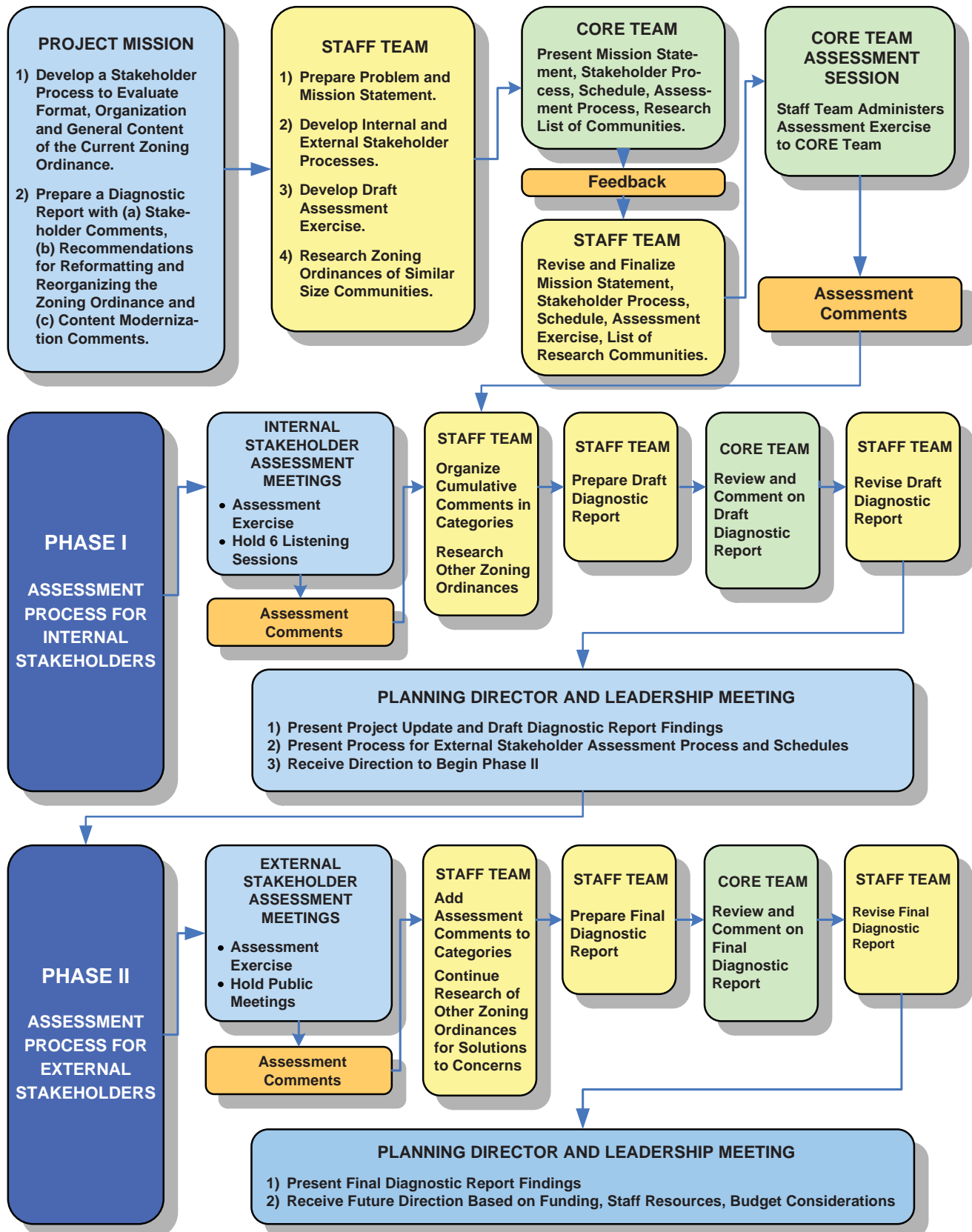
Before moving forward with the internal and external stakeholder assessment sessions, the presentation and assessment exercise was tested on the CORE team and staff team, and assessment comments from both teams were recorded. Several refinements were made to the presentation and the staff team was ready for the assessment phase of the project.

The Listening Session Process

For the assessment process, two phases of assessment “listening sessions” were planned. In Phase I, comments and suggestions from internal City and Mecklenburg County staff who work with the Zoning Ordinance on a regular basis were gathered, compiled and categorized by topic area and then researched and analyzed by the staff team.

Phase II will involve comments and suggestions from external stakeholders including the public, development community, building industry, zoning consultants, law firms, neighborhood leaders, appointed and elected officials, recipients of the Land Development newsletter and the Subdivision Steering Committee.

ZONING ORDINANCE DIAGNOSTIC PROCESS



By breaking the listening sessions into two phases, the feedback and comments received from Phase I could be used as a basis for engaging the community and external stakeholders in Phase II.

Six listening sessions were held for internal City and County staff in Phase I. Three listening sessions were held for Planning Department employees and an additional three listening sessions were scheduled for interdepartmental City and County staff input.

Invitation letters for the Phase I listening sessions were sent to key City and County Department Executives, requesting the designation of several of their employees to participate in the assessment listening sessions. The letter suggested participation by staff members such as plan reviewers, inspectors or other frequent users of the Zoning Ordinance. The following Departments were invited to participate:

- Charlotte Department of Transportation
- Engineering and Property Management
- Charlotte Fire Department
- City Attorney's Office
- Neighborhood & Business Services
- City Clerk's Office
- Charlotte Mecklenburg Utilities Department
- Charlotte-Mecklenburg Schools
- Mecklenburg County Park and Recreation
- Charlotte Department of Solid Waste Services
- Mecklenburg County Land Use and Environmental Services Agency
- Charlotte Area Transit System
- Charlotte-Mecklenburg Police Department
- Planning Department Zoning Operations Team
- City Manager's Office

At the beginning of each listening session, staff presented an overview of the Zoning Ordinance reorganization project, schedule and assessment process (see the PowerPoint presentation in Appendix B). After this introduction, attendees were asked to provide their candid comments and concerns about their experiences with using the Zoning Ordinance. A number of general questions related to format, organization, and general content were included in the PowerPoint presentation to jump-start conversation:

FORMAT AND ORGANIZATION:

- ▶ What aspects of the Ordinance are the least user-friendly?
- ▶ How can the Zoning Ordinance be reformatted and reorganized to make it more user-friendly?
- ▶ How can the Ordinance be reorganized to make it easier to use?
- ▶ How can the readability and clarity of the Ordinance be improved?
- ▶ Can information be found easily? If not, what are some examples?
- ▶ What new methods and tools can be used to improve navigation and aid the user in finding information quickly?

GENERAL CONTENT:

- ▶ What is the purpose of the Charlotte Zoning Ordinance?
- ▶ What are the major problems with the existing content of the Ordinance?
- ▶ Does the Ordinance have the features needed to implement Council adopted plans and policies?
- ▶ Do the Ordinance regulations reflect best practices?

- ▶ Does the type of development constructed align with the purpose of the district under which it was developed?
- ▶ Should the regulations be simplified?
- ▶ Is the Ordinance helping us create the type and quality of places that we want?
- ▶ Should more flexibility be added to the Ordinance?
- ▶ Are additional zoning districts needed, or should some districts be revamped with new or different development and design standards?
- ▶ What part of the Zoning Ordinance wastes most staff time in interpreting?

The comments from the six City and County staff listening sessions were recorded and added to the comments received by the CORE team at an earlier assessment session. A total of 82 City and County employees participated in the listening sessions (24 Planning Department staff and 58 interdepartmental employees).

Categorization of Listening Session Comments

Once the comments were obtained, the staff team began to organize and categorize the comments. First, the comments related to content were organized according to the Chapter in the Zoning Ordinance in which they were located. The content comments would be used in future phases of the project (See Appendix C for a full list of the content-related comments).

The remaining comments related to organization and formatting of the Zoning Ordinance were organized into eleven broad topic categories:

- 1. Organization**
- 2. Alphanumeric Outline**
- 3. Table of Contents**
- 4. User Guide**
- 5. Index**
- 6. Page Layout and Design, Formatting**
- 7. Graphics, Illustrations, Photos, Flow Charts**
- 8. Tables**
- 9. Hyperlinks**
- 10. Search Engine**
- 11. User Friendliness**

Assessment and Research

After becoming familiar with all the concerns raised at the listening sessions for each topic category, staff began searching for possible solutions. To do this, the staff team compiled a list of cities and jurisdictions that had newly revised or outstanding zoning ordinances that had the potential to offer solutions or ideas that would address concerns raised at the assessment sessions.

Communities on the list included those recommended by internal City and County employees, the CORE team, and provided as examples of work from the consultants that had responded to the earlier Request for Qualifications. From this initial list, each zoning ordinance or code was visually skimmed and evaluated to determine if it qualified for the final list. The criteria used by the staff and CORE team to evaluate the ordinances included the

user-friendliness, readability, navigation features, formatting elements, page layout, organization, use of graphics and tables, etc. In short, if the document offered ideas and ways to enhance the readability, navigation and organization of Charlotte’s Zoning Ordinance, it was included in the final list of communities for further research. These communities are:

Zoning Ordinances Used in Research

- | | |
|--------------------------------------|--|
| 1. Asheville, North Carolina | 20. Kansas City, Missouri |
| 2. Austin, Texas | 21. Knightsdale, North Carolina |
| 3. Baltimore, Maryland | 22. Louisville, Kentucky |
| 4. Bloomfield Township, Michigan | 23. Memphis and Shelby County, Tennessee |
| 5. Catawba County, North Carolina | 24. Milwaukee, Wisconsin |
| 6. Chattanooga, Tennessee | 25. Minneapolis, Minnesota |
| 7. Chicago, Illinois | 26. Missoula, Montana |
| 8. Cleveland, Ohio | 27. Mooresville, North Carolina |
| 9. Columbus, Ohio | 28. New York City, New York |
| 10. Dallas, Texas | 29. Oklahoma City, Oklahoma |
| 11. Davidson, North Carolina | 30. Philadelphia, Pennsylvania |
| 12. Denver, Colorado City and County | 31. Portland, Oregon |
| 13. Durham, North Carolina | 32. St. Cloud, Minnesota |
| 14. Ft. Worth, Texas | 33. Sarasota City, Florida |
| 15. Grand Blanc Township, Michigan | 34. Sarasota County, Florida |
| 16. Hinsdale, Illinois | 35. Seattle, Washington |
| 17. Homewood, Illinois | 36. Syracuse, New York |
| 18. Indianapolis, Indiana | 37. Valparaiso, Indiana |
| 19. Ithaca, New York | |

There were also a number of cities identified on the initial list that were eliminated for a number of reasons. Some used Municode or AM Legal exclusively as the official repository for their regulations. Since the focus of this assessment was user-friendliness, formatting and organization, staff excluded these cities.

Other jurisdictions were excluded for other reasons, such as the layout was not outstanding, the ordinances were in the process of a major rewrite; the ordinance was not considered user-friendly; and/or the ordinance had little or no interactivity opportunities. The 32 communities removed from the list include:

- | | |
|--------------------------------|------------------------|
| 1. Albuquerque, NM | 11. Lincolnwood, IL |
| 2. Annapolis, MD | 12. Los Angeles, CA |
| 3. Aspen and Pitkin County, CO | 13. Lowndes County, GA |
| 4. Atlanta, GA | 14. Miami, FL |
| 5. Boston, MA | 15. Montgomery, AL |
| 6. Colorado Springs, CO | 16. New Orleans, LA |
| 7. Galesburg, IL | 17. Norfolk, VA |
| 8. Greensboro, NC | 18. North Miami, FL |
| 9. Lexington, VA | 19. Orland Park, IL |
| 10. Lincoln County, NC | 20. Park Ridge, IL |

- | | |
|------------------------|---------------------------------------|
| 21. Pittsburgh, PA | 27. San Diego, CA |
| 22. Phoenix, AZ | 28. San Francisco, CA |
| 23. Raleigh, NC | 29. Santa Fe, NM |
| 24. Richmond, VA | 30. Tampa, FL |
| 25. Salt Lake City, UT | 31. Tifton City and Tifton County, GA |
| 26. San Antonio, TX | 32. Wood Dale, IL |

Although the compiled a list of cities and jurisdictions with newly revised or outstanding zoning ordinances served as a reference tool for researching possible solutions, not all strategies or examples came from these 37 communities. Additional research of other ordinances and codes was required in some instances.

Survey of Zoning Ordinances for Format and Organization Ideas and Examples

For each of the format and organization topic categories, staff explored the zoning ordinances of the 37 selected communities to find exemplary ideas, graphics, or solutions that could address the issues and concerns heard during the listening sessions.

- ▶ What formatting or organization techniques have they used?
- ▶ What tools, techniques or visual concepts were utilized in other Ordinances that made it easier to read, easier to navigate, easier to understand and effective in both a printed and digital format?
- ▶ Would those techniques work for Charlotte?

For example, during the listening sessions it was suggested that more summary tables be utilized throughout the Zoning Ordinance. What kinds of information did other communities convey in table form? As staff searched the ordinances, a tracking sheet was used by the team to rank each searched ordinance from one to three for the use of tables. A ranking of “1” was for “great to good examples;” “2” was for “possible examples;” and “3” was “not an option.”

The ordinances that were ranked “1” or “2” under the “Table” category were then reviewed in further detail. Table examples from the top ranking jurisdictions that used tables in a way that Charlotte’s Zoning Ordinance did not, were saved in digital format for later reference. For each topic category, this assessment and research process resulted in a variety of potential solutions or strategies that could be applicable here in Charlotte.

The final step was to narrow down the best three to four examples for each topic category to be included as recommended strategies that should be considered when the Zoning Ordinance is updated and modernized in the future.

Chapter 3

Diagnostic Assessment and Recommendations



In this chapter, the information from the listening sessions is presented and summarized—and strategies are proposed, with examples to address the concerns related to each of the topic categories identified in the previous chapter:

1. Organization
2. Alphanumeric Outline
3. Table of Contents
4. User Guide
5. Index
6. Page Layout and Design, Formatting
7. Graphics, Illustrations, Photos, Flow Charts
8. Tables
9. Hyperlinks
10. Search Engine
11. User-Friendliness

In the following pages, for each of the above topic categories is:

- 1) **a brief description** of what the topic area represents;
- 2) **a summary** of the comments received through the listening sessions;
- 3) **each individual assessment comment** received associated with the topic;
- 4) **several proposed strategies** to address the topic concerns; and
- 5) **examples** of these strategies from other jurisdictions.

The comments in the following pages focus on the **format and organization** of the Zoning Ordinance (Phase I of the diagnostic process). Comments gathered in the internal listening sessions that relate to **content** (Phase II) are listed in Appendix C.

1. ORGANIZATION

WHAT IS THIS TOPIC?

One essential feature in a Zoning Ordinance is how well it is **organized**. How easy is it to find information? Does the order of the chapters and sections flow logically? An orderly presentation of the information establishes an Ordinance that is easy to read, easy to navigate, easy to understand—and effective in both a printed and digital format.

SUMMARY OF COMMENTS

One of the major concerns voiced at the listening sessions about the Zoning Ordinance is the disorganization and inconsistency displayed throughout the document. The comments that follow demonstrate the frustration expressed by frequent users of the Ordinance:

- Definitions are located throughout the ordinance and are sometimes conflicting and/or unclear.
- Development standards are complex, sometimes conflict, and are scattered throughout the ordinance.
- Zoning districts are dispersed through various chapters, making it difficult to determine applicability of multiple regulations.
- Frequently referenced districts and development regulations are not located at the beginning of the Ordinance.
- Burying important information in a format hierarchy of seven levels makes it hard for a reader to find important information.

COMMENT NUMBER	LISTENING SESSION COMMENTS
1	Finding development, use, and urban design standards can be difficult, as some zoning districts have standards located in the individual district (Chapter 9, 10, and 11), while other standards are separated out in individual chapters (i.e. Chapter 12 contains supplemental development regulations: special requirements for certain uses, buffers, screening, parking, accessory use standards for certain uses, etc.).
2	Any information that is pertinent to all districts should be in a separate chapter.
3	Standards should either be together or separate—but not both.
4	The regulatory standards need to be in separate sections or in the zoning district. It is confusing to have them in both locations.
5	All uses with prescribed conditions should be replaced in a single chapter rather than being spread into different areas of the Ordinance.
6	Sort by topic rather than chapter. Create links by topic.
7	Some districts have standards in Chapter 9, some have standards in Chapters 12 and 13, too.
8	Are the districts organized/placed in the appropriate locations (i.e. should the watershed overlay be in a separate environmental section)?

1. ORGANIZATION (continued)

9	The customer needs to go back and forth to other sections of the Ordinance to find regulations, i.e.: NS.
10	Buffer requirements are in different sections (Industrial).
11	All sign regulations should be in one section.
12	The different districts have their own sign regulations such as Urban districts. The regulations often are in multiple places.
13	The parking requirements are in various areas of the Ordinance. They need to be combined in one location.
14	Prescribed conditions are in numerous areas of the Zoning Ordinance. They need to be combined in one area to avoid repetition of the prescribed conditions from district to district.
15	The Ordinance is poorly organized and results in the customer and staff looking in the wrong place for regulations.
16	Reorganize the General, Overlay, and Conditional districts into a grouping of districts organized by whether the district is Basic or Suburban, Urban, or Transit, etc.
17	Organize all the Urban Districts together.
18	Put all Urban districts together, in one place, and combined.
19	Create a separate section for Urban as well as General and Conditional.
20	Place urban districts in the same area or combine these urban districts because they are so similar.
21	Urban districts were adopted later and the format is different. Difficult to administer.
22	Add a new section for urban districts and distinguish between general and conditional districts.
23	Why are General Districts and Conditional Districts separated by Overlay Districts?
24	Break up and re-arrange Chapters 12 “Development Standards of General Applicability” and Chapter 9, “General Districts.”
25	Watershed Overlay Districts are confusing. Not all together. Need to combine them.
26	Some water quality buffers are located in the watershed overlay districts (Chapter 10), some are located in SWIM (Chapter 12).
27	Combine Chapters 3, 4, 5 and 6 into a single procedures chapter.
28	Reorganize the Chapters, so that the “nitty-gritty” information on districts and standards is located in the front, and the definitions, decision-making bodies, appeals, variances, amendments, etc. are in the back of the Ordinance.
29	Administrative stuff should be separated from the districts/development criteria.

1. ORGANIZATION (continued)

30	Move the administrative section of the ordinance to be the last chapters.
31	Notification process for Change of Use—it and other notification processes could be combined in one location.
32	Chapter 12, “Development Standards of General Applicability,” contains a mix of regulations that aren’t tied to other Chapters or Sections.
33	Chapter 12 appears to be the dumping ground for anything that doesn’t fit in other chapters.
34	Chapter 12 is a dumping ground; if you can’t find it anywhere, look in Chapter 12.
35	All definitions should be removed out of districts and various chapters, and placed into the definition section.
36	Definitions are scattered throughout the Ordinance, instead of being located in one place.
37	Remove regulatory language from the definition section, as it is easy to miss and hard to find.
38	Use regulations are sometimes located in the definition, under uses by right, under uses with prescribed conditions, and in Chapter 12. This is disorganized.
39	Consolidate prescribed conditions standards in a single chapter to remove duplication and bulk.
40	Required information is hard to find as it is spread throughout the Zoning Ordinance (hodge-podge ordinance).
41	Some information is redundant.
42	Consolidate text in the Zoning Ordinance. There is currently duplication and redundancy. “Less is More.”
43	We need to make sure that in order to gain flexibility we do not make the ordinance more complicated (i.e. complicated formulas etc.).
44	There are different standards for the same uses in different districts.

PROPOSED STRATEGIES

There are many ways to create an organized, more “user-friendly” Ordinance. A number of suggestions on how to organize the ordinance are noted below. These suggestions should be considered during the reorganization process:

- Customer information should be placed at the beginning of the ordinance (i.e. how to use this ordinance, zoning districts, use standards, site standards, development procedures, etc.).
- Administrative and enforcement information should be located at the end of the ordinance.
- All districts (base, overlay and conditional,) should be located in the same chapter.
- Districts should be further organized to align with Centers, Corridors, and Wedges framework and/or suburban/urban categories.
- All definitions should be located in one area.

EXAMPLE #1-1: CITY AND COUNTY OF DENVER, COLORADO – DRAFT ZONING CODE

In evaluating various ordinances, staff was mindful of this imaginary scenario: A developer in another country is web-surfing various ordinances in North Carolina cities to get an overview of what zoning regulations he would need to comply with in order to build a new commercial facility somewhere in the state. If he were to view a cumbersome ordinance, his frustration in locating the information he was searching for might lead him to dismiss that city as a potential place to locate. If his experience with an ordinance was positive and he quickly found the information, then he would be interested in finding out more about the city.

Staff found several examples of how a zoning ordinance can be organized to create a “user-friendly” document. Example #1 is from Denver, Colorado. Article 2, “Using the Code,” is placed at the beginning of the ordinance, followed by articles dedicated to each zoning district. The administrative procedures and enforcement article is placed at the end of the ordinance along with the rules of construction and definitions.

For the imaginary developer, this example would allow quick access to a “user guide” with the districts categorized by suburban and urban, and guide him to focus in on the neighborhood context he desires.

Denver, Colorado example is on the following pages (20-21)

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DENVER ZONING CODE

June 25, 2010

EXAMPLE #1-2: GRAND BLANC (TOWNSHIP), MICHIGAN – ZONING ORDINANCE

This example shows how all definitions are located in one chapter, first by index (page 22)—and then with actual definition by corresponding number also in the same chapter (page 23).

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

2.0 Definitions

2.1 Construction of Language

1. Access management
2. Accessory building or structure
3. Accessory use or accessory structure
4. Act
5. Adult book or supply store
6. Adult foster care organization
7. Adult motion picture theater or arcade
8. Adult regulated uses
9. Alley
10. Alterations
11. Animal, domesticated
12. Animal, exotic
13. Animal hospital
14. Animal, non-domesticated (wild)
15. Animal, vicious
16. Attached wireless communication facility (antennae)
17. Antennae, reception
18. Apartment
19. Apartments, accessory
20. Appropriate regulatory agencies
21. Arcade
22. As-built plans
23. Attorney, Township
24. Auto (automobile)
25. Auto mall
26. Auto repair establishment, major
27. Automobile maintenance/service establishments (routine maintenance and minor repair)
28. Automobile convenience/gasoline station
29. Automobile wash
30. Average day
31. Basement
32. Bed and breakfast inn
33. Bedroom
34. Berm
35. Block
36. Block face
37. Board of Appeals, Building
38. Board of Appeals, Zoning
39. Buffer (zone)
40. Building
41. Building Department/Building Official
42. Building envelope
43. Building, height of
44. Building line
45. Building permit
46. Building, principal or main
47. Business Services
48. Caliper
49. Caretaker (living quarters)
50. Cemetery
51. Cemetery, pet
52. Child care center (see "Care Organization")
53. Child care organization
54. Clerk
55. Clinic, medical
56. Clinic, veterinary
57. Club or fraternal organization
58. Cluster development (open
69. Condominium, conversion condominium
70. Condominium, convertible area
71. Condominium, expandable condominium
72. Condominium, general common element
73. Condominium, limited common element
74. Condominium, master deed
75. Condominium, site condominium project
76. Condominium, subdivision plan
77. Condominium, unit site (i.e. site condominium lot)
78. Condominium setbacks
79. Condominium unit
80. Contractor yard
81. Convalescent home
82. Convenience store
83. County Drain Commission
84. County Health Department
85. County Road Commission
86. Curb cut
87. Day care center
88. Deceleration lane
89. Deck
90. Dedication
91. Density
92. Detention basin
93. Development
94. District
95. Drive-in restaurant
96. Drive-through business
97. Dwelling, one-family
98. Dwelling unit
99. Dwelling unit, attached
100. Dwelling unit, attached single family
101. Dwelling unit, detached
102. Dwelling unit, efficiency apartment
103. Dwelling unit, multiple family
104. Dwelling unit, two-family
105. Easement
106. Engineer, Township
107. Erected
108. Essential services
109. Excavation
110. Exception
111. Façade
112. Family
113. Family day care home
114. Farm
115. Fence
116. Filling
117. Fitness center
118. Fixture
119. Floodplain
120. Floor area, gross (i.e. total floor area)
121. Floor area, useable (i.e. sales or gross leasable area)
122. Floor area, residential
123. Foster Family home and Foster Family Group Home
124. Frontage
125. Full cutoff luminaire
126. Gap (critical gap)

2.2 Definitions

140. Housing for the elderly
141. Illuminance
142. Incineration unit, solid waste
143. Impact assessment
144. Impervious surface
145. Improvements
146. Indoor recreation center
147. Industrial, heavy
148. Industrial, light
149. Industrial park
150. Junk
151. Junkyard
152. Kennel, commercial
153. Laboratory
154. Lamp
155. Landfill
156. Landscaping
157. Level of service
158. Light trespass
159. Limited commercial and personal service uses
160. Livestock
161. Loading space
162. Lodging Facility
163. Lot
164. Lot area
165. Lot, corner
166. Lot coverage
167. Lot depth
168. Lot, flag
169. Lot, interior
170. Lot lines
171. Lot of record
172. Lot, through or double frontage
173. Lot width
174. Lot, zoning
175. Low intensity retail operations
176. Lumen
177. Luminaire
178. Manufactured home
179. Massage parlor or massage establishment
180. Master plan
181. Mezzanine
182. Mini or self storage warehouse
183. Mobile home
184. Mobile home park or manufactured housing park
185. Motel
186. Mortuary or funeral home
187. Natural features
188. Nonconforming building or structure
189. Nonconforming lot
190. Nonconforming use
191. Nuisance factors
192. Nursery
193. Occupancy, change of
194. Occupied
195. Office
196. Offset
197. Off-street parking lot
198. Open front store
199. Open space
200. Outdoor café / outdoor seating
201. Outdoor sales
202. Outdoor storage
215. Planner, Township
216. Planning Commission
217. Plat
218. Pool or billiard hall
219. Previously prepared materials
220. Principal use
221. Public utility
222. Private road
223. Reasonable access
224. Reception antennae
225. Recognizable and substantial benefit
226. Recreational vehicle
227. Recycling center
228. Restaurant
229. Retail uses with an industrial character
230. Retention basin
231. Right-of-way
232. Room
233. Salvage yard
234. Screening
235. Service drive
236. Setback
237. Sewer
238. Shopping center
239. Shoreline
240. Sight distance
241. Site plan
242. Specialized congregate housing
243. Specialized lodging
244. Special land use
245. Special land use permit
246. Stable, commercial
247. Stable, private
248. Story
249. Store, half
250. Study area (traffic)
251. Street
252. Structure
253. Structural addition
254. Subdivision plat
255. Substance abuse center or treatment facility
256. Substantial improvement
257. Supermarket
258. Swimming pool
259. Temporary use or building
260. Theater
261. Topographical map
262. Townhouse
263. Township
264. Traffic impact study
265. Trip (i.e., directional trip)
266. Truck terminal
267. Use
268. Wireless communication facility
269. Wireless communication facility (colocation)
270. Wireless communication support structures (tower)
271. Use, accessory
272. Use, change of
273. Variance
274. Veterinary clinic
275. Veterinary hospital
276. Wall, obscuring
277. Warehouse

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

80. **Contractor yard:** A site on which a building or construction contractor stores equipment, tools, vehicles, building materials, and other appurtenances used in or associated with building or construction. A contractor's yard may include outdoor storage, or a combination of both.
81. **Convalescent home:** See "Housing for the Elderly".
82. **Convenience store:** A one-story, retail store that is designed and primarily stocked to sell food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket"). Convenience stores are designed to attract a large volume of stop-and-go traffic.
83. **County Drain Commission:** The Genesee County Drain Commission.
84. **County Health Department:** The Genesee County Health Department.
85. **County Road Commission:** The Genesee County Road Commission.
86. **Curb cut:** The entrance to or exit from a property provided for vehicular traffic to or from a public or private thoroughfare.
87. **Day care center:** See "Child care organization".
88. **Deceleration lane:** An added roadway lane that permits vehicles to slow down and leave the main vehicle stream before turning.
89. **Deck:** A platform, commonly constructed of wood, which is typically attached to a house and used for outdoor leisure activities.
90. **Dedication:** The intentional appropriation of land by the owner to public use.
91. **Density:** The number of dwelling units situated on or to be developed per net or gross acre of land. For purposes of calculating maximum density, only fifty percent (50%) of the acreage determined to be wetlands protected by the Goemaere-Anderson Wetland Protection Act, PA 203 of 1979, shall be calculated toward the total site acreage. All open bodies of water, land within the 100 year floodplain elevation, public rights-of-way and areas within overhead utility line easements are excluded from this calculation. Actual density shall also be determined by compliance with all setbacks, parking, open space and other site design requirements.
92. **Detention basin:** A man-made or natural water collector facility designed to collect surface water in order to impede its flow and to release the water gradually at a rate not greater than that prior to the development of the property, onto natural or man-made outlets.
93. **Development:** The proposed construction of a new building or other structure on a zoning lot, the relocation of an existing building on another zoning lot, or the use of open land for a new use. A development may include a site plan, a plot (building) plan, a condominium plan, a plat or a mobile home park.
94. **District:** A portion of the incorporated area of the township within which certain regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.
95. **Drive-in restaurant:** See "Restaurant".
96. **Drive-through business:** A business establishment so developed that its retail or service character is wholly or partly dependent on providing a driveway approach stacking area and service windows or facilities for vehicles.
97. **Dwelling, one-family:** A building designed exclusively for occupancy by one (1) family.
98. **Dwelling unit:** A building, or portion thereof, designed exclusively for and occupied exclusively by one (1) family for residential purposes and having single cooking and bath facilities. In no case shall a travel trailer, motor home, automobile, tent or other portable building defined as a recreational vehicle be considered a dwelling. In the case of mixed occupancy, where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purposes of these Zoning Regulations.
99. **Dwelling unit, attached:** A dwelling unit attached to one or more dwelling units by common major structural elements.
100. **Dwelling unit, attached single family:** A residential structure designed to house a single-family unit from lowest level to roof, with a private outside entrance, but not necessarily occupying a private lot, and sharing a common wall adjoining dwelling units.
101. **Dwelling unit, detached:** A dwelling unit which is not attached to any other dwelling unit by any means.
102. **Dwelling unit, efficiency apartment:** A dwelling unit for living, cooking, and sleeping purposes, and having no separate designated bedroom.
103. **Dwelling unit, multiple family:** A building, or a portion thereof, designed exclusively for

EXAMPLE #1-3: MISSOULA, MONTANA – ZONING ORDINANCE

This example also illustrates customer information located at the beginning of the ordinance, with all district regulations found in individual chapters, and the administrative, enforcement, definitions and measurement information located at the end of the ordinance.

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1. ORGANIZATION (continued)

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MISSOULA ZONING ORDINANCE

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2. ALPHANUMERIC OUTLINE

WHAT IS THIS TOPIC?

An **alphanumeric outline** is a tool that helps organize and present zoning ordinance regulations to the reader logically by sorting and classifying the material systematically. Due to the complexity of regulations within a zoning ordinance, information is commonly organized into a hierarchy of chapters, sections and subsections, and presented in an outline format using numbers, capitalized and lowercase letters, with or without parentheses. How have other communities presented their regulations in a way that is simpler or more user-friendly?

In Charlotte, the alphanumeric system is tied to the Charlotte Code of Ordinances, of which the Zoning Ordinance is located in Appendix A of Part II, with chapters sections and subsections. The official version of the Zoning Ordinance is currently located with the Municipal Code Corporation.

SUMMARY OF COMMENTS

The alphanumeric formatting system used in different sections of the Zoning Ordinance is not always consistent. In some sections, the complexity of the alphanumeric system frustrates the reader, especially when the section covers more than one or two pages.

The combination of numbers and letters also makes it difficult to locate and cite information that is buried within many layers of subsections.

COMMENT NUMBER	LISTENING SESSION COMMENTS
1	The numbering system (numeration) of the Ordinance is complicated when there are many levels of subsections, i.e. Section 9.906(2)(d)(2)(e)(1)(j)
2	The numbering system in the Ordinance not consistent between Chapters and Sections.
3	The Ordinance uses seven levels of headings, beginning with Chapters, and ending with subsections. Because sections and subsection contain the most directly relevant information that a reader is trying to find, burying subsections under seven levels of headings can make important information hard to find. Example: Chapter/Part/Section/Subsection (1)/Subsection (a)/Subsection 1/Subsection a.
4	The numbering system can be confusing, causing readers to flip back pages to determine what section and subsection they are looking at.

PROPOSED STRATEGIES

Consideration should be given to hosting the official version of the Zoning Ordinance on the City's website instead of at the Municipal Code Corporation, which seems to have limited capacity to incorporate graphics and other user-friendly elements. Further exploration is highly recommended to discover alternative tools that could allow the Zoning Ordinance to be presented in a more effective way, using a combination of color,

PROPOSED STRATEGIES *(continued)*

shading, tabs, font types, and font sizes to improve navigation, and reduce time spent searching for specific information.

Other strategies to consider when reorganizing or rewriting the Zoning Ordinance include:

- 1) ensuring that important information is not be buried in subsections or footnotes, making it difficult for the reader to find;
- 2) improving the alphanumeric system with a format that creates logical breaks, with fewer subsections; and
- 3) utilizing more text “titles” to find information quickly.

EXAMPLE #2-1: TOWN OF KNIGHTSDALE, NC – UNIFIED DEVELOPMENT ORDINANCE

The following example shows numeration that is simple and easy to navigate. The numbering system uses a combination of numbers along with both upper and lower case letters to create the hierarchy of topics.

CHAPTER 5: BUILDING TYPES AND ARCHITECTURAL STANDARDS

5.6 Building Type: INSTITUTIONAL

A. Description: Institutional Buildings often serve as landmarks and public gathering places. However, because most Institutional Uses serve specialized populations (i.e children, elderly, college students, or the infirmed) they have unique characteristics that require design control. Like Civic Buildings, such buildings should be constructed as permanent additions to the long-term vibrancy of the Town and should serve to exemplify the very best architectural designs and building practices.



College Campus

B. Applicability: Uses appropriate for the Institutional building type include governmental offices, schools, hospitals and long-term care facilities, post offices, and non-profit or charitable clubs and organizations.



School

C. General Requirements:

1. Buildings should be of sufficient design to create visual anchors for the community.
2. Building(s) incidental to the principal structure shall be behind a line a minimum of 20 ft behind the front facade of the structure, and if more than one, shall be arranged to create secondary gathering spaces within the lot.
3. **Building Walls:** Institutional building walls shall be clad in clapboard, stone, stucco, cementitious fiber board, brick, or marble. Decorative concrete masonry units (CMU), exterior insulation finishing systems (EIFS) and/or vinyl siding may be used as a secondary element, or on facades not facing public streets.
4. **Roofs:** Flat roofs are allowed, but principal buildings adjacent to residential structures are encouraged to have pitched roofs or similar architectural features to ensure compatibility.

D. Other Requirements

1. **Wall Materials:** Two wall materials may be combined horizontally on one facade. The heavier material (based on appearance) should be below. (i.e. Stone and brick are visually heavier than siding and shakes)

EXAMPLE #2-2: CITY OF FAYETTEVILLE, NC – UNIFIED DEVELOPMENT ORDINANCE

The example below illustrates how the use of color within a numbering system helps the user navigate an ordinance.

2. HISTORIC/LANDMARK OVERLAY (HLO) DISTRICT

(a) Purpose

In recognition that the historic heritage of the city is one of its most valued and important assets, the Historic/Landmark Overlay (HLO) District is established and intended to safeguard that heritage by identifying, recognizing, preserving, maintaining, protecting, and enhancing old, historic, and architecturally valuable structures, properties, districts, or neighborhoods that serve as important elements and visible reminders of the social, cultural, economic, political, or architectural history of the city, county, state, or nation. More specifically, the Historic/Landmark Overlay District is intended to:

- (1) Foster civic pride;
- (2) Preserve the city's heritage;
- (3) Preserve the character and desirable historic, architectural, and aesthetic features of the city;
- (4) Stabilize and enhance the value of properties that are within historic districts or designated as historic landmarks, as well as the areas surrounding them;
- (5) Protect and enhance the attractiveness of the city to residents, tourists, and visitors, thereby supporting and stimulating business and industry;
- (6) Protect and enrich the quality of life for city residents;
- (7) Foster wider public knowledge and appreciation of structures, properties, districts, or neighborhoods that provide a unique and valuable perspective on the social, cultural, economic traditions and ways of life of past generations;
- (8) Foster architectural creativity by preserving physical examples of outstanding architectural designs and techniques of the past; and
- (9) Encourage new structures and developments that will be harmonious with and complement the character of existing structures, properties, and districts designated in accordance with this section.

(b) Procedures and Standards for HLO District Classification

Except as modified by subsections (1) and (2) below, classification or reclassification of land into a HLO District shall occur in accordance with the procedures and requirements of Section 30-3.C.1, Map Amendment (Rezoning).

(1) Procedure

a. Pre-Application Requirements⁶⁴

The following actions shall occur before the Map Amendment (Rezoning) application is submitted:

- i. In the case of a proposal to apply the HLO District classification to a historic landmark, the Historic Resources Commission shall undertake an inventory of properties of historical, prehistorical, architectural, and cultural significance within the city and submit the inventory to the North Carolina Office of Archives and History;

EXAMPLE #2-3: GRAND BLANC (TOWNSHIP) MICHIGAN – ZONING ORDINANCE

The following example uses shading, color, and bolding of the numbering system and the section headings to differentiate the hierarchy of topics.

Purpose and
Introduction
1

Definitions
2

Zoning
Districts
3

Use
Standards
4

Site
Standards
5

Development
Procedures
6

3.1.20

ROS Option (Continued)

- ix. **Performance Guarantee.** The Planning Commission may require that a performance guarantee, in accordance with the terms and conditions of this Zoning Ordinance, be deposited with the Township to insure completion of improvements.

I. SCHEDULED PHASING

- i. **Scheduled Phasing.** When proposed construction is to be phased, the project shall be designed in a manner that allows each phase to fully function on its own regarding services, utilities, circulation, facilities, and open space. Each phase shall contain the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the open space community and the residents of the surrounding area.
- ii. **Timing of Phases.** Each phase of the project shall be commenced within twelve (12) months of the schedule set forth on the approved site plan. If construction of any phase is not commenced within the approved time period, approval of the plan shall become null and void, subject to the requirements of this Section. The applicant may apply, prior to the expiration date of a phase, to the Planning Commission in writing for an extension, not to exceed, twelve (12) months. A single extension may be allowed for each phase of a development.

J. REVISION OF APPROVED PLANS

- i. **Minor Changes.**
- a. Minor changes to an approved open space development project site plan may be approved by the Planning and Zoning Department. Minor changes include:
- (1) Reductions in density.
 - (2) Minor realignment of roads.
 - (3) Increasing the amount of open space.
 - (4) Changes to landscaping, provided the

- b. Minor changes shall be subject to the finding of all of the following:

- (1) Such changes will not adversely affect the initial basis for granting approval;
- (2) Such changes will not adversely affect the overall open space community in light of the intent and purpose of such development as set forth in this Article; and,
- (3) Such changes shall not result in the reduction of open space area as required herein.

- ii. **Major Changes.** Proposed changes to an approved plan for an open space community that do not qualify as minor under this Section may only be revised by resubmitting a revised open space community site plan for approval following the procedures set forth in this Article.

3. TABLE OF CONTENTS

WHAT IS THIS TOPIC?

A table of contents is located in the front of a document and includes the title of each chapter, section and references the page number(s). The table of contents displays titles of the first-level headers, such as chapter titles and second-level headers, such as section titles within the chapters.

SUMMARY OF COMMENTS

During the listening sessions, it was suggested that a “mini” table of contents be added at each chapter to assist the user. Users also expressed the need for a more comprehensive table of contents that incorporates hyperlinks.

COMMENT NUMBER	LISTENING SESSION COMMENTS
1	The existing Table of Contents is obscure, unusual, and incomplete.
2	Table of Contents should provide precise/concise assistance to the user.
3	Add a mini Table of Contents to each Chapter and Part.
4	Add a Table of Contents to each chapter to aid the reader.
5	Table of Contents needs links.

PROPOSED STRATEGIES

The current Zoning Ordinance could benefit from a more detailed table of contents that summarizes each chapter, including section and subsection numbers, as well as page numbering references. Separate “mini” tables of contents should be created for each Chapter, and placed at the beginning of each chapter.

Enhancements such as headers, various font sizes, and bold typeface could also make the table of contents easier to navigate. Incorporating hyperlinks to each section, subsection, and page numbers would vastly improve the use of a digital table of contents.

3. TABLE OF CONTENTS (continued)

EXAMPLE #3-1: TOWN OF MOORESVILLE, NC – ZONING ORDINANCE

The following example shows numeration that is simple and easy to navigate. The numbering system uses a combination of numbers along with both upper and lower case letters to create the hierarchy of topics.

CHAPTER 3: BASE ZONING DISTRICTS.....	3-1
3.1 General Provisions	3-1
3.1.1 Base Zoning Districts Established.....	3-1
3.1.2 Relationship to Conditional Use and Overlay Zoning Districts	3-1
3.1.3 Compliance with District Standards	3-2
3.2 Base Zoning Districts	3-3
3.2.1 Purpose and Intent.....	3-3
3.2.2 District Purpose Statements	3-3
3.3 Conditional Zoning Districts.....	3-7
3.3.1 Purpose and Intent.....	3-7
3.3.2 District.....	3-7
3.3.3 Designation.....	3-7
3.3.4 Allowable Use.....	3-8
3.3.5 Applicable Standards.....	3-8
3.3.6 Planned Campus (PC-C) District	3-8
3.3.7 Traditional Neighborhood Development (TND-C) District	3-8
3.4 Dimensional Standards.....	3-12
3.4.1 Purpose and Intent.....	3-12
3.4.2 Dimensional Standards Table	3-12
3.4.3 Height Exceptions.....	3-14
3.4.4 Limitations on Size of Architectural Elements	3-14
3.5 General Lot Requirements.....	3-14
3.5.1 Compliance with this Ordinance Required	3-14
3.5.2 Pre-existing Lots	3-14
3.5.3 Reduction Prohibited	3-14

Town of Mooresville, NC

Zoning Ordinance

EXAMPLE #3-2: MISSOULA MONTANA – ZONING ORDINANCE

The following is an example of a “mini” table of contents at the beginning of a chapter. The key subsections of this chapter are provided to summarize the contents and location of the information in this chapter. When hyperlinks are added, information can be accessed quickly by the user.

Chapter 20.50 Natural Resource Protection

20.50.010	Hillside Protection.....	20.50-1
20.50.020	Ridgeline Protection.....	20.50-5
20.50.030	Riparian Resource Protection.....	20.50-6
20.50.040	Agricultural Land Preservation.....	20.50-9
20.50.050	Wildlife Habitat and Biologically Sensitive Land Protection.....	20.50-9
20.50.060	Wildland Fire Protection.....	20.50-9

20.50.010 Hillside Protection

A. Purpose

1. Missoula’s hillsides are characterized by slope, vegetation, drainage, rock outcroppings, geologic hazards, and other physical factors that, if disturbed for the purposes of development, can cause physical damage to public and private property and adversely affect the overall appearance and character of the city.
2. The hillside protection regulations of this section are intended to regulate building and development on hillsides in a different manner than on flat terrain. The regulations are intended to allow reasonable use of hillside areas, while also helping to:
 - a. protect the public from natural hazards due to seismic activity, landslides, slope and soil instability, erosion and sedimentation, and stormwater runoff;
 - b. preserve and retain wildlife habitat, open space and natural features, such as drainage channels, streams, ridge lines, rock outcroppings, vistas, and native trees and vegetation;
 - c. promote design that is sensitive to existing vistas;
 - d. preserve and enhance visual and environmental quality by use of natural vegetation and minimal excavation and terracing;
 - e. encourage innovative planning, design, and construction techniques for development in environmentally sensitive areas; and
 - f. mitigate adverse impacts, including erosion and the degradation of air and water quality.

B. Applicability

The hillside protection standards of this section apply to any building and disturbance area with a natural, existing or finished average slope of 15% or greater (see 20.50.010D.2 for “average slope” determination).

3. TABLE OF CONTENTS (continued)

EXAMPLE #3-3: VILLAGE OF HOMEWOOD, ILLINOIS – ZONING ORDINANCE

The following example of a table of contents illustrates how shading and using bold typeface can make the section headings stand out on the page.

SECTION 3 - ZONING DISTRICTS 3-1

3.1 Establishment of Zoning Districts	3-1
3.2 Interpretation of District Sequence	3-1
<i>General Rule</i>	3-1
<i>Special Rule</i>	3-1
3.3 Interpretation of Boundaries	3-2
3.4 Zoning Map	3-2
<i>Map Incorporated</i>	3-2
<i>Omitted Land</i>	3-2
<i>Maintenance of Official Zoning Map</i>	3-3
<i>Availability of Zoning Map</i>	3-3
3.5 Annexed Land	3-3
3.6 Exemptions for Public Utilities	3-3

Section 4 - RESIDENTIAL DISTRICTS 4-1

4.1 Purposes of Residential Districts	4-1
4.2 Permitted and Special Uses	4-2
4.3 Yard and Bulk Regulations	4-2
4.4 General Standards of Applicability	4-3
<i>Accessory Buildings, Structures, and Uses</i>	4-3
<i>Permitted Encroachments</i>	4-3
<i>Off-Street Parking</i>	4-3
<i>Landscaping</i>	4-3
<i>Environmental Performance Standards</i>	4-3
<i>Temporary Uses</i>	4-3
<i>Signs</i>	4-3

SECTION 5 - BUSINESS DISTRICTS 5-1

5.1 Purposes of Business Districts	5-1
5.2 Permitted and Special Uses	5-1
5.3 Yard and Bulk Regulations	5-1
5.4 General Standards of Applicability	5-1
<i>Accessory Buildings, Structures, and Uses</i>	5-1
<i>Permitted Encroachments</i>	5-1
<i>Off-Street Parking</i>	5-1
<i>Landscaping</i>	5-1
<i>Environmental Performance Standards</i>	5-1
<i>Temporary Uses</i>	5-2
<i>Signs</i>	5-2

4. USER GUIDE AND FREQUENTLY ASKED QUESTIONS (FAQ)

WHAT IS THIS TOPIC?

A **user guide** can be a helpful guide to assist new users of the Zoning Ordinance with a quick overview of the document layout and important features. Likewise, providing frequently asked questions and answers can also be helpful to new users.

SUMMARY OF COMMENTS

The Zoning Ordinance currently does not contain a user guide. Comments from the listen sessions indicated user guide and a “frequently asked questions” section to the Zoning Ordinance would be helpful.

COMMENT NUMBER	LISTENING SESSION COMMENTS
1	A User Guide in the ordinance would be helpful (How to Use the Zoning Ordinance).
2	A FAQ section would be useful.
3	Need FAQ’s or Ask.com. Is there a way to ask a question and get a link to the answer?
4	A User Guide for customers wanting a “change of use” permit would be valuable. Land use vs. building code use.
5	The addition of a user guide for general content to the Zoning Ordinance would be helpful.

PROPOSED STRATEGIES

Create a User Guide for the Zoning Ordinance that provides the user with a basic understanding of the organization of the document. The user guide should include text boxes or “clouds” of information that point to various areas on a typical page and inform the user on the variety of tools incorporated into the document to improve navigation within the document, activate hyperlinks, link to other resources, etc.

Many communities provide zoning “frequently asked questions” on their website to help web users navigate quickly to information located in a digital Zoning Ordinance. Typical questions include:

- What is zoning?
- When did the Zoning Ordinance take effect?
- Where do I find zoning district information and what they mean?
- What happens in the rezoning process?
- How long does the rezoning process take?
- What is a conditional rezoning vs. a conditional zoning district?
- What is a variance and appeal?

continued next page

4. USER GUIDE AND FAQ (continued)

PROPOSED STRATEGIES (continued)

Charlotte's Planning website and the Development Services web portal do provide some of this information to the web user. For example:

- How to determine the zoning of your property
- How to file a request for rezoning
- The rezoning process
- How to withdraw or amendment a rezoning petition
- What happens before the public hearing
- Protest petitions
- The public hearing process
- How to file a rebuttal letter or statement of support

Future updates to the website should consider adding additional information that may assist the web user.

EXAMPLE #4-1: DURHAM, NORTH CAROLINA – UNIFIED DEVELOPMENT ORDINANCE

This example from the Durham City/County Planning Department illustrates a user guide with a list of frequently asked questions. This guide appears on the Department's website. The questions are hyperlinked to answers, making it a concise list for the user to scan instead of a lengthy list of each question with the corresponding answers displayed underneath each.



If you have a question about the UDO or this user guide, e-mail udo@durhamnc.gov.

Unified Development Ordinance User Guide

Durham's Unified Development Ordinance (UDO) project is the first major overhaul of Durham's development regulations in more than 30 years. The Updated Public Hearing Draft, dated September 15, 2004, includes changes suggested after presentations to the Inter-Neighborhood Council, the Home Builders Association of Durham and Orange Counties, the Nation Association of Office and Industrial Parks, as well as various neighborhood associations.

An electronic version of the new ordinance was created to make it easily accessible to the public on-line.

This guide is designed to help users make the most of the Computerized UDO. It includes answers to frequently asked questions regarding the code. The electronic version is available at www.durhamnc.gov/udo.

- **Introduction** [What's in the ordinance?](#)
- **Browsing** [How do I browse the UDO document?](#)
- **Standards for accessory buildings** [How do I find the use standards for an accessory building, such as a swimming pool?](#)
- **Design standards, principal buildings** [How do I find setback, lot coverage, density and other design standards for a principal building in a particular zoning district?](#)
- **Determining uses** [How do I find out what uses are allowed for a property under the new zoning ordinance?](#)
- **Determining zoning** [How do I find the zoning for a particular property?](#)

EXAMPLE #4-2: GRAND BLANC TOWNSHIP, MICHIGAN – ZONING ORDINANCE

This example is an excellent illustration of a User Guide that conveys user information in text boxes or “clouds” that point to relevant areas on a typical page. This guide also shows how the ordinance is organized—and illustrates how to retrieve relevant regulations or information on a typical page with the use of hyperlinks.

How to use this Ordinance

1. CONTENT ORGANIZATION AND PAGE LAYOUT

The Zoning Ordinance is organized into seven Articles, which are further divided into a standard outline hierarchy. The content and page layout are designed to promote a clear understanding of requirements, as well as quick retrieval of relevant standards, procedures and other information. The following key assists with navigating through this document.

Article Tabs link to the first page of each Article. Red tab indicates the Article in which the current page is located.

Sections / Subsections contain the Ordinance regulations in a hierarchical manner.

Blue bold font links to additional standards in other sections of the Ordinance.

Book symbol indicates the term is defined in Article 2, Definitions*.

Graphics, figures, and tables found throughout to illustrate a concept or clarify a regulation.

Property Line

ROW: Right-of-Way

Center Line

Pages are numbered sequentially by chapter.

Link to How to use this Ordinance

Notes provide relevant District Standard information recommended for the user's review.

Suggested References list other sections or Ordinances that may pertain to a development in the district (Not necessarily a comprehensive list).

Link to Zoning Map

Link to Table of Contents

EXAMPLE #4-3: GRAND BLANC TOWNSHIP, MICHIGAN – ZONING ORDINANCE

A second example from Grand Blanc Township, Michigan, illustrates an additional portion of the User Guide that details the rules that have been established to assist with interpreting the ordinance. Another section explains linked features associated with the digital system.

How to use this Ordinance


2. READING THE ORDINANCE

Rules have been established to assist with interpreting the ordinance. Below are some rules to keep in mind when reading this document:

- ☑ Sometimes there may be general and specific regulations that pertain to one particular aspect of site design. In such instances, the specific regulations must be followed.
- ☑ Discrepancies between text and an illustration (including its caption) may occur. In the case of such discrepancies, the text is considered the accurate source of information.
- ☑ The use of the word shall carries significant meaning. Shall regulations must be followed. Requirements that use the word may are discretionary, meaning that the requirement is at the discretion of the Planning Commission, Township Board or Zoning Board of Appeals.
- ☑ Article 2, Definitions, contains over 200 terms. If a term is not listed in this section, it will carry the meaning customarily assigned to it.
- ☑ Conjunctions are often used and must be read accurately:
 - AND indicates that all connected items, conditions and provisions or event apply.
 - OR indicates that the connected items, conditions, provisions or events may apply singly or in any combination. (OR may also be read 'and/or')
 - EITHER ... OR indicates that the connected items, conditions, provisions or events shall apply singly, and not in combination.

For more rules, see Section 2.1, Construction of Language.

What is a link?

For users of the digital version of this Ordinance, a link allows for quick reference to a relevant section. By 'clicking' a link, the user is taken directly to a page in the Ordinance or another reference document. The user may return to the original page by 'clicking' the left Adobe Acrobat arrow found at the bottom of the screen ().

What information is linked?

- ☑ Article Tabs
- ☑ Table of Contents items
- ☑ Article 2, Definitions, content page
- ☑ All text in **blue bold** is linked to a section that contains information relevant to that term or regulation.
- ☑ Use Matrices
- ☑ Zoning Map

5. INDEX

WHAT IS THIS TOPIC?

An **index** is a list of key terms used in a document, organized in alphabetical order, and listing the associated page or section numbers where the term is utilized in the document. Indexes are usually located at the end of a document and are designed to help the reader find information quickly and easily. Indexes complement the table of contents by enabling access to information by specific subject, whereas content listings enable access through broad divisions of the text arranged in the order they occur in the document.

SUMMARY OF COMMENTS

During the listening sessions, users indicated the current index is incomplete and needs updating. It was suggested that a more inclusive index that uses key terms would be helpful.

COMMENT NUMBER	LISTENING SESSION COMMENTS
1	Update the Index, use common terms, and be word specific in order to be directed to the appropriate regulations
2	Index should incorporate word specific terms to get to the appropriate regulations.
3	Link the definitions to the index.
4	A more comprehensive index is needed to help the customer find regulations.
5	Need Index of all uses; building code is indexed that way.
6	Need a more inclusive index. It's incomplete and not as helpful as it should be.
7	The index is out-of-date and hasn't been updated for some time.

PROPOSED STRATEGIES

Examine the current index and determine what key terms should be added to create a more comprehensive index. Modify the layout so that it is simple to follow and easy to read. Include hyperlinks that direct the user to the section(s) or page number(s) where the key term is located within the document.

EXAMPLE #5-1: VILLAGE OF HOMEWOOD, ILLINOIS – ZONING ORDINANCE

The example below shows a layout of an index presented in a two-column format, with topics easy to find. However, this index simply lists all the chapter and pages where the topic can be found, without listing what specifically is located in each area. A further refinement of the index would have been more helpful.

~R~

R-1 Single-Family Residence District	4-1, 4-5
R-2 Single-Family Residence District	4-1, 4-5
R-3 Townhouse/Transition District	4-1, 4-5
R-4 Multiple Family Residence District	4-1, 4-5
Radioactive Waste, Discharge/Disposal	8-7
Railroads	10-7
Real Estate Model Units	9-19
Rear Yards	4-7, 5-5, 5.A-6, 6-4, 7-3, 8-10
Recording of Documents	2-25
Recreational Uses	4-5, 5-3, 7-2
Recreational Vehicles	11-8
Recycling Facility	6-2
Refuse Containers	8-4, 12-6
Relocation	13-2
Repeal of Previous Ordinance	1-4
Research and Development Uses	6-3
Residential Districts	3-1, 4-1
Restaurant/Banquet Hall	5-4
Retail Uses	4-6, 5-4, 6-2, 7-2

~S~

Sanitarium	4-5, 5-3
Sanitary and Stormwater Treatment	6-3
Satellite Dish	5-4, 6-3, 7-2, 8-11, 9-1
Screening	10-5, 11-7, 12-1, 12-6
Schools	4-6, 5-4, 7-2
Screening and Landscaping ...	10-5, 12-1, 12-6
Seminary	4-5, 5-3
Service Business District	3-1, 5-1
Setback Line	4-4
Severability	1-4
Shed	8-3, 8-11
Shopping Center District	5-1
Sidewalks	8-8
Sign	4-3, 5-2, 5.A-3, 6-1, 7-1, 9-21, 10-5
Single-Family Residence District	3-1, 4-1
Site Development Standards	8-1
Site Plan Review	2-10, 5.A-1, 5.A-4, 11-2, 12-1
Special Uses	2-15, 4-2, 5-1, 6-1, 7-1
Specialty Residential Uses	9-20
Specific Limitations	10-7

Streets	8-8, 10-7
Streetscape	5.A-4
Structural Alterations	13-4
Submittals	A-1
Swimming Pool/Spa	7-2, 8-6, 8-12

~T~

Tattoo Facilities	6-3, 9-16
Temporary Uses	9-16
Tennis Court	7-2, 8-12
Tent	9-19
Through Lots	4-3
Time Limitation	10-9
Townhouse/Transition District	3-1, 4-1
Toxic Substances	8-8
Traffic	10-6
Transformers	8-12
Transition Rules	1-3
Transportation Station, Transit Terminal	4-6, 5-4, 6-2, 7-2
Tree Species, approved	12-7
Trellis	8-3, 8-10
Trucks and Limousines	9-4, 11-8

~U~

Use	4-5, 5-3, 6-2, 7-2, 9-1, C-1
Use of Land and Buildings	8-2, 9-1
Utilities	3-3, 5-4, 6-2, 7-2, 9-6

~V~

Variance	2-18
Veterinarian Clinic	6-2, 9-7
Vibration	8-7
Village Board of Trustees	2-1
Village Manager	2-6
Violations	14-1

~W~

Warehousing/Distribution	6-3
Water Pollution	8-8
Water Storage and Filtration	6-3
Wireless Communication Facility	4-6, 5-4, 6-3, 7-2, 9-8
Worship, Places of	4-6, 5-3, 9-6

EXAMPLE #5-2: TOWN OF MOORESVILLE, NORTH CAROLINA – ZONING ORDINANCE

This example illustrates a user-friendly index designed to direct a reader to specific topic areas. The use of white space around each letter of the alphabet also makes it easy to navigate to the desired topic.

N

NCO- Neighborhood Conservation Overlay District, 4-8
 Additional Standards, 4-9
 NMX, Neighborhood Mixed-Use District, 3-4

O

Official Zoning District Map, 2-20
 Outdoor Storage
 Use Specific Standards, 5-25
 Overlay Zoning Districts, 4-1
 HPO- Historic Preservation Overlay District, 4-15
 MXO- Mixed Use Overlay District, 4-10
 NCO- Neighborhood Conservation Overlay District, 4-8
 WPO- Watershed Protection Overlay District, 4-1

P

PC-CU, Planned Campus District, 3-8
 Planning Board, 2-3
 Planning Director, 2-8
 Pre-Application Conference, 2-10
 Public Hearing, Scheduling, 2-12
 Public Notification, 2-13

R

R-2, Single-Family Residential-2 District, 3-3
 R-3, Single-Family Residential-3 District, 3-3
 R-5, Single-Family Residential-5 District, 3-4
 Recreation, Indoor
 Use Specific Standards, 5-20
 Recreation, Outdoor
 Use Specific Standards, 5-20
 Restaurant
 Use Specific Standards, 5-21
 Retail Sales and Services
 Use Specific Standards, 5-21
 Retail/Service Use with Gasoline Sales
 Use Specific Standards, 5-21
 RMX, Residential Mixed-Use District, 3-4
 RMX-MH, Residential Mixed-Use Manufactured Housing District, 3-4

S

Self-Service Storage
 Use Specific Standards, 5-23
 Site Plan, 2-37
 Sketch Plan, 2-33
 Subdivision, 2-39
 Conservation Subdivision, 2-42
 Minor Subdivision, 2-43
 Preliminary Plat, 2-40
 Recombination Plat, 2-44
 Subdivision Final Plat, 2-42
 Swimming Pools
 Use Specific Standards, 5-20

T

Tattoo Parlor/Body Piercing Establishments
 Use Specific Standards, 5-22
 TC, Town Center District, 3-6
 Telecommunications Facility, Collocation on an Existing Building
 Use Specific Standards, 5-14
 Telecommunications Facility, Collocation on an Existing Tower
 Use Specific Standards, 5-14
 Telecommunications Facility, Freestanding
 Use Specific Standards, 5-15
 Telecommunications Facility, Stealth
 Use Specific Standards, 5-15
 Temporary Uses and Structures, 5-36
 Tennis Courts
 Use Specific Standards, 5-21
 Text Amendment, 2-20
 TND-CU, Traditional Neighborhood Development District, 3-8
 Additional Standards, 3-8
 Transfer Stations
 Use Specific Standards, 5-25
 Transportation Impact Analysis, 2-12
 Tree Removal Permit, 2-46

V

Variance, 2-28
 VC, Village Center District, 3-5
 Vested Rights Determination, 2-49

EXAMPLE #5-3: MISSOULA, MONTANA – ZONING ORDINANCE

The following example illustrates another way to layout an index where the alphabetic heading uses bold typeface and larger font sizes. Hyperlinks allow the user to easily maneuver to the specific area where the topic is located within the ordinance.

chapter · 20.30-1
 Historic Preservation Commission
 powers and duties · 20.90-3
 Historic Preservation Officer
 powers and duties · 20.90-3
 Home Occupations · 20.45-3
 Hospital
 use category description · 20.105-3
 Hostel
 use type · 20.105-7
 Hotel/Motel
 use type · 20.105-7
 Household Living Category
 use category description · 20.105-2

I

Industrial and Manufacturing Districts
 allowed uses (table) · 20.15-1
 chapter · 20.15-1
 parcel and building standards · 20.15-4
 Industrial Use Group
 use group description · 20.105-10
 Interior Parking Lot Landscaping · 20.65-6
 Irrigation
 of landscape material · 20.65-11

J

Junk/Salvage Yard
 use category description · 20.105-10

L

Landscape Buffers · 20.65-8
 Landscape Material and Design
 standards · 20.65-10
 Landscaping
 chapter · 20.65-1
 Library/Cultural Exhibit
 use category description · 20.105-3
 Livestock and Fowl
 accessory structure standards · 20.45-3
 Lodging
 use category description · 20.105-7
 Lot Line House
 description of · 20.05-4
 use-specific standards · 20.40-5

M

Manufacturing, Production and Industrial Services
 use category description · 20.105-10
 Materials, Supplies and Equipment
 screening of · 20.65-10
 Measurements and Exceptions
 chapter · 20.110-1
 Mechanical Equipment (ground-mounted)
 screening · 20.65-9
 Mechanical Equipment (roof-mounted)
 screening of · 20.65-9
 Menu Board Signs · 20.75-10
 Microbrewery
 use category description · 20.105-11
 Mining/Quarrying
 use category description · 20.105-11
 Motorcycle Parking · 20.60-12
 Multi-dwelling Building
 building-specific standards · 20.40-6
 description of · 20.05-6
 Multi-dwelling House
 building-specific standards · 20.40-9
 description of · 20.05-6

N

Natural Resource Protection
 chapter · 20.50-1
 NC, Neighborhood Character Overlays
 generally · 20.25-6
 NC-B, Boulevard Neighborhood Character Overlay
 regulations · 20.25-8
 NC-FM, Historic Fort Missoula Neighborhood Character
 Overlay
 regulations · 20.25-14
 NC-SR, Southside Riverfront Neighborhood Character
 Overlay
 regulations · 20.25-10
 Nonconforming Lots · 20.80-2
 Nonconforming Signs · 20.75-13
 Nonconforming Structures · 20.80-3
 Nonconforming Uses · 20.80-4
 Nonconformities · 20.80-1

O

Office
 use category description · 20.105-7
 Off-Premise Sign Options · 20.75-11
 Off-Site Parking · 20.60-8
 Off-Street Loading · 20.60-13

6. PAGE LAYOUT, DESIGN AND FORMATTING

WHAT IS THIS TOPIC?

In reviewing zoning ordinances across the country, the most user-friendly ordinances arrange text and graphics in a way that communicates information in a user-friendly and pleasing manner. Principles of design, organization and art are used to stitch the elements into a harmonious and unified document.

In the past, when zoning ordinances have been rewritten, revised or reorganized, most of the emphasis was focused on the text and the hierarchical outline style of the document, with a conventional design and layout.

Incorporating **graphic design principles** into how a document is presented has emerged as another way of enhancing the readability, usability and appeal of an ordinance, making it less intimidating to use and read. It can also improve the process of finding information, which in turn can increase public confidence in the regulations.

This topic explores page layout, design and formatting. Discussion of other graphic elements—including the use of graphics, tables, charts, illustrations, photos and flow charts—will be discussed next in this document.

SUMMARY OF COMMENTS

Listening session comments focused on the lack of an overall design “style” and formatting in the Zoning Ordinance. Suggestions include:

- Utilize headers and footers identifying the chapter and section numbers found on each page.
- Standardize the order of district sections and subsections between zoning districts.
- Add more white space.
- Add hyperlinked tabs and cross-references in the electronic document.
- Add more cross-references.
- Don’t locate important regulations in footnotes.

COMMENT NUMBER	LISTENING SESSION COMMENTS
1	Adding bold headings to long paragraphs would make requirements easier to locate.
2	Consistent formatting is needed. The same titled sections are arranged in a different order in other zoning districts.
3	The existing format is very difficult to navigate.
4	The formatting of titles with bold typeface would make it easier to read.
5	Standardize the way words are hyphenated, how parentheses are used, etc.
6	The use of “alphabetizing” would help search for information.

6. PAGE LAYOUT, DESIGN AND FORMATTING (continued)

7	The permitted uses, whether allowed by-right or with prescribed conditions, are not in alphabetical order.
8	The Ordinance style is that it has no style. Information is portrayed in outline form. It lacks a professional look.
9	Reducing text and adding more white space would make the Ordinance more appealing.
10	The document should be presented in a software product other than Word. Adobe InDesign software would improve the look of the document in any future version.
11	Homogeneity and consistency between urban districts would help the format.
12	Adding tabs to the web and print copy would be helpful. Hyperlinked tabs in the electronic version would be great.
13	Tabbing with titles would be helpful.
14	Footnotes often contain important information. Important information should not be located in a footnote.
15	Need to keep zoning text amendment date and petition references.
16	The sign regulations have an inconsistent format. Some sign regulations are outside of the sign chapter (Chapter 13) requiring the user to check other chapters to ensure there are not additional standards to take into consideration.
17	Lack of cross references in some provisions, too many in others (Chapter 12).
18	More cross references are needed. Some cross references are incorrect.
19	Some cross-references are either non-existent or not obvious.
20	Remove all language that is stated in other Ordinances or documents.
21	Additional requirements or restrictions are not consistently cross-referenced
22	Some of the references in the ordinance are too generic, i.e. see Chapter 12 instead of Section 12.204.
23	Some sections use italics to differentiate requirements from the general text.
24	Each page should allow navigation to related information pertinent to each use and district—parking, landscaping, buffering, etc
25	The existing ordinance has no section reference in the header to allow the user to know what section they are in, without flipping back pages
26	Provide information in a header that shows what chapter and section number the user is in on each page.
27	The format of the urban districts does not match the other districts.

6. PAGE LAYOUT, DESIGN AND FORMATTING (continued)

28	Homogeneity between the urban districts would help the format.
29	The placement of districts in the Ordinance is inappropriate.

PROPOSED STRATEGIES

Incorporate improved document design elements into the Zoning Ordinance to make information easier to find and the document more user-friendly. This will not only make the Ordinance more inviting to read, but will make the content easier to follow, improve its appearance, and make it less intimidating to use. Some suggested strategies include the following:

1. Use headers and footers to create a stylistic theme, and to provide information such as the chapter number, section number and section name associated with each page.
2. The page should be designed so that section numbers and titles are prominent.
3. There should be fewer layers of hierarchical subsections under each section.
4. White space should be balanced between text, illustrations, graphics, tables, etc. Line spacing should also balance the need to economize space, while allowing for white space. The text should leave white space, or “negative space” between paragraphs and headings.
5. Page numbers should be shown in the footer.
6. The “City of Charlotte, North Carolina Zoning Ordinance” should also be displayed in the footer.
7. The use of style headings with various fonts, font sizes, and colors should be used to help user navigation and illustrate the relationship of the provisions. Using italics or bold or underlined text also can assist with navigation.
8. Sections and subsections should have style headings to provide guidance to details.
9. Cross-references to other pertinent regulations, or definitions should be included, as hyperlinks.
10. Indent subsections for easy reference. Consistent indentation should be applied to similar subsection levels.

EXAMPLE #6-1: GRAND BLANC TOWNSHIP, MICHIGAN – ZONING ORDINANCE

The layout below includes a design theme. Color and white space allows a user to quickly find information. Hyperlinked cross-references (in blue) and tabs add to the maneuverability within the document, and a hyper-link is added to help readers understand how to calculate the height of buildings.

R-2 Single Family Residential**3.1.3****D. DEVELOPMENT STANDARDS****Lot Size**

Minimum lot area [□] :	15,000 sq ft
Units per acre:	2.4 units/acre
Minimum lot width [□] :	100 ft

Lot Coverage[□]

Maximum lot coverage:	25%
-----------------------	-----

Setbacks[□]

Minimum front yard setback:	30 ft
Minimum rear yard setback:	35 ft
Minimum side yard setback:	12 ft (24 ft combined)
Minimum distance between principal buildings:	24 ft
Minimum distance between accessory building and principal or other accessory building:	10 ft

Building Height[□]

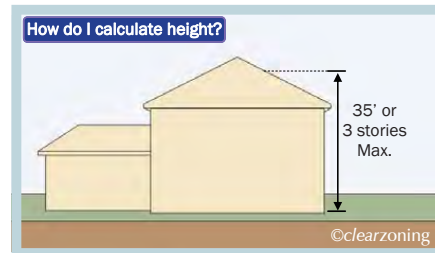
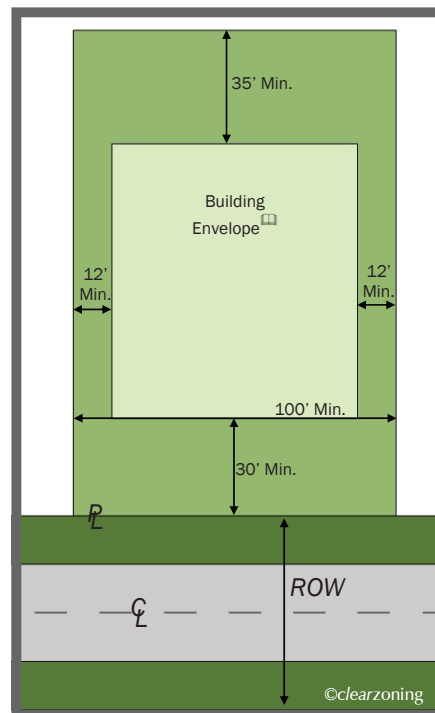
Maximum building height:	35 feet or 3 stories, whichever is less
--------------------------	---

Per Unit Living Area

Minimum per unit living area:	
1 story:	1,200 sq ft
1.5 story:	1,000 sq ft (first story)
1.5 story:	450 sq ft (second story)
2 story:	800 sq ft (first story)
2 story:	800 sq ft (second story)

NOTES

- For additions to the above requirements, refer to **3.6.2 Notes to District Standards: A, C, D, E, F, H, K, N, O, P, Q, R, T, U, V, W, Y, Z and AA**
- See *Suggested References* below for applicability
- A maximum lot width/depth ratio of 1:4 is required
- Subdivisions and site condominiums must meet the design standards of the Subdivision Regulations (see Suggested Reference below)



The above drawings are not to scale.

SUGGESTED REFERENCES**3. Zoning Districts**

- [Planned Unit Development Overlay Option](#)
- [Residential Open Space Development Option](#)
- [Average Lot Sizes](#)
- [Open Space Subdivision](#)
- [Zero Lot Line Option](#)

5. Site Standards (Continued)

- [Loading / Unloading](#)
- [Access Management](#)
- [Lighting](#)
- [Signs](#)
- [Floodplain Development](#)
- [Private Road Standards](#)

7. Administration and Enforcement

- [Non-Conforming Uses](#)
- [Zoning Board of Appeals](#)

Other Ordinances

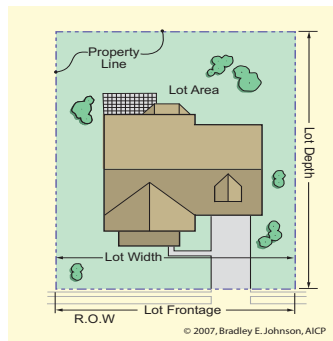
- [Subdivision Regulations](#)
- [Tree Protection Ordinance](#)
- [Construction of Severe Weather](#)

1 Purpose and Introduction**2** Definitions**3** Zoning Districts**4** Use Standards**5** Site Standards**6** Development Procedures**7** Administration and Enforcement

EXAMPLE #6-2: BLOOMINGTON, INDIANA – UNIFIED DEVELOPMENT ORDINANCE

This page demonstrates how page layout and design can create an ordinance that is easy and simple to understand. The header on the top of the page quickly guides the user to the title, chapter and section number the user is seeking. The footer informs the user the date these requirements when into effect, along with the chapter, section and page number.

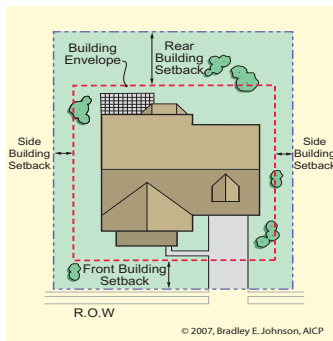
Below the header, graphics are provided with key words labeled to assist the reader with understanding the regulations described in text below each graphic. A table provides cross-references to additional information related to this zoning district, and an associated graphic illustrates key words associated with the table.

Residential Single-family (RS) District**Chapter
20.02****20.02.080 Residential Single-family (RS): Development Standards****Minimum Lot Area for Subdivision:**

- 8,400 square feet

Minimum Lot Width:

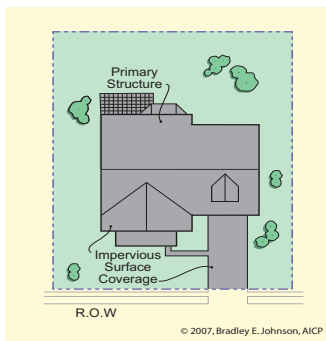
- 60 feet

**Minimum Front Building Setback:**

- 15 feet from the proposed right-of-way indicated on the Thoroughfare Plan; or the block face average setback of the existing primary structures on the same block face, whichever is more
- Attached front-loading garage or carport, 25 feet from the proposed right-of-way indicated on the Thoroughfare Plan

Minimum Side Building Setback:

- 8 feet, plus 4 feet for each story above the ground floor
- Lots of record that are less than 60 feet in width may reduce the required setback up to 2 feet
- Additions to existing structures may utilize the existing side setbacks, provided that the gross floor area of the existing structure is not increased



by more than 50%. In no case shall the setback be less than 4 feet

Minimum Rear Building Setback:

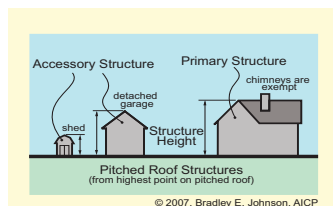
- 25 feet
- Additions to existing structures may utilize the existing rear setback, provided that the gross floor area of the existing structure is not increased by more than 50%. In no case shall the setback be less than 10 feet

Maximum Impervious Surface Coverage:

- 40% of the Lot Area

Maximum Number of Primary Structures:

- One (1)

**Maximum Structure Height:**

- Primary Structure: 40 feet
- Accessory Structure: 20 feet

Additional Development Standards that Apply

Accessory Structure (AS)	Environmental (EN)	Outdoor Storage (OT)
• AS-01..... Page 5-6	• EN-01..... Page 5-28	• OT-01..... Page 5-66
• AS-02..... Page 5-6	• EN-02..... Page 5-28	• OT-02..... Page 5-66
Affordable Housing (AH)	• EN-03..... Page 5-29	Parking (PK)
• AH-01..... Page 5-8	• EN-04..... Page 5-31	• PK-01..... Page 5-67
Alternative Transportation (AT)	• EN-05..... Page 5-33	• PK-02..... Page 5-71
• AT-01..... Page 5-9	• EN-06..... Page 5-34	Public Improvement (PV)
• AT-02..... Page 5-12	• EN-07..... Page 5-34	• PV-01..... Page 5-77
Architectural (AG)	• EN-08..... Page 5-35	Setback (SB)
• AG-02..... Page 5-15	Fence and Wall (FW)	• SB-01..... Page 5-78
• AG-03..... Page 5-15	• FW-01..... Page 5-36	Sign (SI)
Communication Facilities (CF)	• FW-02..... Page 5-36	• SI-01..... Page 5-81
• CF-02..... Page 5-20	Floodplain (FP)	• SI-02..... Page 5-84
Conditional Use (CU)	• FP-01..... Page 5-37	• SI-03..... Page 5-85
• CU-01..... Page 5-21	Green Development (GD)	Special Conditions (SC)
• CU-02..... Page 5-21	• GD-01..... Page 5-40	• SC-07..... Page 5-91
• CU-03..... Page 5-22	Height (HT)	• SC-10..... Page 5-92
• CU-04..... Page 5-22	• HT-01..... Page 5-43	• SC-15..... Page 5-93
Drainage Standards (DS)	Home Occupation (HO)	• SC-22..... Page 5-94
• DS-01..... Page 5-25	• HO-01..... Page 5-44	Temporary Use and Structure (TU)
Entrances/Drives (ED)	Landscaping (LA)	• TU-01..... Page 5-95
• ED-02..... Page 5-27	• LA-01..... Page 5-46	Vision Clearance (VC)
	Lighting (LG)	• VC-01..... Page 5-97
	• LG-01..... Page 5-60	
	Municipal Services (MS)	
	• MS-01..... Page 5-65	

EXAMPLE #6-3: FRANKLIN, TENNESSEE – UNIFIED DEVELOPMENT ORDINANCE

In the example, a header provides detailed information related to the chapter, section and subsection of the information located on this particular page. This allows the user to quickly and easily navigate to a particular section and subsection in the document.

CHAPTER 3: Zone Districts, Use Tables, and Dimensional Standards Section 3.2: Base Districts

Subsection 3.2.6: Regulations for Office Uses

(e) Outdoor playgrounds or play yards for children shall not be located between a street and building and shall be screened in accordance with Section 5.4, Landscape, Buffers, and Screening.

(f) The principal and accessory uses within a proposed development within the CI District shall be listed with the application. The principal use shall be declared, and the accessory use shall be listed with detailed information as to how the use will function as incidental and subordinate to the principal use of the development.

(g) Office uses in the CI District shall only be allowed as accessory uses to the principal civic and institutional uses.

(2) Active Park Facilities

Active park facilities in excess of two acres that are not a component of an approved PUD shall be required to be located in the CI District.

(3) Public Buildings or Uses

Public buildings of 12,000 square feet or less may be permitted in residential or mixed-use districts. Larger public buildings or uses shall be located in a nonresidential or CI District.

(4) Rehabilitation Center

In order to be classified as a rehabilitation center, the center shall be licensed by the Tennessee Department of Health, Board of Licensing Health Care Facilities.

3.2.6 Regulations for Office Uses

(1) Outdoor storage shall be prohibited.

(2) Buildings or structures with less than 51 percent of office space shall not be classified as an office use and shall be regulated by the other use of the structure.

3.2.7 Regulations for Commercial Uses

(1) General Regulations

Drive-through or drive-in facilities and service windows, whether a principal use of land or accessory to a principal use, are prohibited in the CC District, unless they are located internal to the block, do not face an arterial or collector street, and do not result in stacking of vehicles in a Public Right-of-Way.

(2) Automotive-Service Facilities, Automotive Body Shops, and Automotive Wash Facilities

(a) Vehicle service or washing bays shall be screened from view from residential uses, arterial and collector streets, Mack Hatcher Parkway, and Interstate 65 or by a site design that orients the bays away from the area to be screened.

(b) If such a design cannot be achieved, then berming, evergreen shrubs, evergreen trees, masonry walls, opaque wooden fencing, or any combination of these shall provide a barrier six feet high between the vehicle bays and the area to be screened.

7. GRAPHICS, ILLUSTRATIONS, PHOTOGRAPHS AND FLOW CHARTS

WHAT IS THIS TOPIC?

The use of **graphics, illustrations, cross-sections, and photographs** in a zoning ordinance helps users by explaining or showing information that is sometimes difficult for non-technical users to understand. The old adage, “a picture is worth 1,000 words,” is true when communicating zoning concepts.

Graphics, illustrations, and cross-sections are useful in describing definitions and complex concepts, and can eliminate confusion and reduce the number of words needed in the text. They are especially useful in helping non-technical users to visualize dimensional standards. Graphics are also useful in illustrating design concepts, such as parking space dimensions, types of open space, landscaping and screening requirements.

Flow charts can add clarity to specific procedural processes and requirements, and quickly convey complex relationships. No **flow charts** are currently in the Zoning Ordinance.

SUMMARY OF COMMENTS

During the listening sessions, comments were made that the Zoning Ordinance has too much text and not enough graphics to illustrate the regulations and concepts. It was suggested that graphics, illustrations, photographs and flow charts could be added to the definition section to explain concepts and aid in the understanding of definitions. The use of flow charts to help understand processes (i.e. rezoning and permitting process, enforcement, etc.) was also discussed, with users agreeing they can be extremely helpful for users and staff.

COMMENT NUMBER	LISTENING SESSION COMMENTS
1	Need “picture” book for design standards with architectural terminology, diagrams, etc.
2	There is a lack of graphics to illustrate regulations (color/photographs?).
3	Need more and better graphics.
4	Need less text, more graphics, photos.
5	Graphics take up space but whittle away text.
6	Less text and more pictures/graphics.
7	Add graphics to definitions to explain concepts and aid in understanding.
8	Urban Districts – graphics would be very beneficial to explain “articulation”, etc.
9	Utilize more graphics and tables to explain difficult material or to shorten long bulky wordy sections.

7. GRAPHICS, ILLUSTRATIONS, PHOTOGRAPHS AND FLOW CHARTS (continued)

10	Graphics take up a lot of space but would be very helpful.
11	Need more illustrations and diagrams.
12	Add process flow charts to the ordinance to explain who is responsible for the permitting processes. Flow charts diagraming the rezoning process, variance and appeal processes would also be helpful.
13	Add enforcement flow charts and generalize the enforcement section language.
14	Incorporate process flowcharts to help the user find related information in the Zoning Ordinance and other City ordinances and regulations.
15	Add use process flow charts, including enforcement flow charts.
16	Flow charts would be helpful for the staff and customer.
17	Add process flow charts to with references to other departments where permitting responsibilities are located.
18	Customers often don't know where to start to get zoning information or permits. Are they commercial or residential? This determines what department to contact for permits. But the Zoning Ordinance is not located on those websites. A flow chart of the entire process is needed.

PROPOSED STRATEGIES

Graphics, illustrations, photographs and flow charts can be used to supplement or summarize Zoning Ordinance regulations to make the document easier and more inviting to read and understand. The following strategies are suggested:

- ▶ Supplement the Zoning Ordinance regulations with more graphics, illustrations, and photographs so as to more effectively communicate complex concepts, definitions, and to convey information more concisely to users. Graphics and associated text should occupy the same page so that they work together to illustrate the meaning of complex concepts. Consider replacing written regulations with graphics illustrating the same information.
- ▶ Add flow charts to the Zoning Ordinance to clarify specific procedural requirements and to illustrate the various zoning processes and approvals that include recommending and approving bodies.

EXAMPLE #7-1: TOWN OF MOORESVILLE, NORTH CAROLINA – ZONING ORDINANCE

In this example, photographs illustrate to the user the requirements of garage placement on a building site. The combination of text (NO! / YES!) and photographs clearly show what is allowed and not allowed.

- (D) All garages with more than two bays or with doors exceeding 12 feet in width shall be located behind the rear façade of a structure using the Detached House Building Form, or shall be side-loaded.



Figure 6.7.1.7: Street Facing Garages. The image to the left depicts a street facing-garage that projects past the front façade plane and lacks sufficient architectural details.

EXAMPLE #7-2: ST. CLOUD, MINNESOTA – LAND DEVELOPMENT GUIDE

The example below illustrates how an actual photograph of a “definition” (Temporary Window Sign) within an ordinance, along with text, can clearly show what is being defined.

Sign, Window (Temporary). A sign attached to or placed upon the interior of a window or door of a building intended for viewing from the exterior of such a building. See [Figure 21-27: Temporary Window Sign](#).

FIGURE 21-27: TEMPORARY WINDOW SIGN

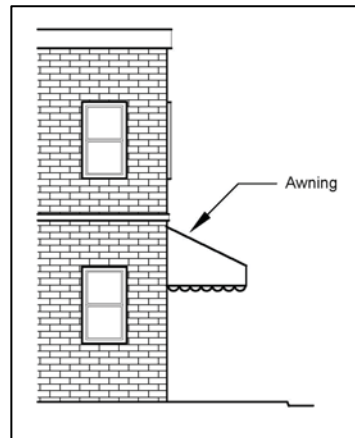


EXAMPLE #7-3: ST. CLOUD, MINNESOTA – LAND DEVELOPMENT GUIDE

This example illustrates how a photograph and an illustration can be used together to explain the same subject matter. The photograph shows a “real life” example which aids the user in understanding the concept. The illustration helps to further explain the subject matter. The two used together convey more information than with only one or the other.

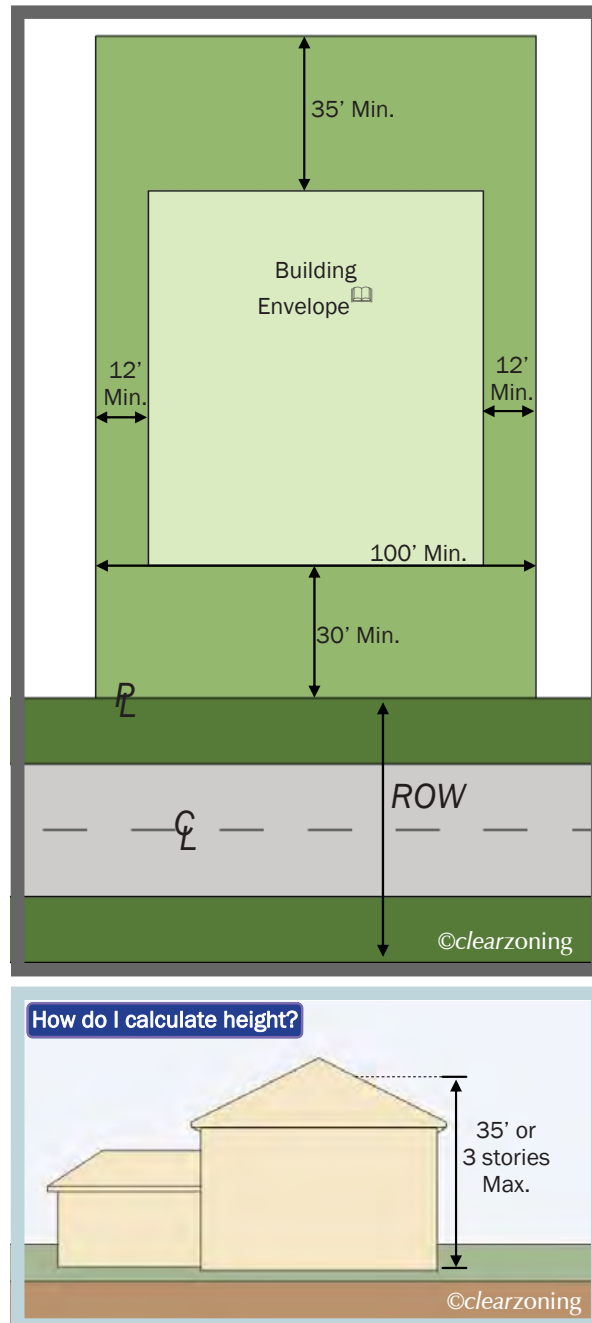
Awning. A roof-like cover, made of canvas or other material, designed and intended for protection from the weather and/or as a decorative embellishment, and which projects from a wall or roof of a structure, typically over a window or door. See [Figure 21-3: Awning](#).

FIGURE 21-3: AWNING



EXAMPLE #7-4: GRAND BLANC TOWNSHIP, MICHIGAN – ZONING ORDINANCE

This example is an excellent illustration of how development standards apply to a lot within a zoning district. The graphic quickly provides the user a concise, visual understanding of what a building envelope is, and how it is determined. It also helps the user understand the setback, yard and height requirements for this district, without having to read through extensive text.



EXAMPLE #7-5: FAYETTEVILLE, NORTH CAROLINA – UNIFIED DEVELOPMENT ORDINANCE

This illustration from Fayetteville, North Carolina, is an excellent example of how an illustration can be used to convey the protest petition regulations, which can be quite confusing to the average citizen. Graphics and the use of a color legend allow the reader to quickly grasp the concept.

Article 30-2: Administration

Section C: Standards and Requirements for Development Applications

Subsection I: Map Amendment (Rezoning)

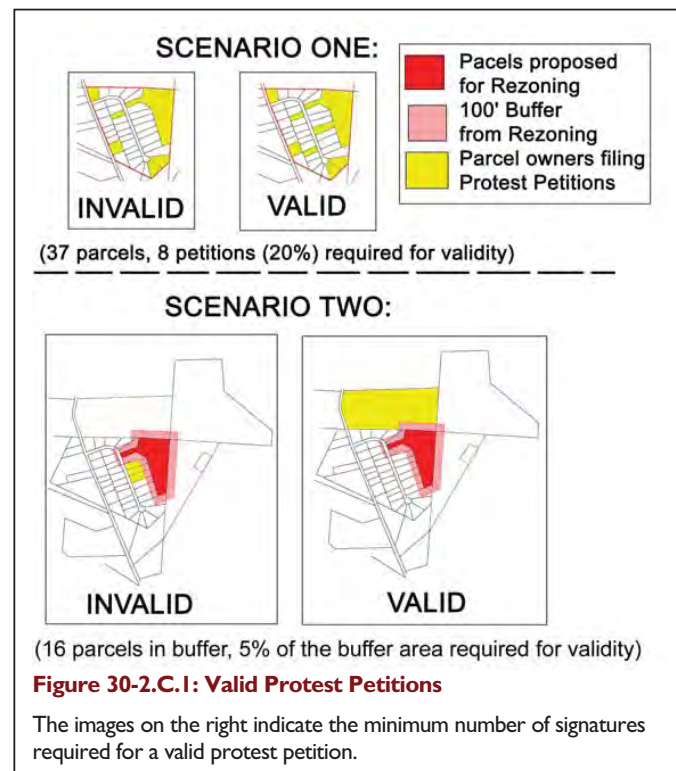
(1) General

In accordance with the North Carolina General Statutes, an Map Amendment (Rezoning) application that is subject to a valid protest petition shall only be approved by an affirmative vote of at least three-fourths (3/4) of all the members of the City Council. Vacant positions and members who are excused from voting shall not be considered members of the City Council.

(2) Valid Protest Petitions

For a protest petition to be considered valid, it shall:

- a. Be on a form prescribed by the City Council for protest petitions;
- b. State that the signers do protest the proposed Map Amendment;
- c. Contain all information prescribed by the City Council as necessary to determine the sufficiency and accuracy of the petition;
- d. Be signed by the owners of:
 - i. At least 20 percent of the area subject to the Map Amendment application; or
 - ii. At least five percent of land within 100 feet of the perimeter around each parcel that is entirely or partially subject to a Map Amendment application, with street right-of-way excluded when measuring the 100-foot distance; and
- e. Be filed in the office of the City Clerk for validation not less than two business days before the date fixed for the public hearing.



EXAMPLE #7-6: FAYETTEVILLE, NORTH CAROLINA – UNIFIED DEVELOPMENT ORDINANCE

This flow chart is an example of how the variance process works in Fayetteville, North Carolina. It supplements the text, is easy to follow, and allows the average citizen to more quickly understand the process without having to search through text.

Article 30-2: Administration

Section C: Standards and Requirements for Development Applications

Subsection 14: Variance

(b) Authority

The Board of Adjustment shall review and decide any application for variance from the requirements of this Ordinance in accordance with this section.

(c) Applicability

The following standards may be varied through the Variance procedure:

- (1) The maximum height standards, maximum lot coverage standards, minimum yard and setback standards, minimum lot area standards, and minimum lot width standards for each zoning district in Article 30-3: Zoning Districts;
- (2) The standards in:
 - a. Section 30-5.A, Off-street Parking, Loading, and Circulation;
 - b. Section 30-5.B, Landscaping Standards;
 - c. Section 30-5.D, Fencing and Walls;
 - d. Section 30-5.E, Exterior Lighting; and
 - e. Section 30-5.L, Signage.

(d) Initiation

An application for a Variance may be initiated by any person who may submit applications in accordance with Section 30-2.B.1, Authority to File Applications.

(e) Procedure

(1) Basic Procedures

Except as modified by Sections 30-2.C.14.e.2-5 below, procedures and requirements for the submission, completeness determination, review, recommendation, hearing, and decision on applications are as established in Section 30-2.B, Common Review Procedures.

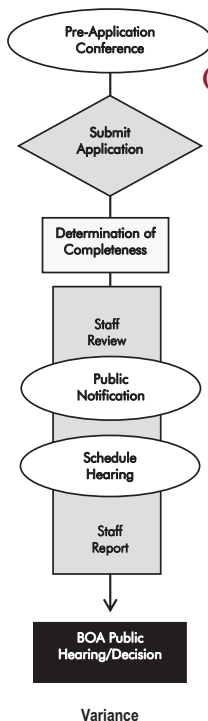
(2) Review and Action by Board of Adjustment

- a. Following receipt of the application from the City Manager, staff review, and preparation of a staff report, the Board of Adjustment shall conduct a quasi-judicial public hearing on the application in accordance with Section 30-2.B.12, Public Notification, Section 30-2.B.14, Quasi-Judicial Public Hearing Procedures. After close of the hearing, the Board of Adjustment shall consider the application, relevant support materials, and any testimony or evidence given at the hearing and included in the record. The Board of Adjustment shall take one of the following actions, based on the standards in Section 30-2.C.14.f, Variance Standards:
 - i. Approval of the application as submitted;
 - ii. Approval of the application subject to conditions; or
 - iii. Denial of the application.
- b. Granting a Variance shall require an affirmative vote of at least four-fifths (4/5) of the members of the Board of Adjustment who are eligible to vote.

(3) Conditions of Approval

In approving a Variance, the Board of Adjustment may impose appropriate conditions on the approval in accordance with Section 30-2.B.16, Conditions of Approval.

(4) Appeal



EXAMPLE #7-7: FAYETTEVILLE, NORTH CAROLINA – UNIFIED DEVELOPMENT ORDINANCE

This example from the Fayetteville, North Carolina Unified Development Ordinance includes an illustration of the pedestrian pathway concept in a commercial development, when applied with the standards in the text.

Article 30-5: Development Standards

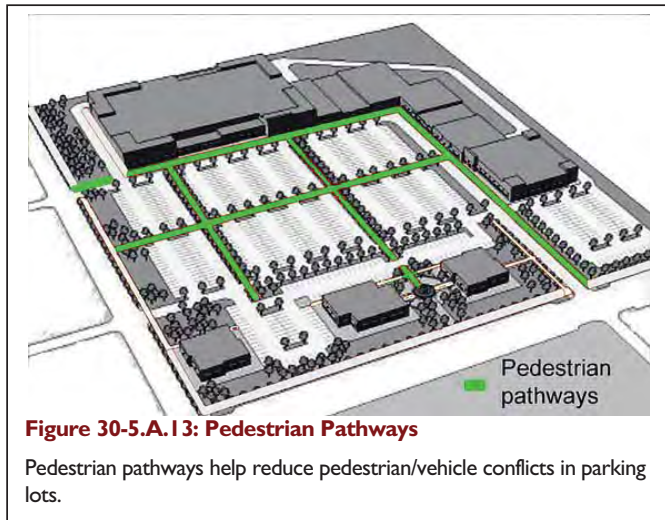
Section B: Landscaping and Tree Protection Standards

Subsection I: Landscaping standards

(f) Pedestrian Pathways

Off-street surface parking lots with 200 or more spaces shall provide fully-separated, improved pedestrian pathways that:

- (1) Are located within planted landscaping strips located a minimum of every six parking rows;
- (2) Include, to the maximum extent practicable, a pathway aligned with and perpendicular to the primary entrance into the building served by the parking lot (see Figure 30-5.A.13, Pedestrian Pathways);
- (3) Are paved with asphalt, cement, or other comparable material;
- (4) Are of contrasting color or materials when crossing drive aisles;
- (5) Are in compliance with applicable State and Federal requirements while at a minimum, are at least four feet wide when located within planting strips, and ten feet wide when crossing drive aisles;
- (6) Terminate at drive aisle edges;
- (7) Connect to all existing or planned adjacent transit facilities;
- (8) Meet all applicable ADA requirements;
- (9) Are positively drained; and
- (10) Provide safe and efficient pedestrian access to the use they serve.



B. LANDSCAPING AND TREE PROTECTION STANDARDS

I. LANDSCAPING STANDARDS

(a) Purpose and Intent

It is the purpose of this section to promote and protect the public health, safety, and general welfare by providing for the planting, maintenance, and preservation of trees, shrubs, and other plants within the City. The intent of this section is to promote this purpose by:

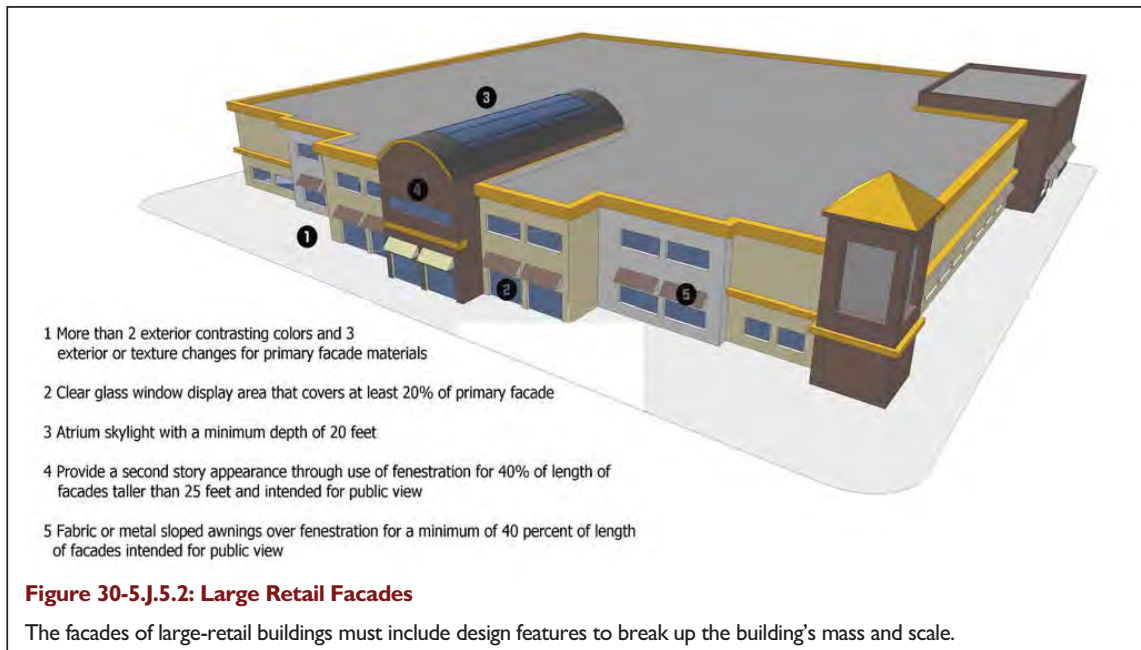
EXAMPLE #7-8: FAYETTEVILLE, NORTH CAROLINA – UNIFIED DEVELOPMENT ORDINANCE

This graphic example illustrates how the design standards for a large-retail building work to break up the building's mass and scale. Locating the graphic next to the design standards helps the user visualize the urban design standards.

Article 30-5: Development Standards

Section J: Large Retail Design Standards

Subsection 5: Façade Treatments



- (5) Atrium skylight(s), with a minimum depth of 20 feet, that visually enhances the exterior architectural style and design of the front entrance, façade, and roof area.
- (6) Forty percent of the length of facades taller than 25 feet and intended for public view to provide a second story appearance through the use of fenestration. The second story effect may also be achieved by alluding to second story fenestration through the use of brick detailing arches, dark spandrel windows, or other acceptable architectural treatments.
- (7) Provide fabric or metal sloped awnings over fenestration or decorative façade materials for a minimum of 40 percent of the length of facades which areas are intended for public view.
- (8) Integral planters or walls constructed parallel to the face of the building and incorporating living landscaped areas and/or places for sitting. Such areas shall be a minimum of two-feet-wide and 19 inches high for sitting, and five-feet-wide for a planter and cover at least 30 percent of that façade.
- (9) A pedestrian plaza, which incorporates gathering and sitting opportunities adjacent to the main entrance or on the front façade equivalent to two percent of the gross square footage of that building. Such an area shall include a seating area with benches or tables and chairs at a minimum rate of one seat per 15,000 gross square feet, and shall include at least one of the following features:

8. TABLES

WHAT IS THIS TOPIC?

Tables are used to present information in a matrix format, allowing the reader to quickly scan and find pertinent details. Not only do tables present information efficiently, they can help reduce the length of a document when used in the place of text.

SUMMARY OF COMMENTS

During the listening sessions it was suggested that more tables be utilized throughout the Zoning Ordinance. As part of the discussions, specific types of tables were recommended to be incorporated in the Ordinance (i.e. summary tables for districts, tables for signage and use tables by districts). It was also suggested that the “use table” be kept, and the textual list of uses under each district be removed to reduce bulk.

COMMENT NUMBER	LISTENING SESSION COMMENTS
1	Utilize more tables in the sign section, rather than trying to explain each idea with words.
2	Provide use tables by district instead of having to go to each district.
3	Need Summary Tables. Districts are helpful, once you get to them, but a Summary Table would be helpful.
4	Language in paragraph form is subject to interpretation. Either use paragraphs or lists; using both is confusing.
5	All uses should be in the use table, instead of also being listed in text form in each zoning district.
6	Tables or charts should be used to convey information about what is permitted and what is not.
7	More information should be shown in table format, without also duplicating the text version of the information. Tables are a great way to convey information.

PROPOSED STRATEGIES

One technique to improve the readability of regulations is to incorporate summary tables to convey information quickly and more succinctly. There are many instances where tables can summarize information and lengthy text in sentence format can be eliminated.

The following strategies should be considered when the Zoning Ordinance is updated:

continued next page

PROPOSED STRATEGIES (continued)

- Careful consideration should be given to how tables are designed throughout the document. For example, tables throughout the Zoning Ordinance should have a consistent or similar design theme. The same font choices and format should be used for all tables. Horizontal header rows and vertical header columns should be used and duplicated any time a table shifts to a second page. Other details can enhance the appeal of tables, such as using colored columns in a use table, or alternating rows of fill color to help the reader identify relevant information quickly. While color is great for the Web user, if the Zoning Ordinance will be printed in a black and white format, then consideration should be given to the colors selected for tables so that they are workable in black and white format.
- Future use tables should also include cross-references, preferably hyperlinked, to prescribed conditions and other important information. Cross-referencing improves document usability by tying together related sections of the Zoning Ordinance without having to repeat the same information.
- A generic use table should be considered when the Zoning Ordinance is revised. Instead of listing each specific use, similar specific uses can be combined into broader terms. Generic use categories have the advantage of being broad enough to include a wide range of uses, eliminating the need for text amendments as new uses emerge. Each generic use would need to be carefully and fully defined. Implementing the generic use approach, as opposed to the specific use approach, can significantly reduce the length of the use table.
- Whether a detailed or generic use table is decided upon, the need to duplicate the table of uses in a “laundry list” within each zoning district is not necessary, is inefficient and should be eliminated.

EXAMPLE #8-1: WAKE COUNTY, NORTH CAROLINA – UNIFIED DEVELOPMENT CODE

This use table from Wake County, North Carolina displays the uses permitted in various zoning districts. Zoning districts are arranged horizontally across the table with categorized groupings of uses in a vertical format. Different colors are used for each zoning district category to create a user-friendly format where the user can quickly find out if a use is permitted by right or with a special use permit. Cross-references are included in the right column.

The use table also groups specific uses into categories. For example, family care homes, group care facilities, group homes, health/personal care facilities, and all other group living facilities are grouped under the “Group Living” header. Both “Group Living” and “Household Living” categories are further grouped under a “Residential Use Group” header shown in gray.

see facing page

Article 4 Use Regulations

4-11 Use Table

USE GROUP		Zoning Districts															Use Standards	
Use Category Specific Use Type	Residential					Highway	RHC			Commercial			Indust		Sp. Purpose			
	R-80W	R-40W	R-80-R-10	R-5	RMH	HD	Activity Center	Res Support Area	Outside RSA	O&I	GB	HC	I-1	I-2	AD-1	AD-2		RA
P = Permitted use (as-of-right) S = Special use approval req'd (19-23) – = Prohibited																		
RESIDENTIAL USE GROUP																		
Household Living																		
Attached house (e.g., townhouse)	P	P	P	P	–	P	P	P	P	P	S	–	–	–	–	–	\$5-14	
Condominium or apartment	–	–	–	P	–	P	P	P	P	S	S	–	–	–	–	–		
Detached house (i.e., single-family detached dwelling)	P	P	P	P	P	P	P	P	P	P	S	–	–	–	–	–		
Duplex, triplex, 4-plex	P	P	P	P	–	P	P	P	P	P	S	–	–	–	–	–	\$4-36	
Lot line house	P	P	P	P	–	P	P	P	P	P	S	–	–	–	–	–	\$5-13	
Mobile home	P	P	P	P	P	P	P	P	P	P	S	–	–	–	–	–		
Mobile home subdivision/park	–	–	–	–	S	–	–	–	–	–	–	–	–	–	–	–		
Upper-story residence	–	–	–	–	–	P	P	P	P	P	P	P	–	–	–	–	\$4-31	
Group Living																		
Family care home	P	P	P	P	P	P	P	P	P	P	–	–	–	–	–	–	\$4-38	
Group care facility	S	S	S	S	–	S	S	S	S	–	–	–	–	–	–	–	\$4-42	
Group home	S	S	S	S	–	S	S	S	S	P	P	–	–	–	–	–	\$4-43	
Health/personal care facility	–	–	S	S	–	S	S	S	S	–	–	–	–	–	–	–		
All other group living (except as noted above)	–	–	S	S	–	S	S	S	S	–	–	–	–	–	–	–		
PUBLIC / CIVIC USE GROUP																		
Colleges and Universities																		
Business, trade, technical schools	–	–	–	–	–	S	S	S	–	P	P	P	–	–	–	–	P	
All other colleges/universities (except as noted above)	–	–	S	S	–	S	S	S	S	P	–	–	–	–	–	–	P	
Cultural Exhibits and Libraries																		
Libraries	–	S	P	P	–	P	P	P	P	P	P	P	–	–	–	–	P	
All other cultural exhibits/libraries (except as noted above)	–	S	S	S	–	S	S	S	S	P	P	P	–	–	–	–	–	
Day Care																		
Child care home	P	P	P	P	P	P	P	P	P	P	P	P	–	–	–	–	P	
Child care center	S	S	S	S	–	P	S	S	S	P	P	P	P	P	–	–	P	
Adult Day Care Facility	S	S	S	S	–	P	S	S	S	–	P	P	–	–	–	–	P \$4-35	
Detention and Correctional Facilities																		
Hospitals	–	–	S	S	–	S	S	S	S	–	–	–	–	–	–	–	\$4-45	
Lodge or Private Club																		
Parks and Recreation																		
Botanical garden/arboretum	S	S	S	S	–	S	P	S	S	–	P	P	–	–	P	P	\$4-33	
Public recreation (assembly) buildings	S	S	S	S	–	S	S	P	S	P	P	P	–	–	–	–	P	
All other public parks recreation (except as noted above)	P	P	P	P	–	P	P	P	P	P	P	P	–	–	–	–	P	

EXAMPLE #8-2: CITY AND COUNTY OF DENVER, COLORADO – DRAFT ZONING CODE

The “Summary Table of Authority and Notice” from Denver, Colorado’s draft code is an example of how tables can be used to display the authority of boards/commissions/staff and the type of public notice required.

The top rows of the table, shown with a black background, include a legend and a series of vertical columns used to designate the various review and decision making authority bodies as well as the type of public notice required for each review process listed in the rows that follow. Cells denote which action (i.e. decision, recommendation, notice required, etc.) is required. If the cell is left blank, an action is not required. The alternating row colors of white and gray make the document easier to use.

see facing page

8. TABLES (continued)

Article 12. Zoning Procedures & Enforcement
Division 12.2 Review and Decision Making Bodies

SECTION 12.2.7 SUMMARY TABLE OF AUTHORITY AND NOTICE

	REVIEW AND DECISION-MAKING AUTHORITY						TYPE OF PUBLIC NOTICE REQUIRED				
	D = Decision-Making Authority R = Review and Recommendation Authority * = Public Hearing Required						■ = Notice Required Blank Cell = Notice Not Required				
							Informational Notice		Notice of Public Hearing		
	Zoning Administrator	Manager	DRC	Board of Adjustment	Planning Board	City Council	Written and Posted Notice of Receipt of Application	Posted Notice of Final Administrative Decision	Written	Posted	Published
Zoning Permit Review	D										
Zoning Permit Review with Informational Notice	D						■	■			
Site Development Plan Review	R	R	D				■ See Sec. 12.4.3 for site development plans that require public notice	■ See Sec. 12.4.3 for site development plans that require public notice	■ See Sec. 12.4.3 for site development plans that require notice of a public hearing		
Zone Lot Amendment	D										
Administrative Adjustment	D										
Code Interpretation, Determination of Unlisted Use	D										
Comprehensive Sign Plan	D				R*		■	■	■	■	
Variance	R			D*			Refer to rules of Board of Adjustment				
Appeal of Administrative Decision	R			D*			Refer to rules of Board of Adjustment				
Special Exception	R	R		D*			Refer to rules of Board of Adjustment				
Official Map Amendment (Rezoning)		R			R*	D*	■ - Written Notice Only		■	■	■
Text Amendment	R	R			R*	D*			■		■
General Development Plan	R		D		R*				■	■	

EXAMPLE #8-3: WILLIAMSON COUNTY, TENNESSEE – ZONING ORDINANCE

This example, from Williamson County, Tennessee shows a table used in lieu of text to convey important information. The table conveys what type of written and published notice is required for a variety of zoning procedures, along with information about when signs should be posted. Note that the information in this table is not reiterated in text in the document. The table serves as a quick way to access information and presents it in an easily understood format.

see facing page

(B) NOTICE REQUIRED

Unless otherwise noted in this Ordinance, [Table 3.10-1: Notice Required](#), identifies when published and written notice is required for each public hearing type.

TABLE 3.10-1: NOTICE REQUIRED			
PROCEDURE	PUBLISHED NOTICE	WRITTEN NOTICE	SIGN NOTICE
Zoning Text Amendment Planning Commission's Hearing	10 days prior to the hearing	No written notice required.	15 days prior to the hearing
Zoning Text Amendment County Commission's Hearing	30 days prior to the hearing		
Official Zoning Map Amendment Planning Commission's Hearing	10 days prior to the hearing	Mailed written notice to all adjacent property owners of records (as listed in the records of the County Tax Office) a minimum of 10 days prior to the hearing.	10 days prior to the hearing
Official Zoning Map Amendment County Commission's Hearing	30 days prior to the hearing		
Special Use	10 days prior to the hearing		
Variance			
Appeal			
			No sign notice required.

(C) PUBLISHED NOTICE

- (1) When the provisions of this Ordinance require that notice be published, the Community Development Department shall be responsible for preparing the content of the notice and publishing the notice in a newspaper of general circulation that has been selected by the County, consistent with this Ordinance and State law.
- (2) The content and form of the published notice shall be consistent with the requirements of Section 3.10:(A): Content, and State law.

(D) WRITTEN (MAILED) NOTICE

- (1) The Community Development Department shall notify adjacent property owners by regular U.S. mail, consistent with this Ordinance and State law.
- (2) The Community Development Department shall hold a copy of the notice for a minimum of one year and shall make those available as part of the public record.

(E) OTHER NOTICES

Applicants shall be responsible for compliance with any additional notice requirements in this Ordinance, other County ordinances, or State law.

(F) CONSTRUCTIVE NOTICE

- (1) Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements.
- (2) Failure of a party to receive written notice shall not invalidate subsequent action.
- (3) When the publications, mailings, and posting of notices as required by this Section are documented in the records of the County, it shall be presumed that notice of a public hearing was given as required by this Section.

EXAMPLE #8-4: CITY AND COUNTY OF DENVER, COLORADO – DRAFT ZONING CODE

This example from the Denver, Colorado Zoning Code illustrates how tables can be used in conjunction with figures to portray, in this instance, perimeter surface parking lot landscaping standards in an easy to understand manner, without explaining the requirements in a textual format.

see facing page

10.5.4.3 Perimeter Surface Parking Lot Landscaping Standards

A. Applicability

Section 10.5.4.1, Applicability and Exceptions shall apply.

B. Perimeter Surface Parking Lot Landscaping Standards Adjacent to Street Right-of-Way

1. General Standards

- A perimeter planting strip shall be provided within zone lot boundaries between the boundary of any surface parking lot and street rights-of-way. See Figure 10.5-1.
- To the maximum extent feasible, on-site drainage required for a zone lot shall be integrated into the perimeter planting strip.
- Alternatives to required landscape, fence and wall materials may be allowed to better match primary building materials used on the site according to Section 12.4.5, Administrative Adjustment.

2. Context and District Specific Standards

CONTEXT AND/OR DISTRICT	MINIMUM WIDTH OF PERIMETER PLANTING STRIP	PLANTINGS REQUIRED SEE FIGURE 10.5-2	GARDEN WALL REQUIRED	GARDEN WALL HEIGHT	GARDEN WALL MATERIALS	PEDESTRIAN CONNECTION REQUIRED
Suburban I-A and I-B I-MX with Industrial Building Form	10'	1 canopy tree for every 25' of linear frontage Spacing of trees may vary, the maximum spacing is 40'	No Can reduce landscape width to 5' if provide a garden wall	Min 30" Max 42"	Masonry or Ornamental fence with masonry piers spaced not more than 25'	Yes
Urban Edge Urban General Urban Campus Master Planned I-MX Zone Districts with General Building Form	5'	1 canopy tree for every 25' of linear frontage Spacing of trees may vary, the maximum spacing is 40'	Yes	Min 30" Max 42"	Masonry or Ornamental fence with masonry piers spaced not more than 25'	Yes
Urban Center	0'	NA	Yes	Min 30" Max 42"	Masonry or Ornamental fence with masonry piers spaced not more than 25ft	Yes
Downtown	See Article 8, Downtown Neighborhood Context					

Figure 10.5-1

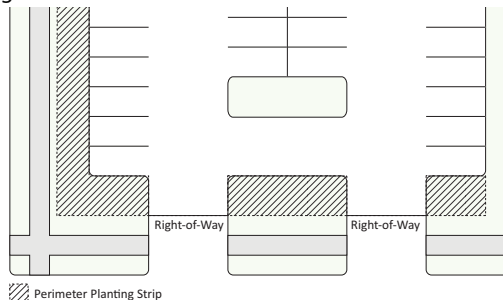
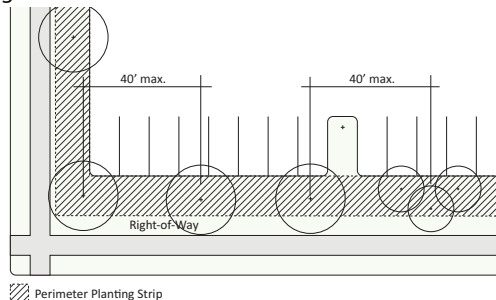


Figure 10.5-2



9. HYPERLINKS

WHAT IS THIS TOPIC?

A **hyperlink** is an electronic, clickable connection that allows a reader to jump from a word, phrase, picture, or information to related definitions, regulations, illustrations, or commentary, or to another electronic document.

Typically, a hyperlink is displayed in some distinguishing way. Normally, hyperlinks are displayed as blue text and underlined, although any color, font or style may be used. The user can follow the link by hovering the mouse pointer over the word, phrase, or icon, until it changes into the shape of a hand, or a corresponding information box appears. By clicking the mouse button on the hyperlink, the user is quickly linked to related information.

There are two types of hyperlinks that are of interest:

- Targeted hyperlinks allow users to jump to a specific part of an electronic document. For example, words can be hyperlinked to their definitions. Hyperlinks in a Zoning Ordinance can create links to other related information in the same document, such as cross-references, graphics, tables, parking tables, buffer requirements, etc.
- Local hyperlinks are used to link information within the same website. For instance, a hyperlink to the Tree Ordinance or the Brevard Street Land Use and Urban Design Plan would allow users to jump to that document to seek additional information.

SUMMARY OF COMMENTS

During the listening sessions, many comments regarding hyperlinks were received. These comments ranged from linking terms using targeted hyperlinks to their definitions, to linking the table of contents to related regulations. Currently a user searching to find a cross-reference must move in and out of electronic chapters of the Ordinance or refer to the table of contents to locate referenced information.

COMMENT NUMBER	LISTENING SESSION COMMENTS
1	Design the document for the web user, not as a Word document.
2	Hyperlinks to other sections and chapters of the Ordinance would be helpful.
3	Hyperlinks in the table of contents, index, definitions, district sections and chapters, etc. would greatly improve navigation within the Ordinance and improve user-friendliness.
4	Provide hyperlinks in the regulations or on the same page to provide user-friendly access to other relevant information.
5	Provide hyperlinks to required additional information relevant to a use or district.
6	Use hyperlinks to allow the user to move between Chapters and Sections more efficiently than the current web content that has separate files for each Chapter.

9. HYPERLINKS (continued)

7	Hyperlinks are needed to navigate through ordinances.
8	Regulations and information in other locations needs to jump-out with hyperlinks to that information or regulations.
9	The Zoning Ordinance needs a good Table of Contents, with hyperlinks.
10	Update the Index and Table of Contents with hyperlinks.
11	Hyperlinks in the Index and for key words or other requirements located in other chapters or sections would be helpful.
12	Explore software other than Word that can improve appearance/usability.
13	Need on-line tabs in the document to move around in the Ordinance.
14	Can the Zoning Ordinance be hyperlinked in other department web pages to reduce the number of inquiries about its location?
15	Incorporating hyperlinks would help in navigation.
16	When the Zoning Ordinance refers to regulations in other departments or agencies, can a link be provided to those regulations? Does this conflict with other regulatory agencies or departments?
17	The Zoning Ordinance should use hyperlinks to link to information in other city ordinances or other City/County websites. Don't duplicate the information in the Zoning Ordinance. An example is the parking deck standards, and tree ordinance. This results in issues when one or the other ordinance is amended.
18	The Planning website ordinance needs hyperlinks.
19	Links to Zoning Ordinance from other departmental websites, would be helpful.
20	Need links to the Zoning Ordinance from other department's Web pages.
21	Information in other departments could be linked to and not duplicated in the Ordinance.

PROPOSED STRATEGIES

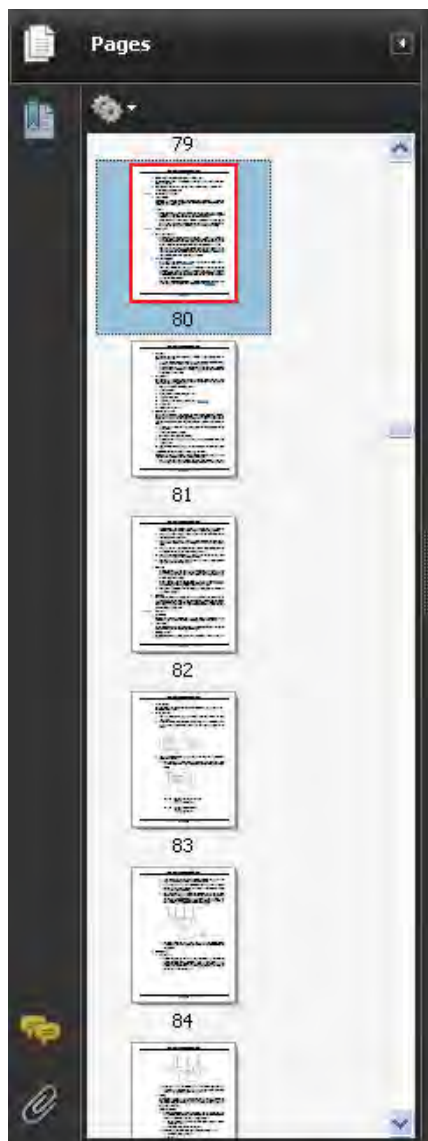
The current Zoning Ordinance, overhauled last in 1992, does not include hyperlinks. The use of hyperlinks has become so common that most people expect to find them as they navigate through an electronic document or the internet.

Future modernization of the Ordinance should include the use of both targeted and local hyperlinks, which would greatly improve the user's ability to navigate through the electronic document and the website. While the current Zoning Ordinance was designed as a Word document, the revised Ordinance should be designed for the Web user to improve user-friendliness.

EXAMPLE #9-1: MISSOULA, MONTANA – ZONING ORDINANCE

In this example from Missoula, Montana, page 80 includes several hyperlinks shown in blue text and underlined with dashes to distinguish them from regular text. The first hyperlink is located in Section 20.40.130, titled, “Temporary Uses” and is a hyperlink to another subsection of the Ordinance, subsection 20.40.130C, which is a quick shortcut for the reader to view the exceptions for city permits and requirements.

In this screen shot view, the left side of the page displays page thumbnail images, with the current page 80 highlighted in a blue background with the full page outlined in red. These pages are also hyperlinks, allowing the reader to jump to another page of the document, by clicking on various thumbnails or by using the scrolling bar to find a specific page.

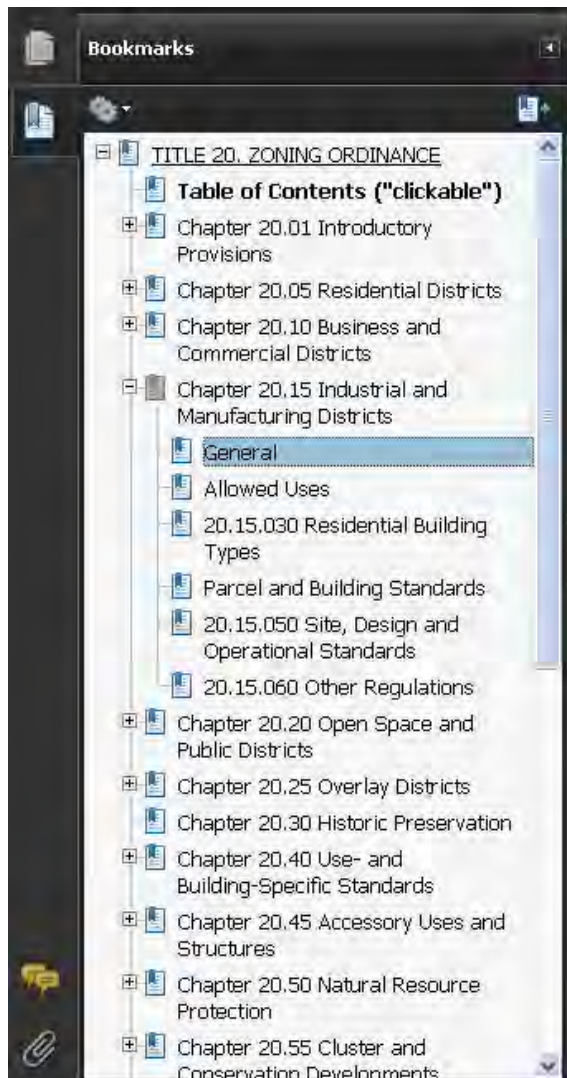


Chapter 20.40 Use- and Building-Specific Standards	
20.40.120 Residential Support Services	
<ul style="list-style-type: none"> C. All driveways, interior aisles, and walkways must be paved. D. No cubicle may be used to store explosives, toxic substances, hazardous materials, or radioactive materials. E. Only storage uses are allowed. No portion of the site may be used for retail sales, service, manufacturing or any similar use. 	
20.40.120	Residential Support Services
A.	Where Allowed
Residential support services are allowed in RM1.5, RM1 and RM0.5 zoning districts in conjunction with nursing homes, health care facilities, and multi-dwelling buildings containing 40 or more dwelling units.	
B.	Standards
<ul style="list-style-type: none"> 1. Residential support services must be located in the same building as the principal residential use, and occupy, in aggregate, no more than 3,000 square feet or 10% of the floor area of the principal residential use, whichever is less. 2. Residential support services uses are limited to a maximum of one wall sign per business or one ground sign per building. Wall signs may not exceed 8 square feet in area. Ground signs may not exceed 24 square feet in area or 6 feet in height. 	
20.40.130	Temporary Uses
A.	Description and Purpose
<ul style="list-style-type: none"> 1. A temporary use is the use of property conducted from an area or structure (e.g., parking lots, lawns, trucks, tents, or other temporary structures) that does not require a building permit and that may or may not comply with the use or parcel and building standards of the zoning district in which the temporary use is located. 2. The temporary use regulations of this section are intended to permit such occasional, temporary uses and activities when consistent with the overall purposes of this zoning ordinance and when the operation of the temporary use will not be detrimental to the public health, safety or general welfare. 	
B.	Authority to Approve
<ul style="list-style-type: none"> 1. Except as expressly stated in 20.40.130C, all temporary uses are subject to all city permits and requirements. 2. The zoning officer is authorized to approve temporary uses that comply with the provisions of this section and to impose conditions on the operation of temporary uses that will help to ensure that they do not create unreasonable adverse impacts on surrounding uses and that they operate safely, consistent with the general purposes of this zoning ordinance. 3. The zoning officer is also authorized to require that individual temporary use requests be processed as conditional uses in accordance with 20.85.070. 	
MISSOULA ZONING ORDINANCE [11.04.2009]	
Page 20.40-11	

EXAMPLE #9-2: MISSOULA, MONTANA – ZONING ORDINANCE

In another example from Missoula, Montana, the left side of the page displays hyperlinked chapters and sections with a blue image icon. If a user places the cursor over any part of the table of contents, the hand icon appears which indicates a hyperlink to that section.

In the example shown, the right side of the page displays the first page of Section 20.15.010 related to “General” information regarding industrial and manufacturing districts.



Chapter 20.15 Industrial and Manufacturing Districts									
20.15.010	General..... 20.15-1								
20.15.020	Allowed Uses..... 20.15-1								
20.15.030	Residential Building Types..... 20.15-4								
20.15.040	Parcel and Building Standards..... 20.15-4								
20.15.050	Site, Design and Operational Standards..... 20.15-5								
20.15.060	Other Regulations..... 20.15-6								
20.15.010	General								
A.	Districts								
1.	List								
	The city's industrial and manufacturing zoning districts are listed below. Except as otherwise expressly stated, when this zoning ordinance refers to "industrial" or "manufacturing" zoning districts or "M" districts, it is referring to these districts.								
	<table> <tr> <th>Map Symbol</th><th>District Name</th></tr> <tr> <td>M1R</td><td>Limited Industrial-Residential</td></tr> <tr> <td>M1</td><td>Limited Industrial</td></tr> <tr> <td>M2</td><td>Heavy Industrial</td></tr> </table>	Map Symbol	District Name	M1R	Limited Industrial-Residential	M1	Limited Industrial	M2	Heavy Industrial
Map Symbol	District Name								
M1R	Limited Industrial-Residential								
M1	Limited Industrial								
M2	Heavy Industrial								
2.	Deciphering the District Names and Map Symbols								
	The M district names and map symbols are intended to provide only a general, relative indication of what is allowed in the district. On the zoning map these districts include at least one other essential information component: an intensity designator, which is identified by a dash and a numeral following the initial letter-number combination, as in M1-2 (M1 dash 2). The intensity designator establishes the allowable intensity of development and applicable parcel and building standards.								
B.	Purposes								
	Missoula's industrial (M) zoning districts are primarily intended to accommodate manufacturing, warehousing, wholesale and industrial uses. The regulations are intended to promote the economic viability of manufacturing and industrial uses; encourage employment growth; allow residential uses in the M1R district; and limit the encroachment of unplanned residential and other non-industrial development into M1- and M2-zoned areas.								
20.15.020	Allowed Uses								
A.	Use Table								
	Uses are allowed in M zoning districts in accordance with Table 20.15-1, below.								
B.	Use Classification System								
	For the purpose of this zoning ordinance, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in Chapter 20.105 . Uses are identified in the first column of Table 20.15-1.								
MISSOULA ZONING ORDINANCE [11.04.2009]									
Page 20.15-1									

EXAMPLE #9-3: DURHAM, NORTH CAROLINA – UNIFIED DEVELOPMENT ORDINANCE

In the definition chapter of the Durham, North Carolina Unified Development Ordinance, terms within definitions are hyperlinked to additional definitions. The hyperlinks are underscored with gray lines. For example, in the definition of “Ground Cover,” there is a hyperlink to an additional definition for “accelerated erosion.”

see facing page

Definitions

consideration of projected future construction of flood detention structures or projected future hydraulic modifications within a stream or other waterway such as bridge and culvert construction, fill, and excavation. Future conditions flood discharges are published in the Flood Insurance Study.

G, H, I

Geographic Search Area: An area designated by a wireless provider or operator for a new base station facility, produced in accordance with generally accepted principles of wireless engineering.

Glazing: The portion of the building facade or external materials which are composed of glass. Glazing is used in transparency calculations and includes glass used in the doors and windows of the building.

Golf Course: An area laid out for playing golf, which may include some or all of the following accessory facilities: clubhouses, putting greens, swimming and tennis facilities, concessions for food and supplies. Driving ranges may also be included, unless specifically excluded by provisions of this Ordinance. This definition does not include Par 3 or miniature golf.

Grandfathering: An exemption based on previously existing circumstances.

Green Roof: A vegetated roof treatment that has a layer of soil and a drainage system and is planted with vegetation.

Gross Vehicle Weight (GVW): The weight of a vehicle and its equipment with a full tank of fuel, a full maximum load of cargo, and passengers.

Ground Cover: Any natural vegetative growth or other material which renders the soil surface stable against accelerated erosion.

Group Home: A dwelling operated under State regulations that provides room and board for more than six, but less than 13 individuals who as a result of age, illness, handicap or some specialized program, require personalized services or a supervised living arrangement in order to assure their safety and comfort. Additional requirements may be imposed by the North Carolina Building Code.

Guest Room: A room or suite used as living accommodations for one or more paying visitors.

Guyed: A style of antenna-supporting structure consisting of a single truss assembly composed of sections with bracing incorporated. The sections are attached to each other, and the assembly is attached to a foundation and supported by a series of guy wires that are connected to anchors placed in the ground or on a building.

Handoff Candidate: A wireless facility that receives call transference from another particular wireless facility, usually located in an adjacent first "tier" surrounding the initial wireless facility.

Hazardous Material: Materials, or mixtures containing those materials, which pose a physical, environmental or health hazard by virtue of their carcinogenic, corrosive, highly toxic, irritant, sensitizing or toxic properties as defined in 29 CFR 1910.1200. Included in this definition are materials included in EPA's most recent Priority Pollutants List and substances which are regulated, or caused to be regulated, under provisions of the Resource Conservation and Recovery Act (RCRA); the Comprehensive Emergency Response, Compensation and Liability Act (CERCLA); the Superfund Amendments and Reauthorization Act (SARA); or any subsequent amendments of these Acts. Hazardous materials shall include hazardous wastes, which are the byproducts resulting from the use of hazardous materials, materials which have been used to clean up spills of hazardous materials, and hazardous materials which have reached their shelf-life or have been used or contaminated. Also included in this definition are hazardous wastes regulated, or caused to be regulated by the Resource Conservation and Recovery Act (40 CFR 261, Subpart C and Subpart B).

EXAMPLE #9-4: GRAND BLANC TOWNSHIP, MICHIGAN – ZONING ORDINANCE

Hyperlinks abound in the example on the facing page. The tabs on the right side of the page are hyperlinks. As the mouse pointer is moved over the tabs, the hand icon appears, indicating the tab is a hyperlink. The tab hyperlinks allow the reader to quickly navigate between chapters. The selected tab, “Chapter 3, Zoning Districts” is highlighted in red, to indicate the current chapter.

Every word and term highlighted in blue in the example is also a hyperlink:

- In the diagram area, “How do I calculate height?” is a hyperlink to additional information.
- Under the “notes” area, “3.6.2 Notes to District Standards: A, C, D, E, F, H, K, N, O, P, Q, R, T, U, V, W, Y, Z and AA” is a hyperlink.
- Under the “Suggested References” area, specific topics are highlighted in blue allowing the user to quickly access “landscaping”, “signs”, the “zero lot line option”, etc. for more information related to the single family residential R-2 zoning district.
- At the bottom of the page are three icons located in colored boxes: The reader can access “information” by clicking the mouse on the box with the “i”. The home icon takes the reader to the “Table of Contents by Section Number”. The small zoning map within the box takes the reader to the Zoning Maps.

see facing page

R-2 Single Family Residential

3.1.3

D. DEVELOPMENT STANDARDS

Lot Size

Minimum lot area [Ⓜ] :	15,000 sq ft
Units per acre:	2.4 units/acre
Minimum lot width [Ⓜ] :	100 ft

Lot Coverage[Ⓜ]

Maximum lot coverage:	25%
-----------------------	-----

Setbacks[Ⓜ]

Minimum front yard setback:	30 ft
Minimum rear yard setback:	35 ft
Minimum side yard setback:	12 ft (24 ft combined)
Minimum distance between principal buildings:	24 ft
Minimum distance between accessory building and principal or other accessory building:	10 ft

Building Height[Ⓜ]

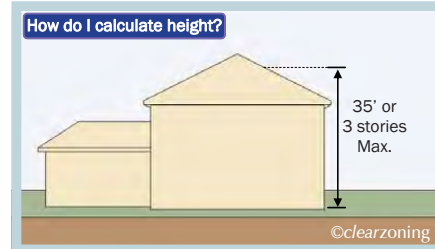
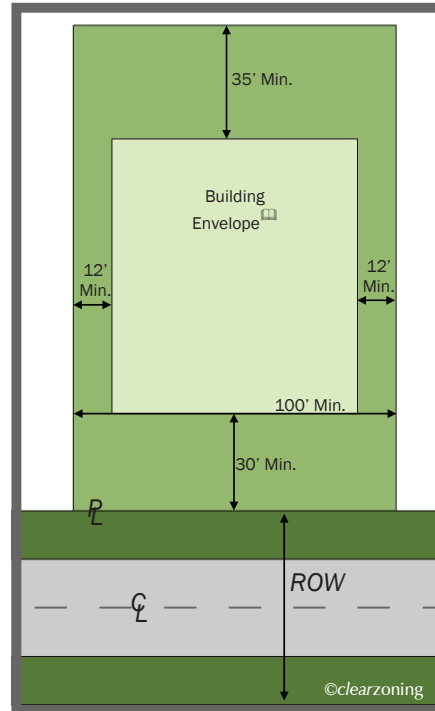
Maximum building height:	35 feet or 3 stories, whichever is less
--------------------------	---

Per Unit Living Area

Minimum per unit living area:	
1 story:	1,200 sq ft
1.5 story:	1,000 sq ft (first story)
1.5 story:	450 sq ft (second story)
2 story:	800 sq ft (first story)
2 story:	800 sq ft (second story)

NOTES

- For additions to the above requirements, refer to **3.6.2 Notes to District Standards: A, C, D, E, F, H, K, N, O, P, Q, R, T, U, V, W, Y, Z and AA**
- See *Suggested References* below for applicability
- A maximum lot width/depth ratio of 1:4 is required
- Subdivisions and site condominiums must meet the design standards of the Subdivision Regulations (see Suggested Reference below)



The above drawings are not to scale.

SUGGESTED REFERENCES

3. Zoning Districts

- **Planned Unit Development Overlay Option**
- **Residential Open Space Development Option**
- **Average Lot Sizes**
- **Open Space Subdivision**
- **Zero Lot Line Option**

5. Site Standards

- **Landscaping**
- **Parking**

5. Site Standards (Continued)

- **Loading / Unloading**
- **Access Management**
- **Lighting**
- **Signs**
- **Floodplain Development**
- **Private Road Standards**

6. Development Procedures

- **Site Plan Review**
- **Special Land Use Review**

7. Administration and Enforcement

- **Non-Conforming Uses**
- **Zoning Board of Appeals**

Other Ordinances

- **Subdivision Regulations**
- **Tree Protection Ordinance**
- **Construction of Severe Weather Shelters**
- **6:12 Roof Pitch Requirement**

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



EXAMPLE #9-5: GRAND BLANC TOWNSHIP, MICHIGAN – ZONING ORDINANCE

In this example, again from Grand Blanc Township, permitted uses allowed in the R-2 single family residential zoning district are listed. All the “principal permitted uses” and “special land uses” shown in bold blue text are hyperlinks to additional information. For example, “attached accessory dwelling units” is a hyperlink to the prescribed conditions for this use, located in Chapter 4, Section 4.3.

see facing page

3.1.3

R-2 Single Family Residential

A. INTENT

Summary: This district is intended to provide for predominantly low-density, one-family detached dwellings along with other residentially related facilities which serve the residents of the district. **For full intent, see Section 3.2.** For uses listed in **bold blue** below, refer to Article 4 for use standards.

B. PRINCIPAL PERMITTED USES

- i. **Single-family detached dwellings** § 4.66
- ii. **Farms** § 4.33
- iii. **Storing, packaging and processing of farm produce** § 4.34
- iv. Tree and sod farms, greenhouses, orchards and nurseries
- v. Child family day care home
- vi. Child foster family home
- vii. Adult foster care family home
- viii. Elementary schools: Public, parochial and other private schools
- ix. **Essential services** § 4.30
- x. Community facilities
- xi. **Detached accessory dwelling units** on lots over 5 acres § 4.3
- xii. **Accessory farm labor housing** § 4.3
- xiii. **Accessory private swimming pool** § 4.2
- xiv. Accessory uses, **buildings and structures** customarily incidental to any above permitted uses § 4.2
- xv. **Wind energy conversion system, private (100 feet tall or less)** § 4.76
- xvi. **Attached accessory dwelling units** § 4.3

C. SPECIAL LAND USES

- i. **Adult foster care small group home** § 4.10
- ii. **Bed and breakfast inns** § 4.20
- iii. **Cemeteries** and **pet cemeteries** § 4.22
- iv. Child foster family group home
- v. **Group day care home** § 4.36
- vi. **Places of worship** § 4.53
- vii. **Community facilities II** § 4.28
- viii. **Essential service buildings** § 4.30
- x. **Private airports and heliports** § 4.12
- xi. **Intermediate, secondary education schools** (Public, private and parochial) § 4.63
- xii. **Recreation uses** § 4.57
 - a. Golf courses and country clubs
 - b. Private, noncommercial, institutional or community recreation centers
 - c. Nonprofit swimming pool (indoor and outdoor) clubs
 - d. Nonprofit recreational camps which may include cabins for rent (Boy/Girl Scouts, YMCA, religious institutions, etc.)
 - e. Private recreational clubs such as gun clubs, archery ranges and game ranges
- xiii. **Accessory roadside stands** § 4.8
- xiv. **Stables, commercial** § 4.67
- xv. **Detached accessory dwelling units** on lots between 2 and 5 acres § 4.3
- xvi. Accessory uses, **buildings and structures** customarily incidental to any of the above uses § 4.2
- xvii. **Accessory use and storage of hazardous materials** § 4.4
- xviii. **Accessory above-ground fuel storage** § 4.1
- xix. **The accessory keeping of non-domesticated animals** or **more domesticated animals** than permitted under Section 4.41 § 4.40
- xx. **Wind energy conversion system, private (more than 100 feet tall)** § 4.76
- xxi. **Skilled nursing facilities and congregate care facilities** § 4.78



10. SEARCH ENGINE

WHAT IS THIS TOPIC?

One of the most valuable digital features in an electronic document is a **search engine**. A search engine is software that is designed to search for information in a wide variety of formats, including: web documents, videos, and images.

By typing a topic in a search engine, all information related to the topic can be accessed in seconds. A search engine can enhance user-friendliness by allowing the user to search and locate information quickly.

The Zoning Ordinance is currently available in two electronic formats. One format is through Municode, which is a website for viewing the Charlotte Municipal Code, of which the Zoning Ordinance is located in Appendix A. Municode does have a search engine feature, allowing the user to search by word or phrase.

The second file format used on the Planning Department website is a PDF version of each chapter. Each PDF chapter encapsulates the document, including the text, fonts, graphics, and other information needed to display it. This file format does have a searchable feature accessed by left clicking on a page and using the “Find” feature, allowing the user to search by word or phrase within each chapter. Unfortunately, a comprehensive search of the complete document is cumbersome, with seventeen separate PDF’s comprising the entire document.

SUMMARY OF COMMENTS

Many individuals expressed frustration related to the “searchability” of the Zoning Ordinance on the Planning Department website. The ability to do a comprehensive search is cumbersome, based on the numbers of files the user must search.

COMMENT NUMBER	LISTENING SESSION COMMENTS
1	The on-line Zoning Ordinance should operate like a website and be searchable. For instance, it should be possible to search for a zoning district and get a table with all the development criteria.
2	Need a searchable digital format. Search on a parcel and all zoning information be linked. For example, conditionally zoned parcels could be linked to the site plan.
3	The website ordinance is presented in individual “pdf’s” for each chapter. This makes searching within the entire document for key words or regulations difficult, when the user has to open each chapter up separately to search.
4	Assembling the chapters into one on-line document would help make searching easier, and less confusing to the customer.
5	An enhanced search tool is needed on the website.
6	Is there a way to add a tool where you can ask a question and get a link to the answer?

10. SEARCH ENGINE (continued)

7	The entire document is in a “pdf” format. Searching by chapter is limiting. It is preferable to have the Ordinance in one document to make searching easier.
8	A search engine should work for entire document, not just chapter by chapter.
9	The Planning website ordinance needs an enhanced search tool.
10	Provide a search bar on the web site to search the various topics within the ordinance.

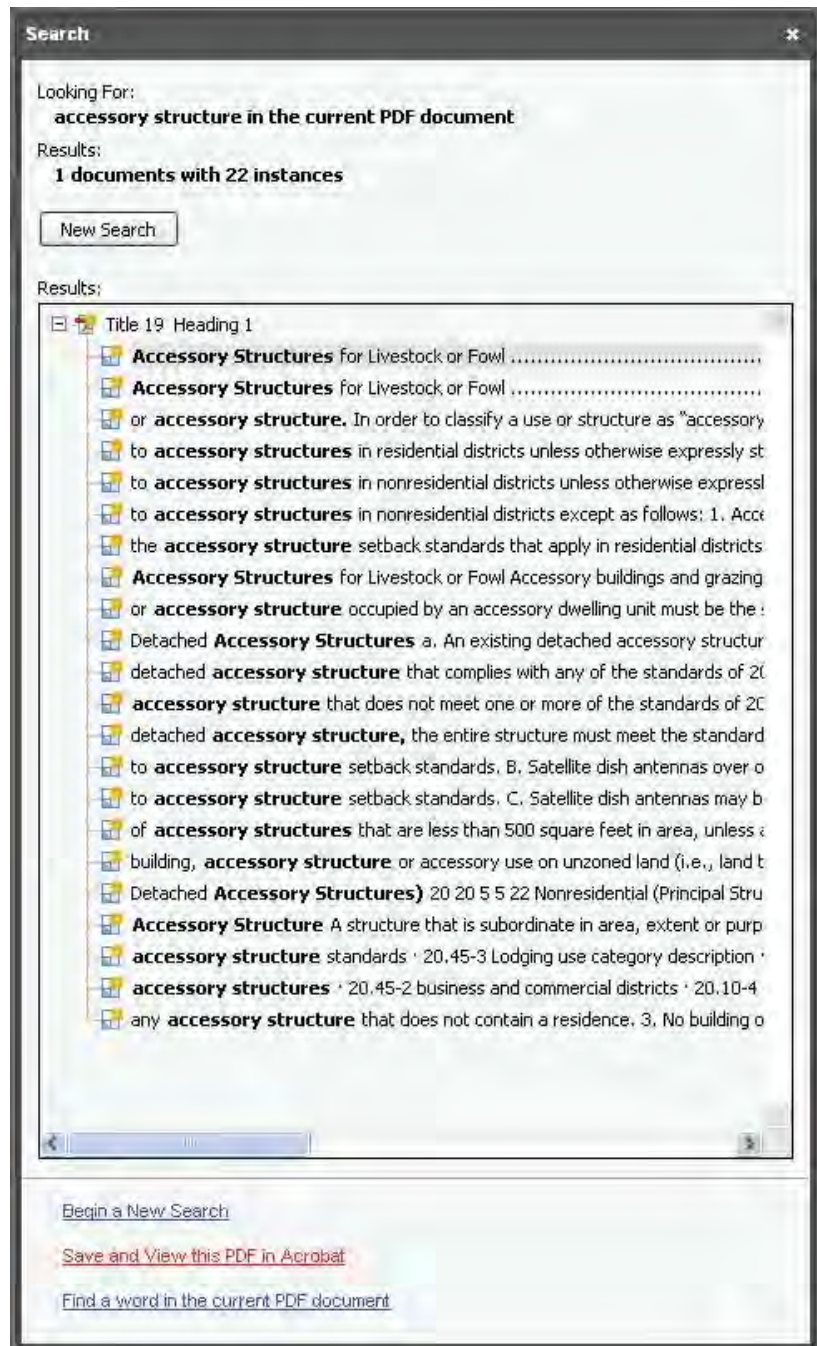
PROPOSED STRATEGIES

Search engine software is recommended as an addition to the online version of the Zoning Ordinance on the Planning website. While the Zoning Ordinance is currently separated into seventeen PDF's, the revised Zoning Ordinance should be consolidated in a single PDF, allowing the user to search the entire document at once.

EXAMPLE #10-1: MISSOULA, MONTANA – ZONING ORDINANCE

In this example, the Missoula, Montana Zoning Ordinance is in a PDF format. The phrase “accessory structure” is typed in the search box resulting in 22 occurrences of the term “accessory structure.” When a search result is selected, a hyperlink is activated leading to the related information.

see below and facing page



Chapter 20.45 Accessory Uses and Structures

20.45.030 Parcel and Building Standards in Nonresidential Districts

E. Building Height

Accessory buildings may not exceed 22 feet in height.

20.45.030 Parcel and Building Standards in Nonresidential Districts

A. General

The parcel and building standards of the base zoning district apply to accessory structures in nonresidential districts unless otherwise expressly stated.

B. Setbacks

The setback standards of the underlying zoning district apply to accessory structures in nonresidential districts except as follows:

1. Accessory buildings and structures are prohibited in front yards (i.e., they may not be closer to the street than the principal building), except for structures that are customarily found in front yards, such as flag poles and minor landscape structures.
2. Accessory buildings and structures on parcels abutting R districts must be set back in accordance with the accessory structure setback standards that apply in residential districts (See [20.45.020](#)).

C. Separation

Accessory buildings must be separated by a minimum distance of 10 feet from all other accessory and principal buildings.

D. Height

Accessory buildings may not exceed 30 feet in height, or the height of the principal building on the same parcel, whichever is less.

20.45.040 Accessory Structures for Livestock or Fowl

Accessory buildings and grazing areas for livestock or fowl must be set back at least 100 feet from any dwelling of human habitation under separate ownership or on a separate parcel, 100 feet from any watercourse and 50 feet from any property line. This provision does not apply to facilities for the keeping of up to 6 female chickens, in accordance with Chapter 6.12 of the municipal code.

20.45.050 Home Occupations

A. General

Home occupations are considered accessory to principal uses in the household living category.


B. Purpose

The regulations of this section are primarily intended to ensure that home occupations in R zoning districts will not adversely affect the character and livability of the surrounding residential neighborhood. The regulations are also intended to ensure that the home occupation remains subordinate to the residential use, and that the residential viability of the dwelling is maintained. The regulations recognize that many types of work can be done in a home with little or no effect on the surrounding neighborhood.

10. SEARCH ENGINE (continued)

EXAMPLE #10-2: ASHLAND, OREGON – ZONING ORDINANCE

The City of Ashland, Oregon, hosts their Zoning Ordinance on their website. A search engine allows the web user to search through the municipal code based on entered keywords. For example, a search for the term, “restaurants” leads to nine search results.



[site map](#) | [advanced search](#)


[Back To Municipal Code](#)


[Advanced Search](#)

[Sitemap](#)

Notify me
by Email

receive email updates for
Calendar Events & Important News





[City of Ashland, Oregon](#) / [Search](#) / Search Results

Municipal Code Search Results

Search for:

Results 1-9 of 9

Municipal Code

- [18.30.030 Neighborhood Central Overlay -- NM-C](#)
A. Permitted Density. The density shall be computed by dividing the total number of dwelling units by the acreage of the project, including land dedicated to the public. Fractional po
- [18.32.020 Permitted Uses](#)
The following uses and their accessory uses are permitted outright: A. Professional, financial, business and medical offices, and personal service establishments such as beauty and barber shops, laun
- [18.40.020 Permitted Uses](#)
The following uses and their accessory uses are permitted outright, subject to the requirements of Chapter 18.72, Site Design and Use Standards: A. Professiona
- [18.52.030 Conditional Uses](#)
The following uses and their accessory uses are permitted when authorized in accordance with the chapter on Conditional Use Permits: A. Junkyard and auto wreck
- [18.53.040 Use Standards](#)
A. Generally. Uses and their accessory uses are permi
- [18.56.040 PP Pedestrian Place Overlay](#)
A. Purpose of Pedestrian Place Overlay. The
- [18.92.030 Automobile Parking Spaces Required](#)
Uses and standards are as follows:
- [4.34.020 Tax imposed](#)
A. Except for exempt or tax-capped activities specified in AMC 4.34.030, the city imposes and levies, in addition to all other taxes, fees and charges of every kind, a tax upon:
- [4.34.030 Exemptions](#)
The tax levied by Section 4.34.020 shall be capped, at the amount specified, or shall not be collected or assessed on food or beverages: A. Sold by public or p

11. USER-FRIENDLY

WHAT IS THIS TOPIC?

A **user-friendly** ordinance is one that communicates information in ways that make it easy to understand for everyone: citizens, investors, developers, potential builders, businesses, consultants, lawyers, non-profit organizations, elected and appointed officials, staff, etc. It also means that information is easy to find.

A user-friendly zoning ordinance is one that combines the best strategies from the previous topic areas: text and section organization and formatting; page layout, design and formatting; the use of illustrations, photographs, three-dimensional graphics and tables; better use of cross-references; and the abundant use of hyperlinks.

A user-friendly ordinance is also one where the online version is searchable with a sophisticated search engine. And where a user guide is provided to assist new users in navigating the ordinance.

A user-friendly ordinance is not an afterthought; it does not happen by mistake.

SUMMARY OF COMMENTS

One of the most frequently cited comments was that the current Zoning Ordinance is difficult to use and not very user-friendly. While there are a variety of reasons for this conclusion, it was generally agreed the structure and format of the current regulations frustrates users, even long-term staff. Many of the comments received have been categorized into neat topic areas, such as the need for hyperlinks, a search engine, better formatting and organization, and more graphics and illustrations. The comments listed below are examples of the levels of frustration experienced by users.

COMMENT NUMBER	LISTENING SESSION COMMENTS
1	There has to be a better way for the average person to deal with the ordinance.
2	A user should be able to get to information in both hard copy and web quickly and visually.
3	The Zoning Ordinance needs to be user-friendly for everyone, even though that may be difficult.
4	The Zoning Ordinance needs to be understandable for the average citizen not just lawyers.
5	The Zoning Ordinance is difficult for the customer to navigate.
6	Regulations should be easy to understand for developers. This would reduce the need for meetings with staff to understand the regulations and promote clarity of what is required to develop in Charlotte.
7	The Zoning Ordinance is complex, lengthy, and bulky making it difficult to understand.

11. USER-FRIENDLY (continued)

8	The Zoning Ordinance should be condensed.
9	The Ordinance is too heavy and too big.
10	The Zoning Ordinance hard-copy is updated quarterly, and the website version and Municode version are updated within a two weeks after a text amendment is approved. Users indicate that there are too many versions.
11	Have a more interactive ordinance on the internet.
12	Need an adequate web application.
13	The online ordinance needs to have more links to help direct the customer to the right sections.
14	The Municode website version is easier to use than the version on the Departmental website. It allows the customer to “click” on specific Sections.
15	The Charlotte on-line Zoning Ordinance is composed of Chapter’s as separate PDF’s, which have no links to other Chapters, words, regulations, etc.
16	Web – enhanced search tool and hyperlinks.
17	The online ordinance is hard to find on the Charlotte website – it is not located under zoning. It is under “rezoning”, which is not intuitive to outside customers.
18	A digital document, hosted on our server, would be more user-friendly than the Municode document.
19	The Zoning Ordinance is not user friendly on the web page. It is all Adobe with no links. The staff usually has to assist customers by walking them through chapters in the online version.
20	Customers can’t find the Zoning Ordinance on Planning’s web site because they search under “Zoning Administration” or search the term “Zoning,” rather than “Rezoning.”
21	The Charlotte web version should be more interactive for the customers use.
22	Customers have a hard time finding the Zoning Ordinance on the website. It is under the Planning Department, not Zoning Administration. On the Planning website, it is under “Rezoning” not “Zoning”.
23	Commercial customers seeking a permit from Engineering and Property Management don’t know where to look to find the Zoning Ordinance regulations.
24	It would be helpful to be able to open two windows at the same time.

PROPOSED STRATEGIES

When the Zoning Ordinance is reorganized, this document includes numerous strategies that can improve the readability, navigation, and understanding of the regulations in the Zoning Ordinance.

There is ample room for the Zoning Ordinance improvements to make the document more “user friendly”. This report has touched upon a number of these in previous sections:

- ▶ Improve the organization and structure of the existing regulations.
- ▶ Develop an improved alphanumeric system.
- ▶ Improve the functionality of the table of contents and index
- ▶ Provide a “user-guide”.
- ▶ Incorporate graphic design principles for page layout, design and formatting.
- ▶ Incorporate more graphics, illustrations, cross-sections, and photographs.
- ▶ Utilize more tables or matrices to convey information.
- ▶ Evolve the Planning Department website Zoning Ordinance so that it is available as one document with a search engine.

Chapter 4

Types of Codes and Ordinances



A number of comments received during the listening sessions concerned **form-based codes and unified development ordinances**. To provide additional information, this chapter contains a brief description of what each type of code or ordinance contains: unified development ordinance, performance zoning codes/standards, form-based codes, transect codes/SmartCode, and hybrid ordinances.

Unified Development Ordinance

A Unified Development Ordinance (UDO) is a cohesive compilation of local regulations that serves as a one-stop-shop for all land use and development related regulations. Modern UDO's encourage the right types of development by making the rules easier to read and understand. Developers know exactly what is expected of them, while citizens have a better idea of what can be built. This increased predictability reduces the risk for both the developer and citizens. The following types of related regulations are often included in a Unified Development Ordinance:

TYPES OF REGULATIONS OFTEN INCLUDED IN A UNIFIED DEVELOPMENT ORDINANCE (UDO)

- Zoning regulations
- Subdivision regulations
- Historic preservation standards
- Tree regulations
- Floodplain regulations
- Stormwater management regulations
- Watershed regulations
- Infrastructure and public improvement regulations
- Environmental protection regulations
- Erosion and sedimentation control regulations
- Design guidelines
- Form-based regulations
- Common definitions
- Enforcement and penalty regulations

Some of the *advantages* of a unified development ordinance are:

- ▶ A uniform set of consistent definitions is provided.
- ▶ The regulations work together to implement the community vision and plan.
- ▶ Procedures are integrated and provide detail on the sequence of all development approvals.
- ▶ A coordinated system for review and enforcement is included.
- ▶ The regulations increase predictability and reduce risks for both the developer and citizens.

Performance Zoning Codes/Ordinances

The *goal* of performance zoning is to regulate the effects or impact of land uses through performance standards. Unlike the Euclidean zoning approach, performance zoning does not organize uses into a zoning district hierarchy. Instead, it imposes minimum levels of performance by setting standards that must be met by each land use.

Performance standards can be separated into two categories, site or activity standards. *Site standards* regulate the appearance of new developments to achieve a compatible appearance between land uses. *Activity standards* regulate the outputs of an industry to limit the noxious effects businesses or industry can have on adjoining properties. The standards are written precisely, with numerical measurements or formulas.

Performance standards can be used to regulate traffic flow, density, buffers, noise, airborne emissions, vibrations, odor, glare, heat, toxic matter, radioactivity, electrical radiation, fire and explosion, hazardous materials, street type, outdoor storage, lot coverage, drainage controls, floor area ratio, maintenance of buildings, and access to light and air.

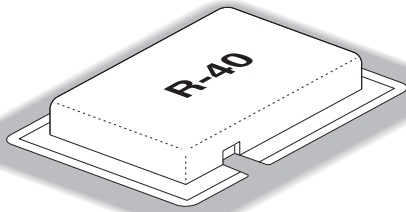
The use of performance standards ranges from a true performance based zoning ordinance applicable to all zoning districts with no use lists, to a more traditional zoning ordinance with a use table, and performance standards incorporated into specific zoning districts.

The *advantages* of performance zoning aspects include:

- ▶ eliminates the need for use tables or lists;
- ▶ regulates the compatibility and appearance between land uses;
- ▶ creates standards for all uses;
- ▶ controls the impact of development on the quality of life in the area; and
- ▶ flexibility increases the community's ability to attract potential investors.

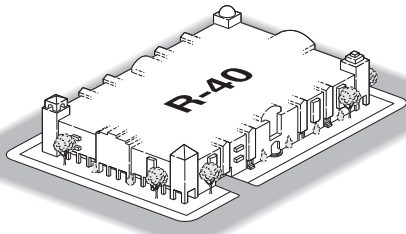
Form-Based Codes

Form-based codes are an alternative to conventional or Euclidean zoning. While conventional zoning districts generally separate uses from each other, form-based codes use the physical form of development as the organizing principle, rather than separating uses in specific districts.



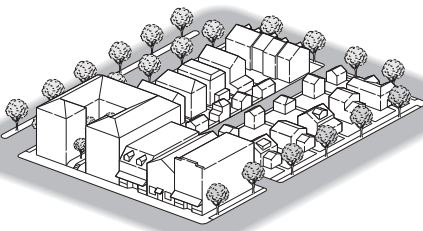
How **zoning** defines a one-block parcel

Density, use, FAR (floor-area ratio), setbacks, parking requirements and maximum building height(s) specified.



How **design guidelines** define a one-block parcel

Density, use, FAR (floor-area ratio), setbacks, parking requirements, maximum building height(s), frequency of openings, and surface articulation specified.



How **form-based codes** define a one-block parcel

Street and building types (or mix of types), build-to lines, number of floors, and percentage of built site frontage specified.

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This type of code replaces zoning districts—such as “single-family residential” or “general business”—with a district that might be called “traditional neighborhood” or “neighborhood main street” zone. Each form-based zone can include a mix of uses and different building types. Instead of being auto-oriented, this type of code focuses on the creation, revitalization and preservation of vibrant and walkable urban places.

Form-based codes address the form and mass of buildings in relation to context, and the scale and types of streets and blocks in order to foster a predictable built urban form with a high-quality public realm. They also address the relationship between building facades and the public realm.

The public realm includes all exterior places, linkages and built form elements that are physically and/or visually accessible regardless of ownership. These elements can include streets, pedestrian sidewalks or trails, bikeways, bridges, plazas, nodes, squares, transportation hubs, parks, greenways, natural features, view corridors, landmarks and any public and civic building and facilities.

Typically, the *essential elements* of a form-based code include a regulating plan (which replaces the zoning map), building form standards, thoroughfare standards, civic space standards, frontage type standards, subdivision standards, definitions, and administration. *Optional components* that can add clarity to a code include building type standards, architectural standards, sustainability standards, landscape standards, green building standards, and signage standards.

The first-step in creating a form-based code is the preparation of a detailed, highly prescriptive regulating plan prior to code development. A regulating plan establishes the overall principles for development. Once the regulating plan is adopted, the form-based code is developed to implement the physical vision of the regulating plan. The

new zoning districts are determined on a block-by-block basis to reflect the existing character of each neighborhood and require new development to respect and complement the existing neighborhood character.

The *advantages* of having a form-based code include:

- ▶ A mixed-use environment and a mix of housing types is emphasized to bring destinations closer to housing and provide more housing choices within areas.
- ▶ Standards and parameters for form (build-to lines, frontage type requirements, etc.) are emphasized, rather than numerical parameters (FAR, density, etc.), leading to a more predictable outcome.
- ▶ Rules for building form are emphasized, while density and use regulation are not. Uses may change over time, but the building form endures.
- ▶ Greater attention is given to streetscape and design of the public realm, and the role of each building in shaping the public realm.
- ▶ Information can be conveyed in a simple pictorial style.

Transect Codes/SmartCode

The SmartCode is a type of form-based code designed to keep development compact and rural lands open, and to reform the sprawling patterns of conventional, separated-use zoning. The SmartCode differs from some other form-based codes in that its community-scale and block-scale regulations are essential to create walkable mixed-use neighborhoods, thereby combatting sprawl, preserving open lands, and reducing energy use and carbon emissions.

This type of code uses a system of *zones*—rather than zoning districts—based on a continuum from rural-to-urban characteristics. New urbanist practitioners refer to the framework of the rural-to-urban transect used in this way as “the transect.”

For instance, a six-zone transect code example (depicted on the top of the facing page) is:

- T1 (natural zone)
- T2 (rural zone)
- T3 (suburban zone)
- T4 (general urban zone)
- T5 (urban center zone)
- T6 (urban core zone)

The transect zones vary by the ratio and level of intensity of their natural, built, and social components, and require walkable streets, mixed use, transportation options, and housing diversity for both new development and redevelopment. The diagram on the top of page 95 lays out the relationship of the region and community to the transect zones in the model SmartCode.

To supplement the base SmartCode—and to tailor the code to local needs—there are supplemental “modules” that can be plugged into the base code. These include modules such as: affordable housing incentives, affordable housing policy, architectural standards, bicycling, building types, civic space, complete thoroughfare assemblies, crime prevention, flood hazard mitigation, lifelong communities, light levels, live-work design and policies, natural drainage, noise levels, place types, regional watersheds, residential markets, retail markets, wetland buffers, signs, sprawl repair, transit-oriented development and sustainable urbanism performance-based modules.



Transect Zones in the model SmartCode

Hybrid Codes

The term, “hybrid code” has been used to categorize codes or ordinances that combine elements of conventional and form-based codes.

Hybrid approaches range between pure Euclidean and pure form-based codes. There are numerous variations, and include the following examples:

- Combination of conventional zoning districts with form standards. **(Austin, TX)**
- Ordinances linking building types and permitted uses. **(Mooreville, NC)**
- Mandatory form-based districts for specific areas. **(Denver, CO)**
- Parallel conventional and form-based codes. **(Flagstaff, AZ—**the form-based code is an optional code with the underlying zoning remaining in place, but it includes numerous incentives to encourage its use)
- Combination of conventional zoning districts for stable neighborhoods plus form-based zoning districts for redevelopment areas. **(Ft. Myers Beach, FL)**
- Combination of conventional zoning districts and form-based zones for specific areas that offer great opportunities for revitalization. **(Peoria, IL)**
- Combination of conventional zoning districts with an optional form-based floating-zone for mixed-use infill developments. Developers who want to build under the floating code commit to a public workshop or “charrette” process at the initial planning stages. The code provides explicit standards for assignment of zones and the selection of street and lot types from a pre-approved palette. The elected officials approve each individual regulating plan through a rezoning process. **(Sarasota County, FL)**

- A regional form-based code that offers administrative approval of new “villages” at specified sites, while also functioning as a zoning overlay that can be applied to infill sites at the initiative of individual landowners. **(Lee County, FL)**
- Combination of a conventional ordinance with an optional, or parallel form-based code to foster transit and pedestrian-oriented infill redevelopment. The form-based code includes incentives such as expedited review and approvals, to encourage its use. **(Arlington County, VA)**
- A combination of conventional regulations with a transect-based code that includes mandatory, optional, and floating standards to address unique on-the-ground opportunities. For existing, conventional suburban subdivision, the code provides an optional set of form-based codes to regulate the development of large parcels. The intent is to generate buildings whose massing and articulation reflect the neighborhood’s scale, and to prevent large monolithic and repetitive buildings. **(Ventura, CA)**

Appendix A

Mission Statement

Charlotte Zoning Ordinance Diagnostic Assessment and Recommendations 2010



Problem Statement

The last major overhaul of the Charlotte Zoning Ordinance began in the late 1980s, with adoption in 1992. Over the subsequent 20 years, text amendments have modified the Ordinance to keep pace with new zoning and planning issues, concerns and best practices. While multiple text amendments provide needed updates to portions of the Ordinance, the City has not had the opportunity to evaluate the Ordinance in a comprehensive way since 1992.

In late 2008, a Request for Qualifications (RFQ) was advertised and over ten consultants responded with a proposal to assist with the reorganization and restructuring of the Zoning Ordinance. However, the timing of the proposals coincided with the economic uncertainty facing the City and no consultants were subsequently interviewed.

The Charlotte-Mecklenburg Planning Department's FY 2010 *Strategic Operating Plan* modified the direction and scope of this initiative by assigning the assessment and evaluation portion of the RFQ to a staff team. The charge was to design a stakeholder process to review and assess the Zoning Ordinance.

Mission Statement

- ▶ Develop a stakeholder process to evaluate and critique the format, organization and general content of the existing Zoning Ordinance.
- ▶ Prepare a diagnostic assessment report that summarizes and evaluates the shortcomings of the Zoning Ordinance with regard to format and organization. Based on the feedback gathered, research alternative solutions to improve the Zoning Ordinance and make recommendations for future consideration when the Ordinance is updated and modernized.

■ Component #1: Assessment of Format and Organization and Research

Process: Through a series of internal (City and County staff) and external (public) input or listening sessions, evaluate and identify components, methods and techniques that can improve the readability, navigation, and understanding of regulations in the Zoning Ordinance.

Purpose: The listening session comments will be categorized by topic area and then analyzed. Research will be undertaken to discover how other communities have addressed these issues and concerns.

Questions to Explore at Listening Sessions Regarding *Format and Organization*:

- How user-friendly is the current Ordinance overall? What has been your experience in using the Ordinance?
- What do you think are the most user-friendly aspects of the Ordinance?
- What aspects of the Ordinance are the least user-friendly? What keeps these areas from being user-friendly?
- Can information be found easily? If not, what are some examples?
- How could the Ordinance be reorganized to make it easier to use?
- How can the readability and clarity of the Ordinance be improved?
- Is there technology that could be used to improve the digital version of the Ordinance?

■ Component #2: Assessment of General Content for Future Modernization

Process: During the listening sessions gather comments related to general ordinance content that that may need to be updated, modified, or modernized during a future major rewrite.

Purpose: The general content comments will be categorized by Zoning Ordinance Chapters. Staff will prepare a brief summary of key content changes that are suggested.

Questions to Explore at Listening Sessions Regarding *General Content*:

- What is the purpose of the Charlotte Zoning Ordinance?
- What are the major problems with the existing content of the Ordinance?
- Does the Ordinance have the features needed to implement Council adopted plans and policies?
- Do the Ordinance regulations reflect best practices?
- Does the type of development constructed align with the purpose of the district under which it was developed?
- Should the regulations be simplified?
- Is the Ordinance helping us create the type and quality of places that we want?
- Should more flexibility be added to the Ordinance?
- Are additional zoning districts needed, or should some districts be revamped with new or different development and design standards?
- What part of the Zoning Ordinance wastes most staff time in interpreting?

■ Component #3: Diagnostic Report and Recommended Strategies

Process: Prepare a technical "Diagnostic Report and Recommendations" that includes the following elements: 1) Executive Summary; 2) Format and Organization comments; 3) Content Comments for future updates to the Zoning Ordinance; and 4) Recommended Strategies to address the format and organization comments, along with examples illustrating the strategy.

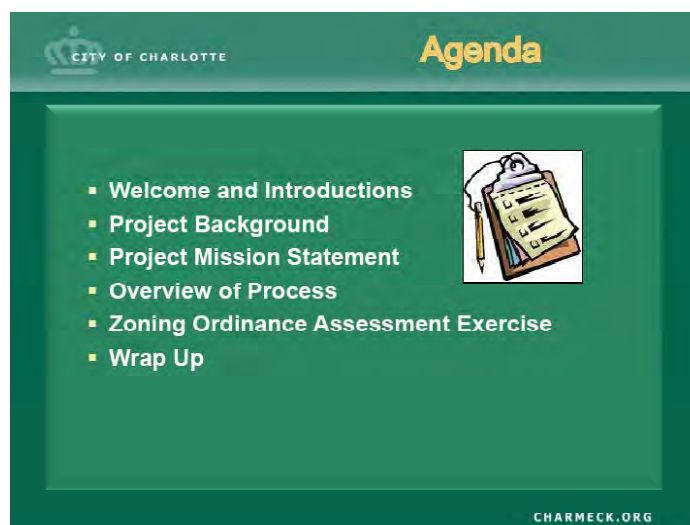
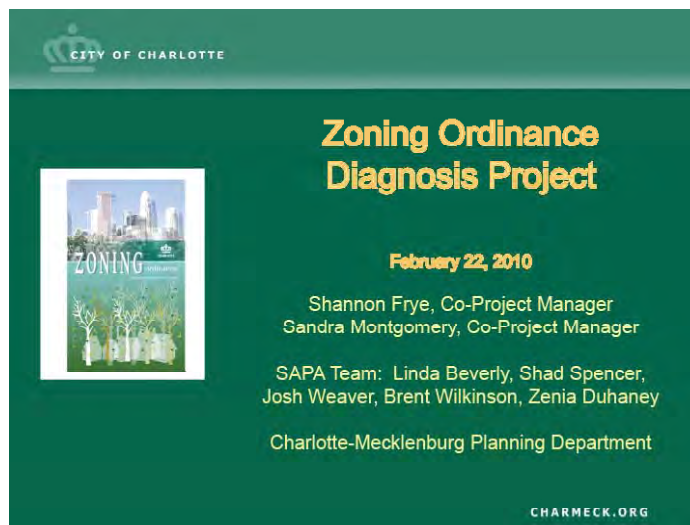
Purpose: The Diagnostic Report and Recommendations will be a reference tool used in the next steps of updating, modernizing, and/or rewriting the Zoning Ordinance. Staff will propose techniques, methods, or tools that can be used to restructure the Zoning Ordinance to be easy to read, easy to navigate, easy to understand, and effective in both a printed and digital format. Examples from exemplary communities will be provided to visually convey concepts.

Appendix B

Zoning Ordinance Diagnosis Project PowerPoint



The Planning Department staff presented an overview of the Zoning Ordinance reorganization project, schedule and assessment process at the beginning of each listening session with City and County staff. The PowerPoint slides used in the overview are given here.



 CITY OF CHARLOTTE


Project Background

1980 -1992: Last comprehensive overhaul of Zoning Ordinance

2008: RFQ for Ordinance Reorganization and Reformatting Prepared

- Over 10 consultants responded
- No consultants were interviewed due to economy

2009 SOP Work Plan Project: Improve Customer Service by updating and revising the Zoning Ordinance.





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 CITY OF CHARLOTTE

Zoning Ordinance as a Tool


The Zoning Ordinance is our major regulatory tool

- Guides growth and development in accordance with the City's Vision, adopted plans and policies
- Establishes zoning districts, regulations, maps, and processes




SOP Vision Statement:
"The Charlotte-Mecklenburg Planning Department will be an innovative and effective public planning agency helping to create one of the most vibrant, well-planned, and livable urban communities in the country."

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 CITY OF CHARLOTTE

Project Mission Statement

Develop an internal stakeholder process to evaluate the format, organization and general content of the existing Zoning Ordinance.



Prepare a Diagnostic Report:

- Summarizes staff and stakeholder feedback
- Includes a list of recommendations for reformatting and reorganizing the Ordinance, and
- Includes recommendations for types of content updates to be made to the Ordinance.

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 **Future Direction**

Future direction will be determined by the Planning Director and Leadership

- Funding Sources
- Staff Resources
- Consultant Option



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 **Assessment Questions**

FORMAT AND ORGANIZATION:

- What aspects of the Ordinance are the least user-friendly? Most friendly?
- How can the Ordinance be reorganized to make it easier to use?
- How can the readability and clarity of the Ordinance be improved?
- Can information be found easily? If not, what are some examples?

CONTENT:

- What are the major problems with the existing content of the Ordinance?
- Do the Ordinance regulations reflect best practices?
- Does the type of development occurring in Charlotte align with the purpose of the various zoning districts?
- Is the Ordinance helping us create the type and quality of places we want?
- Should more flexibility be added to the Ordinance?
- Are additional zoning districts needed? Or should some be revamped?
- What part of the Ordinance wastes the most staff time in interpreting? Or are the hardest for the public to understand?

ARE THERE OTHER QUESTIONS OR FEEDBACK WE SHOULD BE CONSIDERING BUT HAVE NOT IDENTIFIED?

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 **Wrap-Up**

Additional Comments?

swfrye@ci.charlotte.nc.us
smontgomery@ci.charlotte.nc.us

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Appendix C

Content Comments

Arranged by Zoning Ordinance Chapters



Phase 1 of this project focused on *format and organization* of the Charlotte Zoning Ordinance, and comments on that subject are in the main body of this report (pages 15-90).

Many comments were also received from City and County staff during the listening sessions regarding the *content* of the Ordinance. These comments are outside the scope of Phase I, but will assist the future efforts in Phase II of updating and modernizing the Zoning Ordinance.

These content comments from the listening sessions are organized according to the 13 chapters of the Zoning Ordinance:

Chapter 1: Purpose and Applicability	104
Chapter 2: Definitions and Rules of Construction	104
Chapter 3: Decision-Making and Administrative Bodies	105
Chapter 4: Development Approval	106
Chapter 5: Appeals and Variances	106
Chapter 6: Amendments	106
Chapter 7: Non-Conformities	106
Chapter 8: Enforcement	107
Chapter 9: General Districts	107
Chapter 10: Overlay Districts	114
Chapter 11: Conditional Districts	116
Chapter 12: Development Standards of General Applicability	117
Chapter 13: Sign Regulations	119
Other Content Comments	120

CHAPTER 1: PURPOSE AND APPLICABILITY

1	The regulations in the various Ordinances are like a “staircase”. Can it be clearly explained what ordinances or regulations trump what?
2	Regulations layers on top of each other, which take precedence?
3	What district regulations trump what? Watershed, historic district, overlay districts?

CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

PART 1: RULES OF CONSTRUCTION

No comments received.

PART 2: DEFINITIONS

4	The definitions are out-dated.
5	There is a lack of definitions or out-dated definitions. They should be revised, modernized, and new terms added, as well as graphics.
6	The definitions defined should match the intent of the term used in the rest of the Ordinance. However, sometimes a term is further refined within in a zoning district. This leads to confusion.
7	Hybrid uses are not defined, or discussed. New definitions should be added as new uses or hybrid uses are brought to light. What standards apply in these situations?
8	The definition section is sometimes inconsistent with language used in the rest of the code. The terms should match.
9	Remove regulatory language from the definition section, as it is easy to miss, and hard to find.
10	The definition chapter needs to be reviewed, updated and modernized.
11	There is no clear definition of what a unified development is.
12	Fix the definition of “multi-family” to include quadraplex units.
13	All terms should be defined and located in one place.
14	Every term used in the ordinance needs a definition.
15	The definitions are not up-to-date with new and hybrid uses.
16	A definition for Group Homes is needed, and Day Treatment Centers, Home Day Care Treatment Centers.

CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION (continued)

17	The “Shelter” definition in Building Code is different from the definition of “shelter” in the Zoning Ordinance.
18	Need a better definition of impervious cover vs. open space.
19	A definition of “street”, “private street”, and “alley” is needed.
20	A redevelopment definition may provide flexibility rather than having a developer “opt-out” of regulations. Consider limiting the number of items that a developer can choose to opt-out of.
21	There is a disconnect between the Zoning Ordinance definition for “shelter” and the Building Code’s definition. More specific language is needed.

CHAPTER 3: DECISION-MAKING AND ADMINISTRATIVE BODIES**PART 1: CITY COUNCIL**

No comments received.

PART 2: PLANNING COMMISSION

No comments received.

PART 3: BOARD OF ADJUSTMENT

No comments received.

PART 4: HISTORIC DISTRICT COMMISSION

22 When do the Historic District regulations trump the overlay regulations?

PART 5: PROFESSIONAL STAFF

33 Professional Staff duties need to be updated. Department notes?

34 What department is responsible for what? What section is administered/enforced by what department? Consider refining the professional roles of the various departments, their duties, responsibilities, etc.

35 Better define the roles and responsibilities of various departments involved with the zoning process.

36 The roles of staff are not defined.

CHAPTER 4: DEVELOPMENT APPROVAL

37	What is the development process? How does a customer determine where he is in the development process? The Zoning Ordinance shows just a part of the overall development process.
38	Can a process flow-chart be added for the entire development approval process?
39	There are multiple notification processes for change of use and certain uses (quarries, religious institutions in residential districts, etc.) Notification information should all be located in one place.

CHAPTER 5: APPEALS AND VARIANCES

No comments received.

CHAPTER 6: AMENDMENTS

No comments received.

CHAPTER 7: NON-CONFORMITIES

40	The non-conforming section is basically the same as the 1960 version.
41	Updates to non-conformity chapter are needed. Policies should be reviewed. In updating the chapter, make sure the older residential areas are not penalized. Recognize the existing built environment for setback and yard determinations.
42	Grandfathering uses vs. non-conforming uses.
43	There are no non-conforming provisions for development standards. A variance is needed.
44	It is not clear when non-conforming signs need to be brought into compliance. Some are still allowed to exist. Is the amortization period 8 years or 12 years? This is an enforcement issue.

CHAPTER 8: ENFORCEMENT

45	What is the development process? How does a customer determine where he is in the development process? The Zoning Ordinance shows just a part of the overall development process.
46	Can a process flow-chart be added for the entire development approval process?
47	There are multiple notification processes for change of use and certain uses (quarries, religious institutions in residential districts, etc.) Notification information should all be located in one place.

CHAPTER 9: GENERAL DISTRICTS

GENERAL COMMENTS: DISTRICTS, REGULATIONS, USES, OPTIMAL PROVISIONS AND URBAN DISTRICTS

48	What kinds of districts are needed today?
49	Do we have the right districts?
50	Fewer Districts would be a good thing.
51	Fewer and more flexible districts are needed that consider the context of the site. Currently regulations written for greenfields are enforced in infill sites, such as in center city neighborhoods.
52	There are too many Zoning Districts. They need to be revamped.
53	Fewer districts are needed, not more. They should be flexible.
54	Do not add any more additional zoning districts, prefer to have less.
55	There has been a paradigm shift. Are highest vs. lowest districts still valid?
56	There are too many districts.
57	There is a hodge-podge of districts; some are Euclidean and other's are not.
58	Should there be more by-right rezonings or are conditional rezonings still preferred? Should the base zoning districts be strengthened?
59	Consistent districts are needed. As districts have been added over time, they vary greatly from the existing older districts.
60	Too many districts exist.
61	Strengthen the by-right zoning districts with regulations to minimize the need for conditional rezonings.

CHAPTER 9: GENERAL DISTRICTS (continued)

62	Consolidate the number of districts.
63	District summary pages would be helpful.
64	The purpose statements for the various districts have not been updated.
65	Are the purpose statements still valid?
66	There are unnecessary standards and inconsistency between zoning districts. Why does the institutional district require a 40' setback when all other districts require a 20' setback?
67	The ordinance does not address massing standards of buildings, volume, and building type.
68	The blanket standards in districts may not be appropriate when applied to an Uptown high-rise vs. a suburban development (Ballantyne).
69	There is inconsistency of language and regulations for some uses between zoning districts. Text is fine-tuned for each specific district, resulting in variations.
70	The current school and church requirements for access to a thoroughfare or collector road causes issues when DOT doesn't want to permit direct access to that thoroughfare and neighborhood.
71	Schools are required to be on main roads, and this competes with commercial uses for the same sites.
72	The current wording for wireless communications (cell towers) is convoluted, difficult to read, and not concise. The regulations are being used as checklist. It is difficult to read.
73	Regulations for the same uses vary between chapters (dumpsters, Chapter 12).
74	How can we put flexibility into the regulations? How can we have flexibility and regulate?
75	The current ordinance is a "suburban" ordinance – text amendments have tried to make it an Urban code instead of a true new code.
76	The height limitations should be reevaluated in all the districts.
77	There is inconsistency of language and regulations for some uses between zoning districts. The text is fine-tuned specifically for each district, resulting in variations.
78	Does the Zoning Ordinance get us the type and quality of open space we want? Or are we just getting leftover unusable land that results in a patchwork or mosaic greenway as development occurs? Why can't developers get together and coordinate?
79	The urban districts are used to get out of requirements and are used in suburban locations.
80	The Euclidean paradigm ranks districts highest to lowest, but the list of districts is in reverse in Section 9.102.
81	Replace the use tables with a generic use table.

CHAPTER 9: GENERAL DISTRICTS (continued)

82	The use table is not helpful for the zoning counter personnel. All districts should be reflected in the same table for easier reference.
83	Use tables should be revised, but they take up a lot of space.
84	Consider modifying the use table to make it more generic in nature, like other large cities are doing.
85	Some uses are difficult to find because they are clumped together in long paragraphs, requiring more time to scan these uses, since they are not listed separately, or in alphabetical order.
86	There is not consistency between uses. Group all use standards together (example: parking).
87	Some uses are described or grouped differently in other districts; there is not a consistent list of uses (example: retail, shopping centers are overly complicated with sizing restrictions, types, etc.)
88	There are new uses like internet gambling that have not been added to the Ordinance. Are they allowed or not?
89	Need to get it back to specifics, left too much to interpretation. Too vague in terms of uses, especially new uses such as internet gambling.
90	There are uses that overlap with other uses, such as restaurants with entertainment.
91	Specific uses vs. general uses. General uses are difficult for enforcement, hard to defend. Difficult to be specific but still have some flexibility.
92	The current ordinance tries to preclude uses. It needs to state the allowed uses.
93	When listing out certain specific uses add “and similar uses”
94	Telephone booths should be removed as a use.
95	When uses are listed, add “and similar uses.”
96	Specific uses should be alphabetized to help the customer and staff find them quickly.
97	Uses listed in the urban districts have paragraph long lists of uses allowed. It is difficult to quickly know what is permitted, because they are not listed individually.
98	Review the optional provisions in the urban districts. Is it fair to be required to rezone property in order to get a parking reduction?
99	Delete the list of uses in each district, and use a use table instead.
100	Uses should be in a chart and not restated in textual form in each district as a list.
101	Existing uses are vague and newer uses are not included. This then requires an interpretation to determine what classification to use for them.

Appendix C: Content Comments

CHAPTER 9: GENERAL DISTRICTS (continued)

102	Add new uses: ATM's, free-standing smoothie stations, drive-up coffee shops and ice vendors, kiosks.
103	PODS are being used as a permanent accessory structure in residential districts. Rockingham has zoning language that restricts the use of containerized storage and shipping units in residential districts. Should this be considered in our Ordinance?
104	Homogeneity between the urban districts would help the format.
105	Include regulations for regulating big box development. Does the Ordinance encourage redevelopment of big box sites?
106	The urban districts are driven by design guidelines. The urban districts aren't meant to be absolutely the same.
107	The urban districts are inconsistent. It is hard to figure out what applies. Wording should be consistent.
108	Add pedestrian street lighting requirements in the urban districts.
109	There are no differences in the regulations of most districts for suburban locations or urban locations (parking, buffers, solid waste).
110	Sight distance triangles are required in some urban districts, but not in others.
111	The sight distance regulations should just refer to CDOT policy.
112	The urban districts are written differently and are difficult to understand and administer. Who is responsible for what?
113	The current ordinance is a "suburban" ordinance – text amendments have tried to make it an Urban code instead of a true new code.
114	The urban core was built as suburban (Dilworth, Myers Park).
115	Separation distance standards for nightclubs are inconsistent across zoning districts, and relationship to residential uses and districts.
116	There are no applicability sections in the urban zoning districts.
117	The urban districts are difficult to administer because the regulations are all different.
118	The optional rezoning process may be illegal.
119	Property is being rezoned to a district that has optional provisions in order to "opt out" of the requirements.
120	Instead of allowing developers to opt out of regulations, could alternative regulations be added that would allow the developer to choose which standard to use, rather than not meeting any standard (i.e. avoid blank walls, articulation, building materials, mix of uses). This would allow some flexibility.

CHAPTER 9: GENERAL DISTRICTS (continued)

121	Has the optional provision been challenged in the courts? State statues define variances and require quasi-judicial hearings.
122	Could opting out limits be set, that would, for example, allow a limited number of standards to opt out of?
123	Eliminate the optional provisions in the districts. Use the variance route, instead.
124	Incorporate the optional process into other zoning districts to provide flexibility, like is provided in the MUDD district.
125	Don't become too flexible. For instance, don't create formulas to determine setbacks.

PART 1: TABLE OF USES AND HIERARCHY

126	Uses should be in a chart and districts should only have development standards.
127	Simplify the use table. Make it easy to find and navigate.
128	Replace the use tables with a generic use table.
129	Consider generic use tables for each zoning district vs. one large table vs. using both.
130	The use table is not helpful for the zoning counter personnel. Need all districts reflected in the same table for easier reference.
131	Use tables should be revised but they take up a lot of space.
132	Simplify the use table. Make it easy to find and navigate.
133	The table for permitted uses is better now after it was revised.
134	Delete the list of uses in districts and use a table instead.

PART 2: SINGLE FAMILY DISTRICTS

135	Some uses with prescribed conditions are still located in the by-right list of uses. Move them into the correct section.
136	There are too many single family districts.
137	Why can schools have a "free-standing" parking lot in a residential district?
138	Review open space and impervious surface coverage for updating.

CHAPTER 9: GENERAL DISTRICTS (continued)
PART 3: MULTI-FAMILY DISTRICTS

No comments received.

PART 4: URBAN RESIDENTIAL DISTRICTS

139 Parking decks are not allowed as a principal use in the urban districts.

140 Why do we have the UR district and MX?

PART 5: INSTITUTIONAL DISTRICTS

141 Reevaluate the institutional district standards regarding side yards and setbacks. Why are they so large?

142 There are unnecessary standards and inconsistency between zoning districts. Why does the institutional district require a 40' setback when all other districts require a 20' setback?

PART 6: RESEARCH DISTRICTS

143 Some of the districts are obsolete, i.e. RE, UI.

PART 7: OFFICE DISTRICTS

No comments received.

PART 8: BUSINESS DISTRICTS

No comments received.

PART 8.5: MIXED USE DEVELOPMENT DISTRICT

144 The MUDD zoning district is an example of an urban district used in suburban locations because it is the only district that allows that type of mixed development. It doesn't align with the original intent of the district.

145 The MUDD district is used to get out of requirements, i.e. parking.

146 The MUDD district is becoming the new NS, with no standards.

147 The MUDD district should only be allowed in Centers and Corridors, not Wedges.

CHAPTER 9: GENERAL DISTRICTS (continued)

148	MUDD district parking requirements are minimal. Streets are getting over-parked as a result.
149	Some districts such as MUDD are used inappropriately. Try to put 40 lbs. in 10 lb. bag.
150	An application section in the MUDD district is missing.
151	Parking decks are not allowed as a principal use in the MUDD district. And yet, this is where most development occurs, and yet we want minimal parking areas.
152	MUDD-O and MX are being used to not meet the underlying minimum requirements.
PART 9: UPTOWN MIXED USE DISTRICT	
153	Parking decks are not allowed as a principal use in the UMUD District.
PART 10: URBAN INDUSTRIAL DISTRICT	
154	Some of the districts are obsolete, i.e. RE, UI.
PART 11: INDUSTRIAL DISTRICTS	
155	The industrial district is being used for commercial uses. The standards should be beefed up.
PART 12: TRANSIT ORIENTED DEVELOPMENT DISTRICTS	
156	Do we need three TOD districts?
157	Only one TOD district is needed, not three.
158	Parking decks are not allowed as a principal use in TOD.

CHAPTER 10: OVERLAY DISTRICTS

GENERAL COMMENTS

159	Overlay districts are not clearly understood by the public. They don't always show up with the underlying zoning.
160	The "two-layer" approach (underlying district and overlay district) is confusing for citizens, and they don't understand underlying vs. overlay districts.
161	Underlying and overlay districts can be confusing for customers. They might not know an overlay district is applicable too.
162	The overlay districts are all in one chapter, but they are so different.
163	Do we need Conservation Districts?
164	Environmental issues overlap in the watershed regulations, SWIM buffers, and Post-Construction Control Ordinance.
165	The buffer requirements in the watershed regulations are confusing.
166	The mitigation requirements are not clear in the watershed regulations.
167	The watershed averaging program is a process, not a standard. It is difficult for the public to understand.
168	Watershed Overlay Districts can be confusing. Not all together. Need to combine them.
169	Some water quality buffers are located in the watershed overlay districts (Chapter 10), some are located in SWIM (Chapter 12).

PART 1: PURPOSE

No comments received.

PART 2: HISTORIC DISTRICTS

170	Some regulations don't work in historic districts.
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PART 3: AIRPORT ZONE

No comments received.

PART 4: MANUFACTURED HOME OVERLAY

No comments received.

CHAPTER 10: OVERLAY DISTRICTS (continued)**PART 5: MOUNTAIN ISLAND LAKE WATERSHED OVERLAY**

No comments received.

PART 6: CATAWBA RIVER/LAKE WYLIE WATERSHED OVERLAY

No comments received.

PART 3: LOWER LAKE WYLIE WATERSHED OVERLAY

No comments received.

PART 4: PEDESTRIAN DISTRICT OVERLAY

171

The PED Overlay district may prevent a traffic study. When the City was the petitioner in a re-zoning, no traffic study was required because the underlying district doesn't require one.

172

The PED Overlay district standard for parking is inconsistent with CLDSM. The Manual requires a 7' wide space, and the PED district requires 8'.

173

The definition of re-development and the Ordinance regulations may prevent or be in conflict with what we want to happen in the PED zoning district.

174

Parking decks are not allowed as a principal use in the PED district.

175

Is the PED overlay district an urban district?

PART 9: TRANSIT SUPPORTIVE OVERLAY DISTRICT

176

The Transit Supportive Overlay district requires a "record of decision."

177

Is the Transit Supportive Overlay (TS) overlay district needed?

CHAPTER 11: CONDITIONAL DISTRICTS

GENERAL COMMENTS

178	Are the purpose statements for the various districts still valid and applicable?
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PART 1: PURPOSE

179	Is the purpose statement still valid?
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PART 2: MIXED USE DISTRICTS

180	Why do we have the MX district and UR?
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181	There is a misuse of districts to get out of requirements, i.e. the MX district is used to allow private streets.
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182	Are the purpose statements for the various districts (i.e. NS) still valid and applicable?
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183	The innovative standards provision is being used to “opt-out” of minimum requirements, not provide innovative solutions.
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184	The MX district is being used to not meet the underlying minimum requirements.
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PART 3: MANUFACTURED HOUSING DISTRICT

No comments received.

PART 4: COMMERCIAL CENTER DISTRICT

185	Do we need an urban CC district? We need a district that is less intense pedestrian oriented.
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PART 5: NEIGHBORHOOD SERVICES DISTRICT

No comments received.

PART 6: HAZARDOUS WASTE DISTRICT

No comments received.

PART 7: RESEARCH DISTRICT

186	This district is not being used anymore. It is obsolete.
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CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

GENERAL COMMENTS

187	Chapter 12, “Development Standards of General Applicability,” contains a mix of regulations that aren’t tied to other Chapters or Sections.
188	Chapter 12 appears to be the dumping ground for anything that doesn’t fit in other chapters.
189	Chapter 12 is a dumping ground; if you can’t find it anywhere, look in Chapter 12.

PART 1: SUPPLEMENTAL DEVELOPMENT STANDARDS

190	Some sections of the ordinance are too cumbersome (e.g. cell towers). The language needs to be simplified.
191	Wireless communication standards are hidden under “Height Limitations” in Chapter 12, and are hard to find.
192	Why are backflow preventers not allowed in the setback?

PART 2: OFF-STREET PARKING AND LOADING

193	Why are cross-access via shared driveways not allowed between institutional uses, such as a church and commercial uses, like a drugstore?
194	Greenways need to have parking requirements. They are missing from the current Ordinance.
195	CDOT’s policy for undertaking a traffic impact study is not the same as the Zoning Ordinance threshold. Consider removing it from the Zoning Ordinance.
196	Short-term bike parking is not required to be covered.
197	The Zoning Ordinance requires public street frontage for lots, but adequate infrastructure may not exist to provide adequate access. (Paper streets with alley access)
198	The standards for parking deck clearance heights are in the Building Code, and the standards in the Zoning Ordinance do not agree with them.
190	On street parking can’t be used to meet required parking regulations so developers don’t want to provide it.
200	Why can’t brick pavers be used in planting strips?
201	Schools and churches do not want access from a collector or residential street, but CDOT does not want to grant access to thoroughfares.
202	The parking provisions are in multiple locations (Chapter 12 and in urban districts).

PART 3: BUFFERS AND SCREENING

203	Zoning buffers need to address drainage through them.
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CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY(continued)

204	What takes precedence: the Tree Ordinance requires trees, and the Zoning Ordinance allows mitigation?
205	The Tree Ordinance (Chapter 21 of the City Code) standards conflict with the Zoning Ordinance standards.
206	Buffer regulations don't work in urban areas.
207	Buffer regulations are the same in urban and suburban settings.
208	Is a greenway a permitted use in a buffer? Can it be cleared?
209	Consolidate the buffer requirements for properties adjacent or abutting industrial into the buffer section.
210	What uses are allowed in the buffer?
PART 4: ACCESSORY USES AND STRUCTURES	
211	The lighting section is unclear and subjective. Would like to incorporate more qualitative standards like those in the Huntersville Ordinance.
212	The flag regulations are in two places (Chapter 12 and 13) and should be consolidated.
PART 5: SPECIAL REQUIREMENTS FOR CERTAIN USES	
213	The lot size restricts the size of child care centers in a residence, and doesn't allow in homes, lot size restricts the size and doesn't allow it to go to bigger daycare.
214	Separation standards are inconsistent.
215	Requirements for uses different between chapters, i.e., dumpsters. The requirements in Chapter 12 are different than in District.
PART 6: SPECIAL REQUIREMENTS FOR CERTAIN USES	
No comments received.	
PART 7: NUISANCES	
No comments received.	

CHAPTER 13: SIGN REGULATIONS

216	The Sign Chapter is outdated. It is very difficult to understand and should be brought into compliance with the content-neutral concept. It may have legal issues.
217	Add regulations for electronic signage for on-premise advertising.
218	Sign regulations should have linkages and references for signs other than those in ordinance, i.e.; handicap sign, internal mall signs.
219	It needs to be clear that signage is not approved as part of building permit review. A permit is still needed.
220	It is not clear when non-conforming signs need to be brought into compliance. Some are still allowed to exist. Is the amortization period 8 years or 12 years? This is an enforcement issue.
221	Are portable signs allowed within 11' of the right-of-way?
222	The sign flex regulations are unclear. It leads to bargaining on large sites. Who qualifies? Who doesn't? When is it required to go to Planning?
223	Permit runners are used to obtain permits. Should they be licensed or bonded when pulling permits? UL label?
224	Should we care about the structural integrity of large signage and billboards?
225	Sign regulations are in Chapter 13, while exceptions and other sign regulations are in other Chapters based on zoning, leading to confusion on what is or is not permitted.
226	The sign regulations are out-dated and do not reflect current best practices.
227	Chapter 13, "Signs" is very difficult to comprehend.
228	Chapter 13 needs to be overhauled. It is hard to read and understand for general public.
229	Flag regulations are buried in Chapter 13 and hard to find. Other regulations exist in Chapter 12.
230	Sign provisions are located in multiple locations...in Chapter 13, in urban districts, and the regulations vary.
231	All sign information should be located in Chapter 13, instead of requiring the user to flip back and forth from other Chapters to check for additional regulations or restrictions.
232	The 311 system refers all signage questions to Lovely Bell in Neighborhood and Business Services when all commercial signage is handled by Engineering and Property Management.

LISTENING SESSION COMMENTS ON CONTENT

233	Use past interpretations to see what clarifications may be needed in the Ordinance.
234	Resolve conflicts between districts and sections.
235	Does the ordinance align with the vision/policy/adopted plans? The ordinance is the regulatory tool that implements the vision/plan.
236	Implement policy recommendations from adopted documents: GDP, Centers, Corridors, and Wedges (soon to be adopted).
237	Incorporate sustainable development techniques and uses (eco-friendly, solar, wind, etc.).
238	Review policy allowing deviations from meeting the requirements.
239	The existing Ordinance standards are geared towards Greenfield development, not re-use/re-development. Consider allowing optional standards when regular standards can't be met when a property is redeveloped, or reused.
240	From a GIS standpoint, the number of districts, the overlays, and separate data bases makes it confusing and difficult.
241	Has the addition of an Adequate Facilities Ordinance been considered?
242	Align the Zoning Ordinance with the GDP's and Centers, Corridors, and Wedges.
243	Link GIS to zoning criteria.
244	The Ordinance should recognize infill development and Greenfield development, and have corresponding regulations.
245	The Ordinance precludes everything we don't want. Consider revising to create an Ordinance that says what we do want.
246	The Ordinance process gets us to more or less, common ground. When it comes to review of site plans, details can become a problem. Large developments don't get the scrutiny that smaller ones to.
247	Add regulations for renewable energy: solar, photovoltaic fields, windmills, etc. Embrace new technologies.
248	Address new technologies, like renewable energy.
249	Reevaluate the amount of renovation required to kick-in requirements to bring a site up to code in the various districts.
250	Do the Zoning Ordinance requirements get the City what we want?
251	The re-use of sites and the ability to not bring a site up to code, results in not attaining the goals of the districts.
252	Instead of revising the Zoning Ordinance, text amendments have been made to a suburban code to try to make it more urban.

LISTENING SESSION COMMENTS ON CONTENT (continued)

253	Why are shared parking agreements to be stored at CDOT?
254	Incorporate the Transportation Action Plan into the Zoning Ordinance or UDO.
255	Large rezoning developments have less detail on their site plans, because they don't have all the details of their development at the time of the rezoning, because it is expensive to have engineering drawings completed for conditional rezoning.
255	An expectation has been created regarding conditional rezoning petitions. The neighborhoods will know exactly what is proposed and they are able to dictate what is on the conditional plan.
256	The Ordinance is not contextual.
257	Building code use definitions conflict with the Zoning Ordinance use definitions.
258	The standards conflict with the reuse of sites and change of use.
259	Do the standards encourage smaller sites to redevelop?
260	Add a commentary column in the Zoning Ordinance similar to what is in the North Carolina Building Code to address the purpose and intent and assist with interpretations.
261	The intent of area plans have not been incorporated into the standards or ordinance language. A gap exists between area plans and standards for by-right development.
262	Is it time to revisit the distributive model of zoning services (divided between 3 departments)? Is this the best method to deliver these services? Could it be tweaked? Reinvented?
263	City and County Code Enforcement, including zoning enforcement are increasingly moving towards doing the same types of work. Is it time to consider consolidation under one umbrella?
264	Building plans reviewers deal with occupancy and use issues similar to what planning and zoning officials wrestle with. Should the Zoning Ordinance be rewritten to better accommodate building and use conflicts? Should uses be redefined to align with the State Building Code definitions?

