

MOTION # 2014-8

MOTION TO CHANGE: X TEXT
 DISTRICT BOUNDARIES
(IF A CHANGE IN DISTRICT BOUNDARIES, LIST PARCEL(S) AFFECTED)

PUBLIC HEARING DATE 11-10-14

PROPOSED ACTION

Miscellaneous text revisions/clarifications to the UDO

AFFECTED AND/OR ADJACENT PROPERTY OWNERS NOTIFIED na

ATTACHMENTS INCLUDE list of all proposed text revisions

PROTEST PETITION FILED? YES (IF YES, DATE)
 NO

OTHER COMMENTS: When the UDO was adopted, we recognized that we would have a greater than normal number of revisions in the year or so after initial use of the new code book. This is the second group of mostly very minor corrections and clarifications. They include: deleting text that is repeated; correcting cross reference numbers; making the use tables consistent with other text in the code; re-inserting text that was inadvertently not brought forward from the Zoning Ordinance; deleting an illustration that is not consistent with the text; clarifying that the Innovative Development Provisions may be used for building and structure design standards in the Conditional-Only districts; clarifying criteria in sign tables for temporary and wayfinding signs; and adding standards for alleys to be consistent with criteria given for all other street types.

Zoning Motion 2014-8

Miscellaneous Corrections to UDO Text

Each word or section of text highlighted in purple is new text to be added. Each word or section of text in ~~purple with a line through it~~ is text to be deleted.

Chapter 1, General Provisions

155.103.C. Live/Work Unit: shall mean ~~a live/work unit is~~ a building which incorporates a dwelling and an enclosed space for employment. These spaces share some common interior and/or exterior amenities, but shall have separate secured entry/exit locations. The residential and business use portions may be occupied by the same persons.

Chapter 4, Application Requirements and Review Procedures

155.401.7 Use of Innovative Development Provisions

C. CERTAIN ZONING DEVELOPMENT STANDARDS MAY BE MODIFIED. The quantitative dimensions and locational zoning standards listed here which would normally apply to development may be modified through the innovative development process.

1. Lot area.
2. Lot width.
3. Public street frontage.
4. Setbacks and yards.
5. Building separation.
6. Height of fences and walls.
7. Location of off-street parking (distance from site and/or on-site or off-site provisions; ~~partially within a sight triangle; partially within perimeter planting or required screening~~).
8. Specific standards set within the Conditional-Only zoning districts for “Building and Structure Design Principles” (within subsection G of each district’s section at 155.503) when they would result in new development concepts, innovative design, unique circumstances, or public/private ventures.

Chapter 5, Use Districts

155.503.8. Entertainment District (ENT)

G. BUILDING AND STRUCTURE DESIGN PRINCIPLES.

2. EXTERIOR BUILDING WALLS.

e. Alternative percentages of listed materials or types of materials may be requested by the Innovative Development Provisions at § ~~155.503.5.H.~~ 155.503.8.H. at the time of initial district designation, or through the Administrative Amendment process for an individual building after it has received site plan and elevation plan approval.

G. BUILDING AND STRUCTURE DESIGN PRINCIPLES.

~~11.~~ INNOVATIVE DEVELOPMENT.

Should be H. INNOVATIVE DEVELOPMENT.

155.504.2 Highway Overlay District

Add original date of adoption of the Highway Overlay at 155.504.2.B.6.a.iii.

Lots bordering on Highway NC51 which were created prior to ~~application of this Section 155.504.2~~ January 7, 1991, and which are less than two (2) acres shall be handled in accordance with the nonconforming regulations in Chapter 3 of this Title.

155.505.1, 2, and 3 Tables of Allowed Uses

For “Police station, subject to 155.506.7”, add designation of PC for these districts: R/I and CrC

For “Solar collector installation”, add designation of ACC to these districts: R-15MF, R-12MF, R/I, SRN,

AU

155.505.2 Table of Allowed Uses, Traditional and Parallel Traditional Nonresidential Districts

For “Athletic or sports fields, ballfields, in a concentration of three or more, and similar outdoor physical recreation facility intended for use by teams of participants” replace the “ACC” with the designation of P to the R/I district

155.506.12 Private Stable

A. Structures, pasture areas, corrals, and other enclosed areas for the keeping of horses on single family sites may be permitted in and near residential areas when provisions are followed to limit any inappropriate health or safety impacts to surrounding properties. Private stables may be allowed in the R-20, R-15, R-12, and R-9 districts as an accessory use to a residence when the following standards are in place. Separate provisions for Equestrian-Oriented Subdivisions control stables within them, and are at § 155.506.2.

155.506.19 Urban Farm

A. An urban farm providing space for the growing and harvesting of consumable food products by an individual or other community members, and may be allowed in any zoning district **except I-2 and AU** when meeting the qualifications listed below.

155.506.43.C.6 Garage Sale, etc.

. . . . Garage, rummage or yard sales may be held on a nonresidential property **except in the AU district** by the owner/occupant of the parcel or may be conducted by other person(s) with the consent of the property owner, for up to three (3) consecutive days. . . .

Chapter 6, General Development Standards

155.607.3 Design of Off-Street Parking Facilities.

B. Off-Street Parking Space Dimensions.

Delete the illustration on page 607-5 that has dimensions which are not consistent with the text.

155.608.4 Prohibited Signs.

Re-insert text on time between change of display for changeable copy signs, where one sentence was inadvertently not brought forward from old ZO.

C. Flashing signs, which shall include signs in which all or any part flashes; use lights of intermittent illumination; or use lights of changing degrees of intensity. That portion of a sign which only shows date, time, and/or temperature is allowed. **Changeable copy signs shall not be considered flashing or moving signs, and therefore prohibited, only when their copy does not change more often than one (1) time every twelve (12) hours.**

Make corrections to the various tables in the Signs chapter at **§§ 155.608.10 through 13** for consistency and clarity, regarding temporary signs and government/wayfinding signs, as shown below:

155.608.10 Signs in all Residential Districts, Including Single-Family, Multi-Family, and Mixes of All or Predominately-All Residential Uses

D. TABLE OF SIGN REGULATIONS FOR USES IN THE RESIDENTIAL DISTRICTS.

USE	NUMBER PERMITTED	TYPE PERMITTED	MAXIMUM SIGN AREA (SQUARE FEET)	
			NUMBER PERMITTED ⁽¹⁾	LOCATION PERMITTED
Government/Wayfinding and intermittent uses occurring on a regular scheduled weekly basis		na	See §155.608.6.L and K	
Temporary for Campaigns/civic or special events ⁽²⁾ as regulated at §155.608.6.G & H	1 per lot OR 1 per business, as applicable	12	Temporary none 1 per lot OR 1 per business, as applicable	Behind street R-O-W 12
Temporary for Business use ⁽²⁾ on private property as regulated at §155.608.8.A	1 per lot OR 1 per business, as applicable	16	Temporary none 1 per lot OR 1 per business, as applicable	Behind street R-O-W 16
Government/Wayfinding and intermittent uses occurring on a regular scheduled weekly basis		na	See §155.608.6.L and K	

⁽¹⁾ Two freestanding identification signs may be permitted in accordance with the provisions of § 155.608.7.C.

⁽²⁾ Behind street right-of-way and no illumination.

155.608.11 Signs in the Residential/Institutional District

D. TABLE OF SIGN REGULATIONS FOR USES IN THE RESIDENTIAL/INSTITUTIONAL DISTRICT.

TYPE PERMITTED	NUMBER PERMITTED	MAXIMUM SIGN AREA (SQUARE FEET) ⁽³⁾	ILLUMINATION PERMITTED	LOCATION PERMITTED
Temporary for campaigns/civic or special events as regulated at §155.608.6.G & H	1 per lot OR 1 per business, as applicable	12	none	Behind street R-O-W
Temporary for business use on private property as regulated at §155.608.8.A	1 per lot OR 1 per business, as applicable	16	none	Behind street R-O-W

Government/Wayfinding
and intermittent uses occurring on a regular scheduled
weekly basis

See §155.608.6.L and K

Separate Designated Uses Within Single Site or Complex

TYPE PERMITTED	NUMBER PERMITTED	MAXIMUM SIGN AREA (SQUARE FEET) ⁽³⁾	ILLUMINATION PERMITTED	LOCATION PERMITTED
Temporary for campaigns/civic or special events as regulated at §155.608.6.G & H	1 per lot OR 1 per business, as applicable	12 12	none	Behind street R-O-W
Temporary for business use on private property as regulated at §155.608.8.A	1 per lot OR 1 per business, as applicable	16 16	none	Behind street R-O-W

Government/Wayfinding
and intermittent uses occurring on a regular scheduled
weekly basis

See §155.608.6.L and K

155.608.13 Signs in Mixed Use and Nonresidential Districts (HUC, B-1, B-3, B-D, B-H, I-1, I-2, MUD, TS, B-1SCD, ENT, AND AU)

D. TABLE OF SIGN REGULATIONS IN HUC, B-1, B-3, B-D, B-H, I-1, I-2, MUD, TS, B-1SCD, ENT, AND AU DISTRICTS.

TYPE OF SIGN	NUMBER PERMITTED	LOT FRONTAGE (LINEAL FEET)	TOTAL MAXIMUM SIGN AREA (SQUARE FEET) ⁽⁴⁾
Temporary for campaigns/civic or special events as regulated at §155.608.6.G and H	1 per lot OR 1 per business, as applicable	12 1 per lot OR 1 per business as applicable	Behind street R-O-W 12
Temporary for business use on private property as regulated at §155.608.8.A	1 per lot OR 1 per business, as applicable	16 1 per lot OR 1 per business as applicable	Behind street R-O-W 16

Chapter 7, Public Improvement Standards

155.701.A.1. in Table of Minimum Right-of-way Requirements, add a footnote ⁴ at 30' alley width, then add explanation of footnote ⁴ to be "See 155.707.A.8."

155.707.A. – Add a new paragraph 8 as follows:

ALLEY (PUBLIC AND PRIVATE).

- a. **RIGHT-OF-WAY.** Dedicated by the developer if public. Private alleys may be located within an established single parcel paralleling the alley pavement, or may located within an easement over adjacent parcels.
- b. **IMPROVEMENTS.** Constructed by the developer. All alleys must be constructed to comply with the minimum standards of the Mecklenburg County Land Development Standards Manual and all appropriate applicable Town requirements. Public improvements shall be made in accordance with adopted plans, programs and budgets. When an alley is dedicated to the public, it should not be expected that the occurrence of development will result in immediate installation of further public street improvements by the public sector. Private alleys shall meet the construction standards for public alleys for subgrade, base, and surface although standards for curbing, sidewalks, and minimum widths may be altered.