CHAPTER 4. APPLICATION REQUIREMENTS AND REVIEW PROCEDURES

155.401. Amendments ................................................................................................................................. 4-1

155.401.1 General Requirements for Zoning Map Changes and Amendments
155.401.2 Additional Standards and Criteria for Amending the Town Land Use Plan
155.401.3 Additional Standards and Criteria for Amending the Regulations of this Title
155.401.4 Additional Standards and Criteria for Amending the Zoning Map
155.401.5 Administrative Amendment Approval, and Site Plan and/or Elevation Plan Review and Approval
155.401.6 Conditional-Only District and Parallel Traditional District Zoning Provisions
155.401.7 Use of Flexible Design Standards

155.402. Vested Rights ................................................................................................................................. 4-13

155.402.1 Purpose
155.402.2 Definitions
155.402.3 Obtaining a Certificate of Vested Right
155.402.4 Approval of a Site Specific Vesting Plan
155.402.5 Termination of a Zoning Vested Right
155.402.6 Voluntary Annexation
155.402.7 Repealer

155.403. Process for Deciding Interpretations, Appeals, and Variances ..................................................... 4-16

155.403.1 Interpretation and Variance Limitations
155.403.2 Application Process
155.403.3 Findings of Fact for Zoning Variances
155.403.4 Conditions of Approval for Zoning Variances
155.403.5 Burden of Proof
155.403.6 Action by Board of Adjustment
155.403.7 Other Appeal or Variance Actions
155.403.8 Effect of Board’s Decision
155.405. Subdivisions

155.405.1 General Requirements
155.405.2 Subdivision Plat Required
155.405.3 Approval Prerequisite to Plat Recording
155.405.4 General Subdivision Design Criteria
155.405.5 Major and Minor Subdivision Classifications
155.405.6 Sketch Plan Requirements and Procedures
155.405.7 Preliminary Plan Requirements and Procedures
155.405.8 Final Plat Requirements and Procedures
155.405.9 Contents of the Sketch Plan, Preliminary Plan and Final Plat
155.405.10 Subdivision Improvement Guarantees
155.405.11 Development Agreements

CHAPTER 5. USE DISTRICTS

155.501. Zoning Districts Established

155.501.1 Traditional Districts
155.501.2 Parallel Traditional Districts
155.501.3 Conditional-Only Districts
155.501.4 Overlay Districts

155.502. Traditional Districts and Parallel Districts Created

155.502.1. Single-Family Residential District (R-20)
155.502.2. Single-Family Residential District (R-15)
155.502.3. Single-Family Residential District (R-12)
155.502.4. Single-Family Residential District (R-9)
155.502.5. Manufactured Home District (R-MH)
155.502.6. Multi-Family Residential District (R-15MF)
155.502.7. Multi-Family Residential District (R-12MF)
155.502.8. Residential/Institutional District (R/I)
155.502.9. Office District (O)
155.502.10. Historic Urban Core District (HUC)
155.502.11. Neighborhood Business District (B-1)
155.502.12. High Rise Business District (B-3)
155.502.13. Distributive Business District (B-D)
155.502.15. Light Industrial District (I-1)
155.502.16. General Industrial District (I-2)
155.503. Conditional-Only Districts Created................................................................................... 5-12

155.503.1. Residential Varied Style District (R-VS)
155.503.2. Crestdale Conservation District (CrC)
155.503.3. Small Residential Neighborhood District (SRN)
155.503.4. Concentrated Multi-Family District (C-MF)
155.503.5. Mixed-Use District (MUD)
155.503.6. Transit-Supportive District (TS)
155.503.7. Shopping Center District (B-1SCD)
155.503.8. Entertainment District (ENT)
155.503.9. Adult Use District (AU)

155.504. Overlay Districts Created.................................................................................................... 5-72

155.504.1. Downtown Overlay District (DO)
155.504.2. Highway NC51 Overlay District (HO)
155.504.3. Entertainment District Overlay District

155.505. Tables of Allowed Uses........................................................................................................ 5-90

155.506. Prescribed Conditions for Certain Uses and Supplementary Regulations......... 5-91

155.506.1 Home-Based Businesses
155.506.2 Equestrian-Oriented Subdivisions
155.506.3 Residential Care Facilities Within A Single-Family Environment
155.506.4 Bed and Breakfast Establishments
155.506.5 Room Renting and Boarding
155.506.6 Child Care Homes and Child Day Care Facilities
155.506.7 Institutional Uses In Residential Settings
155.506.8 Recreational Uses In or Adjacent to Residential Settings
155.506.9 Accessory Apartments and Single-Family Dwellings with Multiple Kitchens
155.506.10 Live Work Units
155.506.11 Electric and Gas Substations, Sewer treatment Plants, Water Storage Tanks, Well Lots, and other similar Utility Structures
155.506.12 Private Stables
155.506.13 Cemeteries, Mausoleums, Columbarium, and Crematorium
155.506.14 Limited Food and Beverage Sales in Neighborhood Common Facilities
155.506.15 Commercial Indoor and /or Outdoor Tennis and Racket Clubs and Associated Swimming Pools
### 155.506. Prescribed Conditions for Certain Uses and Supplementary Regulations (Continued)

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>155.506.16</td>
<td>Continuing Care Retirement Communities (CCRC)</td>
</tr>
<tr>
<td>155.506.16A</td>
<td>Independent Living Facilities</td>
</tr>
<tr>
<td>155.506.17</td>
<td>Skilled Care (Nursing Home) Facility</td>
</tr>
<tr>
<td>155.506.18</td>
<td>Motorcycle Safety Training Course</td>
</tr>
<tr>
<td>155.506.19</td>
<td>Urban Farms</td>
</tr>
<tr>
<td>155.506.20</td>
<td>Temporary Portable Storage Containers</td>
</tr>
<tr>
<td>155.506.21</td>
<td>Subdivision or Residential Development Sales Office</td>
</tr>
<tr>
<td>155.506.22</td>
<td>Cottage Cluster Housing Development</td>
</tr>
<tr>
<td>155.506.23</td>
<td>Medium Density Ecological Developments</td>
</tr>
<tr>
<td>155.506.24</td>
<td>Reserved</td>
</tr>
<tr>
<td>155.506.31</td>
<td>Commercial uses in Multi-Family and Office Buildings</td>
</tr>
<tr>
<td>155.506.32</td>
<td>Hotels and Extended Stay Hotels</td>
</tr>
<tr>
<td>155.506.33</td>
<td>Drive-In Service Windows</td>
</tr>
<tr>
<td>155.506.34</td>
<td>Transit Stop Shelters</td>
</tr>
<tr>
<td>155.506.35</td>
<td>Commercial Riding Stables</td>
</tr>
<tr>
<td>155.506.36</td>
<td>Outdoor Sales In Conjunction With A Permanent Business</td>
</tr>
<tr>
<td>155.506.37</td>
<td>On-Site Demolition Disposal Sites</td>
</tr>
<tr>
<td>155.506.38</td>
<td>Quarries</td>
</tr>
<tr>
<td>155.506.39</td>
<td>Specialty Sales Establishments with Related Activities</td>
</tr>
<tr>
<td>155.506.40</td>
<td>Outdoor Commercial Amusements</td>
</tr>
<tr>
<td>155.506.41</td>
<td>Communications Facilities</td>
</tr>
<tr>
<td>155.506.42</td>
<td>Veterinary Clinics, Veterinary Hospital, Animal Day Care Kennels, Commercial Kennels, and Animal Grooming Facilities</td>
</tr>
<tr>
<td>155.506.43</td>
<td>Temporary Uses For Business Purposes</td>
</tr>
<tr>
<td>155.506.44</td>
<td>Short-term Temporary Uses and Festivals of Civic or Nonprofit Nature</td>
</tr>
<tr>
<td>155.506.45</td>
<td>Alcohol and Alcoholic Beverages, Wine, and Beer</td>
</tr>
<tr>
<td>155.506.46</td>
<td>ADULT USES</td>
</tr>
<tr>
<td>155.506.47</td>
<td>Archery or Firearms Range, Indoor Only</td>
</tr>
<tr>
<td>155.506.48</td>
<td>Solar Collector Installation</td>
</tr>
<tr>
<td>155.506.49</td>
<td>Gas (Fueling) Station with Convenience Store</td>
</tr>
<tr>
<td>155.506.50</td>
<td>Internet Sweepstakes or Adult Gaming Facility</td>
</tr>
</tbody>
</table>
CHAPTER 6. GENERAL DEVELOPMENT STANDARDS

155.601. General Regulations

155.601.1 Zoning Affects Every Building and Use
155.601.2 Prohibited Reduction of Yards and Lot Area
155.601.3 Combination of Substandard Lots
155.601.4 Encroachment of Open Space or Utility Easements Prohibited
155.601.5. Every Lot Must Abut a Street
155.601.6. Fractional Requirements
155.601.7. Modification of Development Standards
155.601.8. Structures Above Height Limit
155.601.9 Certain Encroachments into Yard Allowed
155.601.10 Private Alleys Included in Lots
155.601.11 Specific Standards for Certain Side and Rear Yards
155.601.12 Location of Required Yards on Irregular Lots
155.601.13 Sight Triangle
155.601.14 More than One Principal Building per Lot
155.601.15 Driveways
155.601.16 Vibrations
155.601.17 Noise
155.601.18 Special Requirements for Lots along Thoroughfares
155.601.19 Prior Cluster Subdivisions
155.601.20 Accessory Structures
155.601.21 Fences and Walls in Residential Districts and Developments
155.601.22 Accessory Uses and Buildings
155.601.23 Unit Ownership (Condominium/Townhouse/Planned Community) Development

155.602. Site Plan Layout – General Urban Design Principles

155.602.1 General
155.602.2 Civic Use Areas


155.603.1 General
155.603.2 Exterior Building Walls
155.603.3 Roofs and Parapets
155.603.4 Windows and Doors
155.603.5 Signage
155.604. Dimensional Standards

155.604.4 Table of Dimensional Standards - R-VS District
155.604.5 Table of Dimensional Standards -- Nonresidential Uses in SRN and C-MF Districts

155.605. Lot Development Standards

155.605.1. Residential Only Buildings
155.605.2. Institutional Buildings
155.605.3. Commercial and Mixed Use Buildings

155.606. Tree Protection and Landscaping Regulations

155.606.1. Purpose, Applicability, and Use of Terms
155.606.2. General Planting and Screening Requirements
155.606.3. Streetscape Planting
155.606.4. Perimeter Planting
155.606.5. Interior Landscaping
155.606.6. Screening
155.606.7. Tree Canopy Requirements
155.606.8. Vegetation Survey
155.606.9. Tree Preservation Planning
155.606.10. General Landscape Plan
155.606.11. Preservation Standards
155.606.12. Planting Standards
155.606.13. Landscape Maintenance Standards
155.606.14. Approved Tree and Shrub List

155.607. Off-Street Parking and Loading Requirements

155.607.1 General Off-Street Parking and Loading Requirements
155.607.2 Additional Off-Street Parking Requirements
155.607.3 Design of Off-Street Parking Facilities
155.607.4 Queuing Standards
155.607.5 Parking Structures
155.607.6 Parking Standards for Other Vehicles
155.607.7 Required Parking
155.607.8 Additional Off-Street Loading Requirements
155.607.9 Parking Fee-In-Lieu for Conversion of Surface Shared Lots to Future Structured Parking
155.608. Signs

155.608.1 Purpose
155.608.2. Scope
155.608.3. Indemnification
155.608.4. Prohibited Signs
155.608.5. General Provisions
155.608.6. Special Criteria for Signs Other Than Primary Identification and Advertising
155.608.7 Special Sign Regulations
155.608.8 Temporary and Portable Signs
155.608.9 Master Sign Plan
155.608.10 Signs in all Residential Districts, Including Single-Family, Multi-Family, and Mixes of All or Predominately-All Residential Uses
155.608.11 Signs in the Residential/Institutional District
155.608.12 Signs in the Office District
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)
155.608.14 Signs in Downtown Overlay District
155.608.15 Special Sign Corridors Created
155.608.16 Special Regulations for the US74/Independence Boulevard Sign Corridor

155.609. Outdoor Illumination

155.609.1. Purpose and Intent
155.609.2. Applicability
155.609.3. Definitions
155.609.4. General Exemptions
155.609.5. Light Measurement Technique
155.609.6. Outdoor Illumination Plan Required
155.609.7. General Illumination Design Standards
155.609.8. Special Design Requirements
155.609.9. Prohibited Uses of Lighting
155.609.10. Standards For Specific Uses
### CHAPTER 7. PUBLIC IMPROVEMENT STANDARDS

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>155.701</td>
<td>Streets</td>
</tr>
<tr>
<td>155.702</td>
<td>Lots</td>
</tr>
<tr>
<td>155.703</td>
<td>Street Name Signs and Barricades</td>
</tr>
<tr>
<td>155.704</td>
<td>Design Standards for Storm Water Collection and Drainage</td>
</tr>
<tr>
<td>155.704.1</td>
<td>Design Standards for Storm Water Provisions on All Development Projects</td>
</tr>
<tr>
<td>155.704.2</td>
<td>Design Standards for Surface Water Improvement and Management (SWIM) Buffers</td>
</tr>
<tr>
<td>155.705</td>
<td>Dedication of Open Space and Recreational Land</td>
</tr>
<tr>
<td>155.706</td>
<td>Payment of Fees in Lieu of Dedication</td>
</tr>
<tr>
<td>155.707</td>
<td>Improvements</td>
</tr>
<tr>
<td>155.708</td>
<td>Streetscape Tree Standards</td>
</tr>
<tr>
<td>155.709</td>
<td>Landscaping Standards</td>
</tr>
<tr>
<td>155.710</td>
<td>Inspections</td>
</tr>
<tr>
<td>155.711</td>
<td>Acceptance of Dedicated Land and Public Improvements</td>
</tr>
<tr>
<td>155.712</td>
<td>Public Improvement Variances</td>
</tr>
</tbody>
</table>

### CHAPTER 8. POST CONSTRUCTION STORM WATER REGULATIONS

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>155.801</td>
<td>General Provisions</td>
</tr>
<tr>
<td>155.802</td>
<td>Administration and Procedures</td>
</tr>
<tr>
<td>155.803</td>
<td>Standards</td>
</tr>
<tr>
<td>155.804</td>
<td>Development and Redevelopment Mitigation</td>
</tr>
<tr>
<td>155.805</td>
<td>Undisturbed Open Space</td>
</tr>
<tr>
<td>155.806</td>
<td>Maintenance</td>
</tr>
<tr>
<td>155.807</td>
<td>Violations and Enforcement</td>
</tr>
<tr>
<td>155.808</td>
<td>Definitions</td>
</tr>
</tbody>
</table>

### CHAPTER 9. FLOODPLAIN REGULATIONS

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>155.901</td>
<td>General Provisions</td>
</tr>
<tr>
<td>155.902</td>
<td>General Provisions</td>
</tr>
<tr>
<td>155.903</td>
<td>Administration and Enforcement</td>
</tr>
<tr>
<td>155.904</td>
<td>Appeals and Variances</td>
</tr>
</tbody>
</table>
155.906. Legal Status Provisions......................................................................................................................9-22

CHAPTER 10. HOUSING CODE

155.1001. General Provisions..........................................................................................................................10-1
155.1002. Definitions........................................................................................................................................10-1
155.1003. Minimum Standards..........................................................................................................................10-3
155.1004. Responsibilities of the Owners and Occupants............................................................................10-6
155.1005. Mecklenburg County Code Enforcement Administration and Enforcement..........................10-7
155.1006. Violation; Penalties..........................................................................................................................10-10