

Article 13. Transit Oriented Development Zoning Districts: TOD-TR, TOD-CC, TOD-NC, TOD-UC

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13.1 PURPOSE AND APPLICABILITY

A. TOD-TR Transit Transition Zoning District

1. Purpose

The TOD-TR Transit Transition Zoning District is appropriate for parcels near moderate-intensity rapid transit stations and streetcar stops to transition from higher intensity Transit Oriented Development Zoning Districts to adjacent existing neighborhoods, or in transit neighborhoods where the rehabilitation and reuse of buildings is important to preserving the existing character and scale.

The TOD-TR Zoning District's modest maximum building heights, more relaxed design standards, expanded menu of permitted uses, and higher maximum parking limits are intended to accommodate and encourage transit oriented and transit supportive development in transit station areas where there is not a current market demand for more intense development. These station areas are generally further from Uptown. This zoning district is also intended for use in areas where adopted policy encourages the adaptive reuse of existing building stock.

The TOD-TR Zoning District may be used in any transit station area or near a streetcar stop where moderate intensity development is appropriate, but should not be used in the Uptown area (inside Interstate Highways 277 and 77).

2. Applicability

The TOD-TR Zoning District may be applied in any of the following areas:

- a.** Within a 1-mile walking distance of an existing rapid transit station, or within ½ mile walking distance of an existing streetcar stop.
- b.** Within ½ mile walking distance of an adopted Metropolitan Transit Commission alignment rapid transit station location.
- c.** Within ¼ mile walking distance of an adopted and funded streetcar stop.

B. TOD-CC Transit Community Center Zoning District

1. Purpose

The TOD-CC Transit Community Center Zoning District is appropriate for parcels near moderate-intensity rapid transit stations and streetcar stops. Its lower maximum building heights, and less stringent design standards are intended to accommodate and encourage transit oriented and transit supportive development in transit station areas where there is not a current market demand for more intense development. These station areas are generally further from Uptown.

The TOD-CC Zoning District may be used in any transit station area or near a streetcar stop where moderate intensity development is appropriate, but should not be used in the Uptown area (inside Interstate Highways 277 and 77). It is not intended for sites adjacent to a Neighborhood 1 Place Type unless separated by a Limited Access Highway, Parkway, Boulevard, or Avenue of at least four lanes, or a rail corridor, or by a public amenity greater than three acres in size.

2. Applicability

The TOD-CC Zoning District may be applied in any of the following areas:

- a. Within ½ mile walking distance of an existing rapid transit station, or within ¼ mile walking distance of an existing streetcar stop.
- b. Within ½ mile walking distance of an adopted Metropolitan Transit Commission alignment station location, and as identified in a financially constrained Metropolitan Transportation Plan (MTP) on an existing rapid transit corridor.
- c. Within ½ mile walking distance of an adopted and funded Metropolitan Transit Commission alignment station location on other rapid transit corridors.
- d. Within ¼ mile walking distance of an adopted and funded streetcar stop.

C. TOD-NC Transit Neighborhood Center Zoning District

1. Purpose

The TOD-NC Transit Neighborhood Center Zoning District is intended for use in existing or future transit station areas and near streetcar stops as a transition from a higher intensity TOD-UC Zoning District to adjacent existing neighborhoods, or where the rehabilitation and reuse of existing structures is important to preserving the character of established neighborhoods.

The TOD-NC Zoning District generally maintains the high level of design standards associated with the TOD-UC Zoning District, but is preferred over the TOD-UC Zoning District where less intensity is more appropriate, such as adjacent to a Neighborhood 1 Place Type, or where adopted policy recommends a lower maximum building height.

The TOD-NC Zoning District may be used in any transit station area or near a streetcar stop where moderate to high intensity transit oriented development is appropriate, but should not be used in the Uptown area (inside Interstate highways 277 and 77).

2. Applicability

The TOD-NC Zoning District may be applied in any of the following areas:

- a. Within a 1-mile walking distance of an existing rapid transit station, or within ½ mile walking distance of an existing streetcar stop.
- b. Within ½ mile walking distance of an adopted Metropolitan Transit Commission alignment station location.
- c. Within ¼ mile walking distance of an adopted and funded streetcar stop.

D. TOD-UC Transit Urban Center Zoning District

1. Purpose

The TOD-UC Transit Urban Center Zoning District is appropriate for parcels near high-intensity rapid transit stations and streetcar stops. Of the Transit Oriented Development Zoning Districts, the TOD-UC Zoning District will permit the greatest building heights, demand the uppermost level of site and architectural design, permit the least amount of vehicle parking, and require the most urban form of streetscape and public realm. This zoning district should be used on sites closest to transit stations and a limited number of streetcar stops where the highest density and most intense uses are envisioned.

The TOD-UC Zoning District may be used in any transit station area or near a streetcar stop where high intensity transit oriented development is appropriate. It is not intended for sites adjacent to a Neighborhood 1 Place Type unless separated by a limited-access highway, parkway, boulevard, or avenue of at least four lanes, or a rail corridor, or by a public amenity, greater than three acres in size.

2. Applicability

The TOD-UC Zoning District may be applied in any of the following areas:

- a.** Within ½ mile walking distance of an existing rapid transit station, or within ¼ mile walking distance of an existing streetcar stop.
- b.** Within ½ mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location, and as identified in a financially constrained Metropolitan Transportation Plan (MTP) on an existing rapid transit corridor.
- c.** Within ½ mile walking distance of an adopted and funded Metropolitan Transit Commission alignment station location on other rapid transit corridors.
- d.** Within ¼ mile walking distance of an adopted and funded streetcar stop.

13.2 USES

Article 15 lists permitted, temporary, and accessory uses for the Transit Oriented Development Zoning Districts. Use definitions are found in Article 15. Prescribed conditions applicable to certain principal uses, temporary uses, and accessory uses are also found in Article 15.

13.3 DIMENSIONAL AND DESIGN STANDARDS

The tables below include the dimensional and design standards for the Transit Oriented Development Zoning Districts. Standards within the tables below may contain specific regulations organized by frontage type (Section 3.5). In the tables below, where a cell contains a standard or a “✓” the standard is applicable. Where a cell is blank and shaded, the standard does not apply.

A. General

- 1.** Within the TOD-TR, TOD-CC, TOD-NC, and TOD-UC Zoning Districts, the following shall apply to multi-family attached residential developments:
 - a.** If a minimum 25' Class B landscape yard, measured from the future right-of-way line, abuts and runs parallel to an arterial street, the portion of the arterial street abutting this landscape yard shall not be considered a frontage for the standards of this article. The portion of the arterial street abutting this landscape yard shall still be considered a frontage for the standards of the remainder of this Ordinance. No parking lots shall be located between these landscape yards and permitted uses.
- 2.** For sites with three or more frontages, see Section 3.6 for alternative standards for ground floor activation, required prominent entrances, prominent entry design, and ground floor transparency.

B. Building Siting

Building siting standards govern the placement of buildings on lots and are intended to ensure that development maintains compatibility with its surrounding context and the intent of the applicable zoning district.

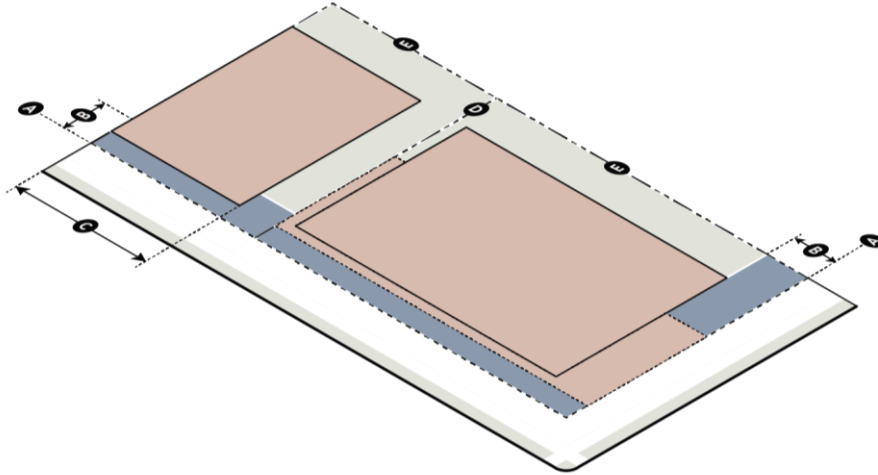


Table 13-1: Transit Oriented Development Zoning Districts Building Siting Standards					
		TOD-TR	TOD-CC	TOD-NC	TOD-UC
A	Frontage Setback Line (from future back of curb) (feet) ^{1, 2}				
	Uptown Signature	24	24	24	24
	Main Street	24	24	24	24
	Linear Park	36	36	36	36
	4-5 Lane Avenue/Boulevard	20	20	20	20
	6 or more Lane Avenue/Boulevard	24	24	24	24
	2-3 Lane Avenue	20	20	20	20
	Transit Station, Off-Street Public Path, Public Park ³	5	5	5	5
	Uptown Primary	20	20	20	20
	Other - Primary	20	20	20	20
	Uptown Secondary	16	16	16	16
	Secondary	16	16	16	16
	Parkway (Measured from ROW)	20	20	20	20
	Limited Access (Measured from ROW)	10	10	10	10
B	Frontage Build-To Zone (BTZ) (from frontage setback line) (feet) ^{4, 5}				
	Main Street	0-20	0-10	0-20	0-10
	4-5 Lane Avenue/Boulevard	0-20	0-10	0-20	0-10
	6 or more Lane Avenue/Boulevard	0-20	0-10	0-20	0-10
	2-3 Lane Avenue	0-20	0-10	0-20	0-10
	Transit Station, Off-Street Public Path, Public Park	0-20	0-10	0-20	0-10
	Other - Primary	0-20	0-10	0-20	0-10
	Secondary	0-20	0-10	0-20	0-10
	Parkway				
	Limited Access				

Table 13-1: Transit Oriented Development Zoning Districts Building Siting Standards					
		TOD-TR	TOD-CC	TOD-NC	TOD-UC
C	Minimum BTZ Build-To Percentage for Structure (%)				
	Main Street	80	80	100	100
	4-5 Lane Avenue/Boulevard	80	80	80	80
	6 or more Lane Avenue/Boulevard	80	80	80	80
	2-3 Lane Avenue	40	60	40	60
	Transit Station, Off-Street Public Path, Public Park	80	80	80	80
	Other - Primary	80	80	80	80
	Secondary	40	60	40	60
	Parkway				
	Limited Access				
D	Minimum Side Setback (feet)				
	Not abutting Neighborhood 1 Place Type	0	0	0	0
	Abutting Neighborhood 1 Place Type	10	10	10	10
E	Minimum Rear Setback (feet)				
	Not abutting Neighborhood 1 Place Type	0	0	0	0
	Abutting Neighborhood 1 Place Type	20	20	20	20

- ¹ On local and collector streets, measured from the curb location for Office/Commercial Wide Local Street Cross Section in CLDSM or the existing back of curb, whichever is farthest from the centerline. If SSI standards require the installation of curb, the relocation of the back of curb, or the back of curb is voluntarily relocated, that shall be considered the existing back of curb location.
- ² In no case shall any building entry be located closer than six feet to an existing or proposed off-street public path or shared use path.
- ³ For the transit station, off-street public path, public park frontage, shall be measured from a property line or right-of-way line. If there is an easement in place for any frontage, then the measurement shall be taken from such easement. For any frontage abutting a reservation for a future frontage, the frontage setback line shall be measured from the edge of the reservation area.
- ⁴ When an existing Charlotte Water easement, other utility easement, or overhead utility clearance requirement conflicts with the build-to zone requirement, a build-to line shall be established at the edge of the easement or edge of the overhead utility clearance requirement closest to the build-to zone. A build-to zone shall not be required along frontages which abut a man-made or natural physical feature 35 feet in width or greater such as, but not limited to, a railroad line, rapid transit line, gas pipeline, SWIM buffer, or a buffer related to post-construction stormwater requirements. This does not include any stormwater control measure as required by this Ordinance.
- ⁵ Where a lot has more than two frontages that require a build-to zone, the build-to zone shall be increased by 100% for those frontages that exceed two. Such an increase should be applied to those frontages that are lowest in the established hierarchy of frontages (Section 3.5.D).

C. Building Height

Building height standards govern the minimum and maximum heights of buildings, as applicable, and are intended to provide flexibility while maintaining appropriate transitions to adjacent areas.

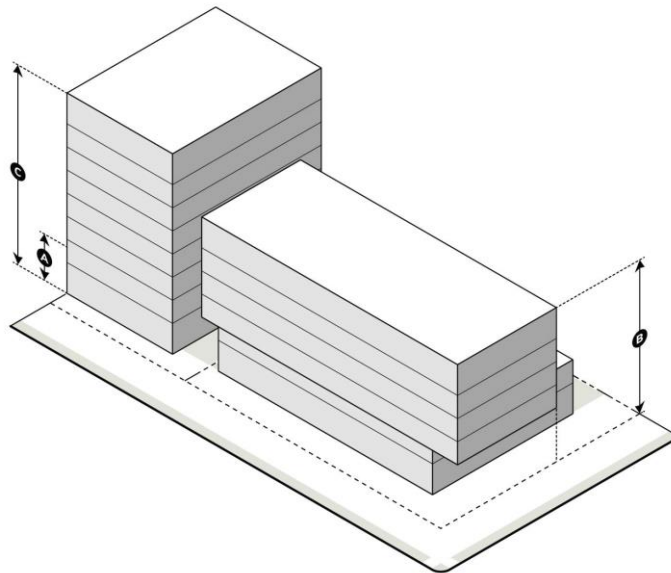


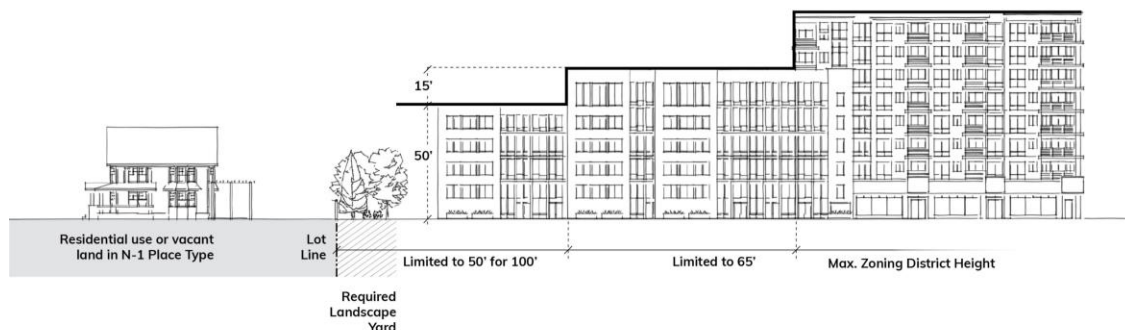
Table 13-2: Transit Oriented Development Zoning Districts Building Height Standards					
		TOD-TR	TOD-CC	TOD-NC	TOD-UC
A	Minimum Building Height (feet) ¹		24	24	40
B	Maximum Building Height (feet) ^{2,3}	50	90	75	130
C	Maximum Height with Bonus (feet) (Section 16.3) ^{2,3}	75	130	100	300 / Unlimited ⁴

¹ Lots of one-half acre in area or less are exempt from any applicable minimum building height requirements. Buildings of 2,000sf or less of gross floor area are exempt from any applicable minimum building height requirements.

² The height and location of structures may be restricted by the limitations set forth in the Code of Federal Regulations (CFR) Title 14 Part 77: Safe, Efficient Use, and Preservation of the Navigable Airspace. A notice of proposed construction FAA Form 7460-1 must be filed with the FAA for construction or alteration that impacts any of the imaginary surfaces as defined in 14 CFR Part 77, or is more than 200 feet in height above the ground at its site at least 45 days prior to construction. The Aviation Department Planning Division may serve as a point of contact for information regarding building notification requirements and obstruction evaluation.

³ The maximum building height of any structure within 200 feet from the lot line of residential uses or vacant land in a Neighborhood 1 Place Type is limited as follows: Portions of a structure within the first 100 feet are limited to a maximum height of 50 feet. Portions of a structure located between 100 and 200 feet are limited to a maximum height of 65 feet. Beyond 200 feet, the building height is limited by the maximum height of the zoning district. Building heights for all portions of a structure shall be measured from the average grade established for the whole building. This limitation does not apply to public parks of three acres or greater within a Neighborhood 1 Place Type, nor to an area of two or fewer parcels totaling no more than three acres within a Neighborhood 1 Place Type.

⁴ The height limit is 300 feet if located within ¼ mile walking distance of a rapid transit station, the maximum height with bonus is unlimited.



D. Building Articulation

Building Articulation standards govern the dimensions of building facade elements and entry features, and are intended to facilitate the enhancement of a pedestrian-oriented environment.

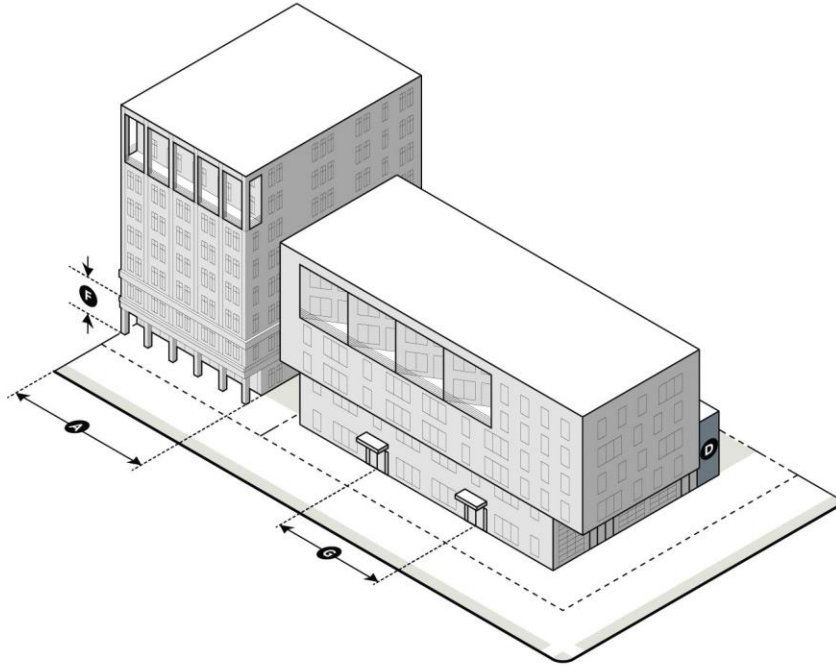


Table 13-3: Transit Oriented Development Zoning Districts Building Articulation Standards					
		TOD-TR	TOD-CC	TOD-NC	TOD-UC
A	Minimum Building Length as a Percentage of Lot Width Along Frontage (Measured at Frontage Setback Line) (%) ^{1, 9, 10}				
	Main Street	60	60	80	80
	4-5 Lane Avenue/Boulevard	60	60	60	60
	6 or more Lane Avenue/Boulevard	60	60	60	60
	2-3 Lane Avenue	60	60	60	60
	Transit Station, Off-Street Public Path, Public Park	60	60	60	60
	Other - Primary	60	60	60	60
	Secondary	40	40	40	40
	Parkway				
	Limited Access				
B	Maximum Building Length Along a Frontage (feet) ^{2, 11}	400	400	400	400
C	Maximum Building Length Along a Frontage with Additional Design Elements (feet) ^{2, 3}	600	600	600	600

Table 13-3: Transit Oriented Development Zoning Districts Building Articulation Standards					
		TOD-TR	TOD-CC	TOD-NC	TOD-UC
D	Maximum Blank Wall Area – (Ground floor and upper floor; Horizontal or Vertical; Per building) (feet) ⁴				
	Main Street	20	20	20	20
	4-5 Lane Avenue/Boulevard	20	20	20	20
	6 or more Lane Avenue/Boulevard	20	20	20	20
	2-3 Lane Avenue	20	20	20	20
	Transit Station, Off-Street Public Path, Public Park	20	20	20	20
	Other - Primary	20	20	20	20
	Secondary	35	20	20	20
	Parkway	50	50	50	50
	Limited Access	50	50	50	50
E	Minimum Ground Floor Height – Residential (Finished Floor Elevation to Finished Floor Elevation) (feet) ^{4, 5, 6, 7}				
	Main Street	16 ⁸	16 ⁸	16 ⁸	16 ⁸
	4-5 Lane Avenue/Boulevard	10	12	12	12
	6 or more Lane Avenue/Boulevard	10	10	12	12
	2-3 Lane Avenue	10	10	12	12
	Transit Station, Off-Street Public Path, Public Park	10	10	12	12
	Other - Primary	10	10	12	12
	Secondary	10	10	12	12
	Parkway (when only frontage or adjacent to shared-use path)	10	10	12	12
	Limited Access				
F	Minimum Ground Floor Height – Nonresidential and Mixed-Use (Finished Floor Elevation to Finished Floor Elevation) (feet) ^{5, 7}				
	Main Street	16 ⁸	16 ⁸	16 ⁸	16 ⁸
	4-5 Lane Avenue/Boulevard	14	16 ⁸	16 ⁸	16 ⁸
	6 or more Lane Avenue/Boulevard	14	14	16 ⁸	16 ⁸
	2-3 Lane Avenue	14	14	16 ⁸	16 ⁸
	Transit Station, Off-Street Public Path, Public Park	14	14	16 ⁸	16 ⁸
	Other - Primary	14	14	16 ⁸	16 ⁸
	Secondary	14	14	16 ⁸	16 ⁸
	Parkway (when only frontage or adjacent to shared-use path)	14	14	16 ⁸	16 ⁸
	Limited Access				
G	Maximum Spacing for Required Prominent Entrances (feet) ⁴				
	Main Street	250	250	250	250
	4-5 Lane Avenue/Boulevard	250	250	250	250
	6 or more Lane Avenue/Boulevard	250	250	250	250
	2-3 Lane Avenue	250	250	250	250
	Transit Station, Off-Street Public Path, Public Park	250	250	250	250
	Other - Primary	250	250	250	250
	Secondary	250	250	250	250
	Parkway (when only frontage or adjacent to shared-use path)	250	250	250	250
	Limited Access				

¹ Where a minimum building length as a percentage of lot width applies to multiple frontages, the highest frontage classification in the hierarchy (per Section 3.5.D) shall meet the established standard. In the case of a lot with two frontages, the second frontage shall only meet a standard of 40%. If there are more than two frontages subject to the standard, there is no minimum requirement for any frontage beyond the two highest frontages in the hierarchy. This requirement does not apply to Parkway or Limited Access frontages.

- 2 Maximum building length along a frontage does not apply to any frontage located along a Limited Access road. If any applicable minimum building length exceeds a maximum building length requirement, the maximum building length shall control.
- 3 To achieve maximum building length with additional design elements, the following is required:
 - A. Where a building abuts two parallel frontages with pedestrian facilities, or one frontage with pedestrian facilities and a parking lot, public park or other publicly owned open space on the side of the building opposite the frontage, a pedestrian passage is required. Such passage shall meet the following criteria:
 1. General Requirements
 - a. Passages shall be designed to accommodate pedestrians. Vehicular access and circulation shall not be allowed as a component of a passage.
 - b. Passages shall be a minimum of 30 feet in width and 20 feet in height, and shall be located within the middle third of the building, measured along the frontage.
 - c. Passages shall be designed to maintain views from one end through to the other.
 - d. Inclusion of decorative elements such as lighting installations or public art within passages is encouraged.
 - e. Passages shall align with the street grid or other points of access to sidewalks, public paths, parking lots, public parks or other publicly owned open space where feasible.
 - f. For the purposes of any build-to zone requirement, a building passage is considered part of the building façade that meets such requirement.
 2. Passages in nonresidential and mixed-use buildings.
 - a. Ground floor uses shall be oriented toward the passage, including public entrances.
 - b. Ground floor façades facing into building passages in nonresidential and mixed-use buildings shall maintain a minimum transparency of 35% of the wall area of the passage.
 3. Passages in residential buildings.
 - a. Passages in residential buildings may be closed off to the public with gates and/or fencing but shall be of open design to allow for a clear view through the passage.
 - b. Passages in residential buildings shall be designed with elements for use by residents, such as seating areas.
 - c. Ground floor façades facing into building passages in residential buildings shall maintain a minimum transparency of 25% of the wall area of the passage.
 - B. Where a building does not abut two parallel frontages with pedestrian facilities, a break in the building massing is required as follows:
 1. Building mass shall be recessed a minimum of 20 feet in depth for no less than 30 linear feet along the façade. Such recess shall extend the full height of the building, and shall meet the following criteria:
 - a. The recess shall be located within the middle third of the building, measured along the frontage.
 - b. For nonresidential and mixed-use buildings, ground floor uses shall be oriented toward the recessed area, including public entrances.
 - c. The recessed area is subject to all transparency requirements.
 - d. The recessed area shall be designed as public or common space including amenities such as seating areas, landscaping, lighting, decorative elements, and public art.
- 4 Does not apply to multi-family attached units when on sublots.
- 5 The ground floor of residential developments is still considered residential when leasing or management offices and/or tenant facilities, such as gyms and community/party rooms associated with the development are located on the ground floor.
- 6 Applies only if non-convertible residential; for convertible residential, nonresidential standard applies.
- 7 At least 70% of the total ground floor for nonresidential uses and 30% for residential uses, measured as a percentage of the interior space, shall meet the minimum ground floor height requirement.
- 8 Minimum ground floor heights can be reduced by the Zoning Administrator if there are site constraints that would cause practical difficulty.
- 9 On a site bounded by three or more street frontages, public open space that abuts a street frontage shall be counted as meeting building length for the purpose of calculating Minimum Building Length as a Percentage of Lot Width Along Frontage, subject to the following standards:
 - A. This provision shall only be applied to a single street frontage.
 - B. The abutting public open space shall comply with any applicable public open space standards of Table 16-2: Design of Open Space.
 - C. The abutting public open space is no more than an average of 24 inches above or below grade of the adjacent sidewalk.
 - D. The abutting public open space is a minimum of 50 feet in depth measured from the future right-of-way line.
 - E. If no building abuts the public open space, or no building is located along the subject frontage, the established setback shall be determined as the terminus of any required build-to zone along the subject frontage.
 - F. Any provided off-street parking shall be located behind this determined established setback.
- 10 Required landscape yards are excluded from the lot width dimension for the purposes of calculating Minimum Building Length as a Percentage of Lot Width Along Frontage.
- 11 The Maximum Building Length shall be 500 feet for an Educational Facility – Primary or Secondary, for an Educational Facility – University or College, or for a Place of Worship when these uses are located on an arterial street.

E. Transparency

Transparency standards govern the required amount of ground floor and upper floor transparency, and are intended to facilitate the enhancement of a pedestrian-oriented environment. These standards do not apply to multi-family attached development when units are on sublots.

Table 13-4: Transit Oriented Development Zoning Districts Transparency Standards					
		TOD-TR	TOD-CC	TOD-NC	TOD-UC
A	Ground Floor Transparency – Residential (% of wall area between 3' and 10' from grade; Per building) ^{1, 2}				
	Main Street	25	25	25	25
	4-5 Lane Avenue/Boulevard	20	25	25	25
	6 or more Lane Avenue/Boulevard	20	25	25	25
	2-3 Lane Avenue	20	25	25	25
	Transit Station, Off-Street Public Path, Public Park	20	20	20	20
	Other - Primary	20	25	25	25
	Secondary	20	25	25	25
	Parkway	20	20	20	20
	Limited Access				
B	Ground Floor Transparency – Nonresidential and Mixed-Use (% of wall area between 3' and 10' from grade; Per building) ¹				
	Main Street	60	60	60	60
	4-5 Lane Avenue/Boulevard	40	50	60	60
	6 or more Lane Avenue/Boulevard	40	50	60	60
	2-3 Lane Avenue	40	50	60	60
	Transit Station, Off-Street Public Path, Public Park	40	50	60	60
	Other - Primary	40	50	60	60
	Secondary	40	50	50	50
	Parkway	30	30	30	30
	Limited Access				
C	Upper Floor Transparency – Residential, Nonresidential, and Mixed-Use (% of Wall Area per Story; Per building)				
	Main Street	15	15	15	25
	4-5 Lane Avenue/Boulevard	15	15	15	25
	6 or more Lane Avenue/Boulevard	15	15	15	25
	2-3 Lane Avenue	15	15	15	25
	Transit Station, Off-Street Public Path, Public Park	15	15	15	25
	Other - Primary	15	15	15	25
	Secondary	15	15	15	15
	Parkway	15	15	15	15
	Limited Access				

¹ The ground floor of residential developments is still considered residential when leasing or management offices and/or tenant facilities, such as gyms and community/party rooms associated with the development are located on the ground floor.

² Applies only if non-convertible residential; for convertible residential, nonresidential standard applies.

F. Site Layout Standards

1. Residential Site Layout Standards

The standards below establish site layout requirements for multi-family attached and multi-family stacked buildings when allowed within the Transit Oriented Development Zoning Districts, either as standalone buildings or as components of multi-dwelling developments. These site layout requirements also apply to triplex and quadraplex buildings when these forms are components of a multi-dwelling development. Where standards below refer to a frontage, such standards apply to all frontages except parkways or limited access roads.

Table 13-5: Transit Oriented Development Zoning Districts Residential Site Layout Standards				
	Multi-family Attached When Units Not on Sublots	Multi-family Stacked	Multi-family Attached When Units on Sublots	Triplex & Quadraplex Buildings in MDDs
<p>The primary pedestrian entry to each principal structure abutting a frontage shall face the frontage. On corner lots, the primary pedestrian entry may be oriented to either frontage.</p> <p>If a principal structure abuts both a frontage and common open space perpendicular to the frontage, the primary pedestrian entry may face the common open space¹ if it meets the following:</p> <ol style="list-style-type: none"> 1. The common open space has a minimum width of 50' for the length of the common open space provided. 2. The common open space has a maximum length of 500'. <p>Principal structures not abutting a frontage do not have to orient primary pedestrian entries to a frontage or common open space.</p>	✓	✓		
<p>The sidewalls of each principal structure abutting a frontage shall be oriented perpendicular to the frontage. On corner lots, sidewalls may be oriented perpendicularly to either frontage.</p> <p>If a principal structure abuts both a frontage and common open space, the sidewalls may orient perpendicularly to the common open space¹ if it meets the following:</p> <ol style="list-style-type: none"> 1. The common open space has a minimum width of 50' for the length of the common open space provided. 2. The common open space has a maximum length of 500'. <p>Principal structures not abutting a frontage do not have to orient sidewalls perpendicularly to a frontage or common open space.</p>			✓	✓

¹ Common open space shall also comply with the standards of Table 16-2: Design of Open Space.

G. Building Design Standards

1. Nonresidential and Mixed-Use Building Design Standards

The following design standards apply to nonresidential and mixed-use buildings in the Transit Oriented Development Zoning Districts.

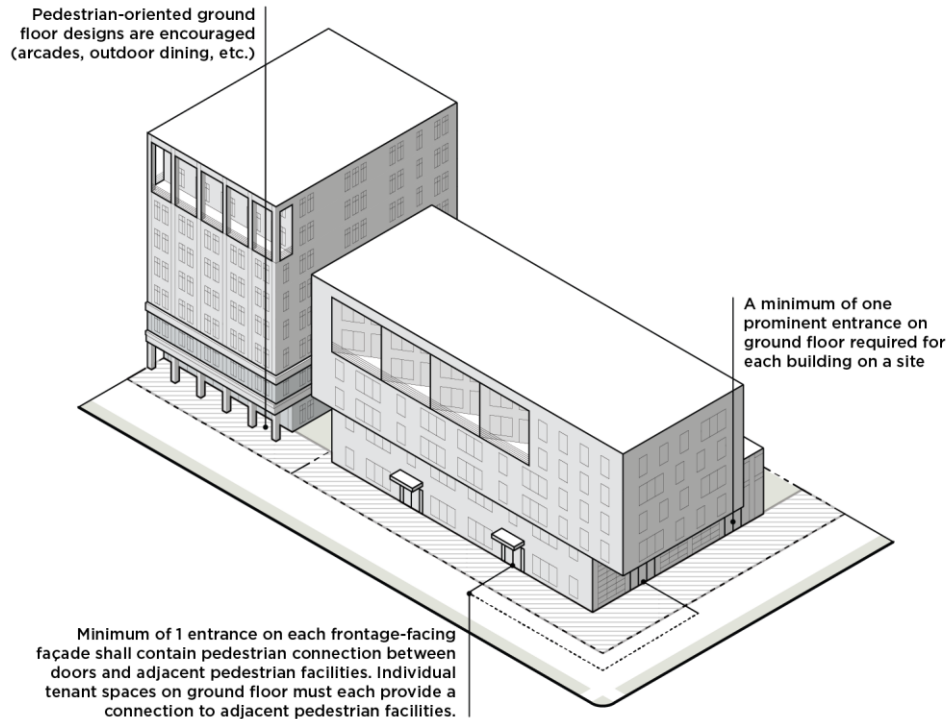


Table 13-6: Transit Oriented Development Zoning Districts Nonresidential and Mixed-Use Building Design Standards

	TOD-TR	TOD-CC	TOD-NC	TOD-UC
Building Base and Entrance Design				
For buildings over 90' in height, the base of the building shall be clearly differentiated from the remainder of the building with an emphasis on providing design elements that will enhance the pedestrian environment.				
1. This differentiation shall occur somewhere within the bottom third of the building, but no higher than 50' above grade.				
2. Elements such as, but not limited to, cornices, corbeling, molding, stringcourses, ornamentation, changes in material or color, recessing, architectural lighting, and other sculpturing of the base shall be provided to clearly differentiate the base from the remainder of the building.				
Main Street	✓	✓	✓	✓
4-5 Lane Avenue/Boulevard	✓	✓	✓	✓
6 or more Lane Avenue/Boulevard	✓	✓	✓	✓
2-3 Lane Avenue	✓	✓	✓	✓
Transit Station, Off-Street Public Path, Public Park	✓	✓	✓	✓
Other - Primary	✓	✓	✓	✓
Secondary	✓	✓	✓	✓
Parkway (when only frontage or adjacent to shared-use path)	✓	✓	✓	✓
Limited Access				

Table 13-6: Transit Oriented Development Zoning Districts Nonresidential and Mixed-Use Building Design Standards				
	TOD-TR	TOD-CC	TOD-NC	TOD-UC
A frontage shall have a minimum of one prominent entrance, as defined in this Ordinance. The number of prominent entrances required shall be determined by the building length along the frontage and the maximum spacing in G of Table 13-3.				
In the case of a building located on a corner lot with two frontages, one prominent entrance located on the corner may count as a required prominent entrance for both frontages, subject to the following:				
1. A prominent corner entry shall include design features that reinforce intersections as key locations for pedestrian activity. Two of the following shall be included:				
a. A chamfered or rounded corner design.				
b. Awnings, canopies, or other covered entry features.				
c. Special paving, landscape, or lighting features.				
d. Unique architectural detailing that emphasizes the corner entry.				
Main Street	✓	✓	✓	✓
4-5 Lane Avenue/Boulevard	✓	✓	✓	✓
6 or more Lane Avenue/Boulevard	✓	✓	✓	✓
2-3 Lane Avenue	✓	✓	✓	✓
Transit Station, Off-Street Public Path, Public Park	✓	✓	✓	✓
Other - Primary	✓	✓	✓	✓
Secondary	✓	✓	✓	✓
Parkway (when only frontage or adjacent to shared-use path)	✓	✓	✓	✓
Limited Access				
A minimum of one ground floor entrance along each frontage facing facade, except for a Limited Access frontage, shall include a pedestrian connection between doors and adjacent pedestrian facilities, where such facilities are present or are required by this Ordinance. ¹				
Main Street	✓	✓	✓	
4-5 Lane Avenue/Boulevard	✓	✓	✓	
6 or more Lane Avenue/Boulevard	✓	✓	✓	
2-3 Lane Avenue	✓	✓	✓	
Transit Station, Off-Street Public Path, Public Park	✓	✓	✓	
Other - Primary	✓	✓	✓	
Secondary	✓	✓	✓	
Parkway (when only frontage or adjacent to shared-use path)	✓	✓	✓	
Limited Access				
All ground floor entrances along each frontage facing facade, except for a Limited Access frontage, shall include a pedestrian connection between doors and adjacent pedestrian facilities, where such facilities are present or are required by this Ordinance. ¹				
Main Street				✓
4-5 Lane Avenue/Boulevard				✓
6 or more Lane Avenue/Boulevard				✓
2-3 Lane Avenue				✓
Transit Station, Off-Street Public Path, Public Park				✓
Other - Primary				✓
Secondary				✓
Parkway (when only frontage or adjacent to shared-use path)				✓
Limited Access				

Table 13-6: Transit Oriented Development Zoning Districts Nonresidential and Mixed-Use Building Design Standards				
	TOD-TR	TOD-CC	TOD-NC	TOD-UC
Where a building contains multiple tenant spaces on the ground floor abutting a frontage, each tenant space shall have a prominent entrance including a pedestrian connection between doors and adjacent pedestrian facilities, where such facilities are present or are required by this Ordinance. ¹				
Main Street	✓	✓	✓	✓
4-5 Lane Avenue/Boulevard	✓	✓	✓	✓
6 or more Lane Avenue/Boulevard	✓	✓	✓	✓
2-3 Lane Avenue	✓	✓	✓	✓
Transit Station, Off-Street Public Path, Public Park	✓	✓	✓	✓
Other - Primary	✓	✓	✓	✓
Secondary	✓	✓	✓	✓
Parkway (when only frontage or adjacent to shared-use path)	✓	✓	✓	✓
Limited Access				
A minimum of one prominent entrance on the ground floor is required per building on a site.	✓	✓	✓	✓
Pedestrian-oriented ground-floor designs are encouraged, including arcades, galleries, colonnades, outdoor dining areas, and outdoor plazas. When integrated into the overall building design, such features are considered to meet any required build-to percentage.				
Main Street	✓	✓	✓	✓
4-5 Lane Avenue/Boulevard	✓	✓	✓	✓
6 or more Lane Avenue/Boulevard	✓	✓	✓	✓
2-3 Lane Avenue	✓	✓	✓	✓
Transit Station, Off-Street Public Path, Public Park	✓	✓	✓	✓
Other - Primary	✓	✓	✓	✓
Secondary	✓	✓	✓	✓
Parkway (when only frontage or adjacent to shared-use path)	✓	✓	✓	✓
Limited Access				

¹ The Zoning Administrator may waive this requirement if they determine that the nature of the use does not require such pedestrian connections, for example warehouse and distribution centers, airports, truck and rail freight terminals, and other similar uses.

2. Residential Building Design Standards

The following design standards apply to multi-family attached when units not on sublots and multi-family stacked development in the Transit Oriented Development Zoning Districts.

Table 13-7: Transit Oriented Development Zoning Districts Residential Building Design Standards		
	Multi-family Attached When Units Not on Sublots	Multi-family Stacked
Facade Modulation		
Structures shall incorporate elements of variation on any façade facing a frontage, public open space, or common open space. Variation shall be achieved as follows:		
1. For multi-family attached buildings when units are not on sublots, one of the following shall be incorporated into the design of the structure: <ol style="list-style-type: none"> Variation in the façade depth of adjoining dwelling units of at least 3'. Such variation shall extend the entire height of the façade. Architectural features, such as balconies, bay windows, or other elements along the façade of each dwelling unit, subject to the standards of Article 18. 		
2. For multi-family stacked buildings 150' or more in length, recesses or projections of the façade of at least 1' in depth, and no less than 10' in width are required at intervals of no more than 60' linearly. This shall not be required on any portion of a multi-family stacked building 50' or more in height above average grade.		
Main Street	✓	✓
4-5 Lane Avenue/Boulevard	✓	✓
6 or more Lane Avenue/Boulevard	✓	✓
2-3 Lane Avenue	✓	✓
Transit Station, Off-Street Public Path, Public Park	✓	✓
Other - Primary	✓	✓
Secondary	✓	✓
Parkway (when only frontage or adjacent to shared-use path)	✓	✓
Limited Access		
Building Base and Entrance Design		
A frontage shall have a minimum of one prominent entrance, as defined in this Ordinance. The number of prominent entrances required shall be determined by the building length along the frontage and the maximum spacing in G of Table 13-3.		
In the case of a building located on a corner lot with two frontages, one prominent entrance located on the corner may count as a required prominent entrance for both frontages, subject to the following:		
1. A prominent corner entry shall include design features that reinforce intersections as key locations for pedestrian activity. Two of the following shall be included: <ol style="list-style-type: none"> A chamfered or rounded corner design. Awnings, canopies, or other covered entry features. Special paving, landscape, or lighting features. Unique architectural detailing that emphasizes the corner entry. 		
The primary pedestrian entry shall be a prominent entrance along a frontage as defined by this Ordinance, except for a Limited Access frontage, or along a common open space as per Table 13-5 above. In the case of a building with individual units with multiple exterior entrances, at least one of the entrances for each individual unit shall be a prominent entrance and that entrance shall be located on the highest frontage classification as per the hierarchy in Section 3.5.D.		
Main Street	✓	✓
4-5 Lane Avenue/Boulevard	✓	✓
6 or more Lane Avenue/Boulevard	✓	✓
2-3 Lane Avenue	✓	✓

Table 13-7: Transit Oriented Development Zoning Districts Residential Building Design Standards		
	Multi-family Attached When Units Not on Sublots	Multi-family Stacked
Transit Station, Off-Street Public Path, Public Park	✓	✓
Other - Primary	✓	✓
Secondary	✓	✓
Parkway (when only frontage or adjacent to shared-use path)	✓	✓
Limited Access		
All ground floor entrances to individual units on a frontage with a sidewalk shall be between 1' and 5' above the grade of the adjacent sidewalk when located within 10' of the back of sidewalk. Residential units located below the grade of the adjacent sidewalk are permitted to have below-grade entrances, which shall be between 1' and 3' below the grade of the adjacent sidewalk. ¹		
Main Street	✓	✓
4-5 Lane Avenue/Boulevard	✓	✓
6 or more Lane Avenue/Boulevard	✓	✓
2-3 Lane Avenue	✓	✓
Transit Station, Off-Street Public Path, Public Park	✓	✓
Other - Primary	✓	✓
Secondary	✓	✓
Parkway (when only frontage or adjacent to shared-use path)	✓	✓
Limited Access		
Arcades, galleries, colonnades, outdoor plazas, outdoor dining areas, or similar pedestrian-oriented ground floor designs may be incorporated into facades. When provided, such features that are in line with the building facade above the ground floor are considered to meet any required build-to percentage.		
Main Street		✓
4-5 Lane Avenue/Boulevard		✓
6 or more Lane Avenue/Boulevard		✓
2-3 Lane Avenue		✓
Transit Station, Off-Street Public Path, Public Park		✓
Other - Primary		✓
Secondary		✓
Parkway (when only frontage or adjacent to shared-use path)		✓
Limited Access		

¹ Zoning Administrator may allow adjustments to standards if adjacent average sidewalk slope is greater than 10% or to comply with federal and state law.

H. Building Materials

The following building materials are limited to 25% of each façade along a frontage. They may also be used as a component of construction when not a surface finish material without limitation. These restrictions do not apply to multi-family attached dwellings when units are on sublots or to accessory buildings less than 1,000 square feet or greater than 250' from a street, platted right-of-way, or public open space establishing the frontage, as defined by Article 2 of this Ordinance.

1. Corrugated metal siding, either galvanized or with a painted finish. An alternative metal siding may exceed the limit outlined above if the metal siding is deemed a more decorative surface finish material as approved by the Zoning Administrator.

- a. The reuse of pre-fabricated shipping containers is permitted and is not subject to this limitation, subject to compliance with the building code and other applicable codes

2. Exterior insulation finishing systems (EIFS) is prohibited on the ground floor of a multi-family dwelling (the 25% permission does not apply). This does not apply to multi-family attached dwellings when units on sublots.
3. Plain concrete masonry units (CMU) having no integral color pigment or improved exterior surface finish. For this standard the application of paint does not qualify as an improved exterior surface finish.
4. Plastic
5. T-111 composite plywood siding
6. Vinyl

13.4 OPEN SPACE REQUIREMENTS

- A.** New construction of a principal building of 1,000 square feet or greater and/or expansion of a principal building by 5,000 square feet or 20% of the building area, whichever is less, is required to provide on-site open space, except for development on sites of one-half acre or less in size.
- B.** The design of open space shall meet the design requirements of Section 16.5.
- C.** Based on the site area, development shall provide on-site open space as follows:

Table 13-8: Minimum Required Open Space				
	TOD-TR	TOD-CC	TOD-NC	TOD-UC
Total On-Site Open Space	Development shall provide a minimum of 10% on-site open space.			Development shall provide a minimum of 5% on-site open space.
Public On-Site Open Space (% of Total On-Site Open Space)				
Commercial Development	A minimum of 50% of the on-site open space shall be public open space for commercial developments.			
Mixed-Use Development ¹	A minimum of 25% of the on-site open space shall be public open space for mixed-use developments.			

¹ For the purposes of required public on-site open space a development shall be considered mixed-use when no more than 25% of the ground floor area is nonresidential.

- D.** Residential on-site open space may be provided as land dedicated to Mecklenburg County Park and Recreation, a fee-in-lieu provided to Mecklenburg County Park and Recreation, or a combination thereof in accordance with the requirements of Section 16.5.
- E.** Nonresidential and mixed-use on-site open space may be provided as land dedicated to Mecklenburg County Park and Recreation, a fee-in-lieu provided to Mecklenburg County Park and Recreation, or a combination thereof in accordance with the requirements of Section 16.5.
- F.** For projects with multiple phases, the open space required for each phase, per this Section, shall be installed prior to completion of that phase.

13.5 ON-SITE PEDESTRIAN CONNECTIVITY REQUIREMENTS

Standards for required on-site pedestrian connectivity are found in Section 16.6.

13.6 SUPPLEMENTAL DEVELOPMENT STANDARDS

A. General Development Standards

General development standards are found in Article 16.

B. Accessory Structures

Standards for accessory structures are found in Article 17.

C. Architectural Features

Standards for architectural features are found in Article 18.

D. Off-Street Parking

Standards for off-street parking and bicycle parking are found in Article 19.

E. Landscaping and Screening

Landscaping and screening standards are found in Article 20.

F. Loading and Service

Standards for loading spaces and service areas are found in Article 21.

G. Signs

Standards for signs are found in Article 22.

H. Drainage

Standards for drainage are found in Article 24.