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7.1 GENERAL

7.1.1. PURPOSE

The City is hereby zoned and divided into districts. The purpose of establishing these districts is to:

- A. implement the Comprehensive Plan;
- B. promote the health, safety, morals, and the general welfare;
- C. provide for the orderly growth and development of the City and for the efficient use of our resources (land, water, roads, etc.);
- D. lessen congestion in the streets;
- E. secure safety from fire, panic, and other dangers; and
- F. facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

7.2 ESTABLISHMENT OF ZONING DISTRICTS

7.2.1. PURPOSE AND INTENT

In accordance with the requirement of NCGS § 160A-382 that zoning regulation be by districts, the City Council, as shown on the Official Zoning Map accompanying this Ordinance and incorporated herein by this reference, is hereby divided into the following zoning districts which shall be governed by all of the uniform use and area requirements of this Ordinance, the respective symbol for each type of district being set forth opposite its title:

BASE ZONING DISTRICTS	
AG	Agricultural District
RE	Rural Estate District
RL	Residential Low Density
RM-1	Residential Medium Density
RM-2	Residential Medium Density
RV	Residential Village
RC	Residential Compact
O-I	Office-Institutional District
B-1	Neighborhood Commercial/Office District
CC	City Center District
C-1	Light Commercial and Office District
C-2	General Commercial District
I-1	Light Industrial District
I-2	Heavy Industrial District

SPECIAL PURPOSE ZONING DISTRICTS	
PUD	Planned Unit Development District
PRD	Planned Residential Development District
MXD	Mixed Use District
TND	Traditional Neighborhood Development District
MHP	Manufactured Home Park District
PID	Public Interest District
R-CO	Residential County Originated

7.2.2. OVERLAY DISTRICTS

In accordance with the authority provided by NCGS § 160A-382, the City hereby establishes the following overlay districts, which shall be governed by all of the uniform use and area requirements of this Ordinance. Within these overlay districts; additional requirements are imposed on certain properties within one or more underlying general or conditional districts. The symbol for each type of district is as follows:

OVERLAY DISTRICTS	
HPOD	Historic Overlay District (Old Section 7.11, will become Section 9.8 after new Article 9 is adopted)
AOD	Airport Overlay District (Old Section 7.12, will become Section 9.9 after new Article 9 is adopted)
MHD	Manufactured Home Park District (Old Section 7.13 will become Section 9.6 after new Article 9 is adopted)
WPOD	Watershed Protection Overlay District (Old Section 4.2 will be incorporated into Section 9 after new Article 9 is adopted)
CBCOD	Copperfield Boulevard Corridor Overlay (CBCOD) District (Old Section 15.3 will become Section 9.9 after new Article 9 is adopted)

7.2.3. CONDITIONAL DISTRICTS

In addition to the base zoning districts established in Section 7.2.1, above, the following conditional districts are established which correspond to the above-referenced base zoning districts, and which are identical to the base zoning districts with the exception that more restrictive development standards are required as a prerequisite to any use or development therein, as provided for in this Article and in Section 3.4.

CONDITIONAL DISTRICTS	
AG-CD	Agricultural Conditional District
RE-CD	Rural Estate Conditional District
RL-CD	Residential Low Density Conditional District
RM-1-CD	Residential Medium Density Conditional District
RM-2-CD	Residential Medium Density Conditional District
RV-CD	Residential Village Conditional District
RC-CD	Residential Compact Conditional District
B-1-CD	Neighborhood Commercial/Office District Conditional District
O-1-CD	Office Institutional-Conditional District
CC-CD	City Center Conditional District
C-1-CD	Light Commercial and Office District Conditional District
C-2-CD	General Commercial District Conditional District
I 1-CD	Light Industrial District Conditional District
I 2-CD	Heavy Industrial District Conditional District

7.2.4. ADDITIONAL ZONING DISTRICTS

Additional zoning districts may be adopted from time to time by City Council upon recommendation of the Planning and Zoning Commission pursuant to Section 3.2 and Section 3.3.

7.2.5 ZONING AND COMPREHENSIVE PLAN

The purpose of this Article is to implement the land use policies of the Comprehensive Plan. Pursuant to NCGS § 160-A-383, all zoning ordinances or regulations adopted pursuant to this Ordinance shall be consistent with the Comprehensive Plan and any specific plans of the City Council, if any, as adopted under NCGS Article 19 of Chapter 160A. To the extent that there is any inconsistency between the tabular summary at Section 7.5 and the specific provisions of the Use Table Section 8.1.8 et seq., the provisions of Section 8.1.8. et seq. shall prevail.

7.3 ZONING MAP

7.3.1. BOUNDARIES OF ZONING DISTRICTS

The boundaries of zoning districts established by this Ordinance shall be designated on a map or maps entitled Official Zoning Map(s) of the City of Concord. The City Clerk shall certify these maps and all references and dates shown thereon.

7.3.2. LOCATION OF OFFICIAL ZONING MAP

- A. The Official Zoning Map shall be located in the Office of the Administrator and a copy of the Official Zoning Map shall be kept on file with the City Clerk. Any changes thereto shall be clearly shown on the Official Zoning Map.
- B. The Official Zoning Map shall bear a stamp showing the effective date of this Ordinance, shall be certified by the Administrator, shall be identified by the signature of the Mayor, shall be attested by the city clerk, and bear the seal of the City under the words: "Official Zoning Map, City of Concord, North Carolina". Said map is composed of a series of sheets properly identified as such, which shall be on file in the office of the Administrator, and shall be the official record of zoning status of areas within the City. Land within zoning districts on the Official Zoning Map shall be classified with a zoning district designation, which shall supersede any contrary designation on the former Official Zoning Map. Regardless of the existence of any purported copy of the Official Zoning Map, the zoning map, which shall be located in the office of the Administrator, shall be the final authority as to the current zoning status of land, buildings, and other structures.
- C. If a zoning district is eliminated and there is no corresponding zoning district classification on the Official Zoning Map, the property shall remain subject to all restrictions, regulations and conditions imposed under the zoning ordinance in effect at the time that the former Official Zoning Map was effective unless and until the zoning classification of the property is amended pursuant to this Ordinance.
- D. If a property is zoned "PUD", "TND", "PID" or "PRD" at the time of adoption of this Ordinance, it shall remain subject to all terms, conditions, and restrictions of approval under the zoning ordinance in effect when the PUD or PRD classification was approved, including any specific modifications of the then-

existing PUD or PRD or general regulations, and any approved final plans, unless and until the zoning classification of such property is amended pursuant to this Ordinance.

7.3.3. OFFICIAL ZONING MAP

The Official Zoning Map is hereby incorporated by reference as if set forth in its entirety herein, and may be referred to as Section 7.3.3.

7.4 DISTRICT BOUNDARIES

7.4.1. ZONING DISTRICT BOUNDARIES

Unless otherwise provided, zoning district boundaries shall be located on municipal corporate lines, township lines, parcel lines, natural boundary lines or on the center lines of highways, streets, alleys, or railroad rights of way. In cases where these lines are not used, the zoning district lines shall be as determined by using the scale of the Official Zoning Map. If a zoning district boundary line divides a parcel of land at the time of enactment of this Ordinance or by subsequent amendments thereto, the appropriate standards and uses for each zone shall apply on the portion of the parcel covered by that zone.

7.4.2. BOUNDARY OR LOCATION DISPUTES

Any dispute as to the boundary or location of property within a zoning district shall be resolved in accordance with the following:

- A. When a district boundary is shown as approximately following a street, highway, alley, road, right-of-way, parkway, public utility right-of-way, railroad, stream or watercourse, the boundary shall be deemed to be the center line of such feature.
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- C. Boundaries indicated as approximately following established municipal limits and county borders shall be construed as following such lines.
- D. Boundaries indicated as separated from but approximately parallel to any of the features indicated above, or any landmarked or monumental line, shall be deemed to be parallel to the aforesaid center line or railroad track mid-point.
- E. The scale of the map shall determine distances not specifically indicated on the Official Zoning Map.
- F. Where a street, highway, railroad or other physical monument or marker on the ground, by which a boundary is determined, varies from that as shown on the Official Zoning Map, the physical monument or marker located on the ground shall control.

- G. Where physical or cultural features, such as flood plains, vary from those shown on the Official Zoning Map, or in other circumstances not covered above, the Administrator shall determine the district boundaries. Any aggrieved person may appeal such determination to the Board of Adjustment, pursuant to Section 6.3.9

7.5 BASE ZONING DISTRICT PURPOSE STATEMENTS

7.5.1. AGRICULTURAL (AG) DISTRICT

The AG District is established to provide areas for low intensity agricultural operations, large lot residential development, agri-business with supportive industrial and commercial uses, and some limited general commercial businesses. Certain industrial operations which require large expanses of land area and which generate low traffic levels are also suitable for this district. AG zoning protects and preserves valuable agricultural areas along with some open space.

7.5.2. RURAL ESTATE (RE) DISTRICT

The RE District is established to provide areas for low-density single-family uses, with a maximum of one dwelling unit per acre. Property zoned RE should include only those tracts, which abut or are in close proximity to existing large-lot single family development, making RE an appropriate transition district between rural, agricultural, and suburban uses.

7.5.3. RESIDENTIAL LOW DENSITY (RL) DISTRICT

The RL District is established to provide areas for low-density single-family uses, with a maximum of two dwelling units per acre, which may provide buffers between the AG and RE classifications and the higher density areas of the City. It includes flexible density and minimum lot size requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

7.5.4. RESIDENTIAL MEDIUM DENSITY (RM-1) DISTRICT

The RM-1 District is established to provide areas for medium density, single-family residential uses, with a maximum of three dwelling units per acre, where facilities and services exist with capacity to serve development. RM-1 provides flexible minimum lot size and density requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

7.5.5. RESIDENTIAL MEDIUM DENSITY (RM-2) DISTRICT

The RM-2 District is established to provide areas for medium density, single-family residential uses, with a maximum of four dwelling units per acre, where facilities and services exist with capacity to serve development. RM-2 provides flexible minimum lot size and density requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

7.5.6. RESIDENTIAL VILLAGE (RV) DISTRICT

The RV District is established to provide areas for detached and attached single-family homes, with a maximum of eight dwelling units per acre, in areas where large-lot development is discouraged and facilities and services are available. RV supports the principles of concentrating urban growth and reinforcing existing community centers.

7.5.7. RESIDENTIAL COMPACT (RC) DISTRICT

The RC District is established to provide a high-density residential district allowing compact development consisting of the full spectrum of residential unit types where facilities and services are available. Unit types may include single family attached dwellings, townhouses, duplexes and apartments, with a maximum of 15 dwelling units per acre except as otherwise provided in this Ordinance. RC may serve as a transitional district between lower density residential and low intensity commercial uses. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities while maintaining neighborhood compatibility.

7.5.8. OFFICE AND INSTITUTIONAL (O&I) DISTRICT

The O&I District is established to provide for agencies and offices rendering specialized services and traditional institutional functions (both public and private) including, but not limited to, governmental facilities, cultural and recreational facilities, educational facilities and charitable institutions. To protect the low intensity character of this district, retail and wholesale trade are prohibited as permitted principal uses.

7.5.9. NEIGHBORHOOD COMMERCIAL (B-1) DISTRICT

The B-1 District is established to provide small areas for office and professional services combined with shop front retail uses, shops for artisans and craftsmen, designed in scale with surrounding residential uses. This district provides a balance of residential and non-residential land use opportunities reflecting the economic needs of residents and business owners. Location of B-1 districts should include: Lots, parcels or tracts located at the intersections of collector streets, including collector/collector and minor thoroughfare/collector, except where an existing building or structure used as permitted in the B-1 District has been established prior to the adoption of this Ordinance on a parcel subject to an application for rezoning. The distance shall be measured between the closest boundaries of the two (existing and proposed) districts.

7.5.10. CITY CENTER (CC) DISTRICT

The CC District is established to provide concentrated downtown retail, service, office and mixed uses (including residential uses) in the existing central business districts. Shopping centers are permitted, but urban design standards as set forth in Section 10.7 are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas. The CC District promotes the long-term vitality of the central business districts. No rezoning to a CC or a CC-CU District shall be approved unless the lot, parcel or tract subject to the application adjoins an existing CC, or CC-CU zoning district.

7.5.11. LIGHT COMMERCIAL (C-1) DISTRICT

The C-1 District is established to provide areas for indoor retail, service and office uses. The purpose of the C-1 District is to accommodate well-designed development sites that provide transportation access, make the most efficient use of existing infrastructure and provide for an orderly transition between uses. C-1 Districts should be located in areas which continue the orderly development and concentration of moderate commercial uses. C-1 Districts should be located on or within proximity to major and/or minor thoroughfares. This shall not apply where an existing building or structure used as permitted within the C-1 District has been established prior to the adoption of this Ordinance on a parcel subject to an application for rezoning.

7.5.12. GENERAL COMMERCIAL (C-2) DISTRICT

The C-2 District is established to provide areas for general commercial activities designed to serve the community such as shopping centers, repair shops, wholesale businesses, and retail sales with limited outdoor display of goods and limited outdoor operations. This district promotes a broad range of commercial operations and services necessary for large regions of the County, providing community balance. Rezoning to the C-2 District should be avoided adjacent to any single-family Residential Zoning District (RE, RL, RM-1 or RM-2). C-2 Districts should be located on or within proximity to major thoroughfares. This shall not apply where an existing building or structure used as permitted within the C-2 District has been established prior to the adoption of this Ordinance on a parcel subject to an application for rezoning.

7.5.13. LIGHT INDUSTRIAL (I-1) DISTRICT

The I-1 District is established to provide for areas that contain a mix of light manufacturing uses, office park and limited retail and service uses that service the industrial uses in an attractive business park setting with proper screening and buffering, all compatible with adjoining uses. I-1 Districts should include areas which continue the orderly development and concentration of light industrial uses. I-1 Districts should be located so as to have direct access to or within proximity to a major or minor thoroughfare. This shall not apply where an existing building or structure used as permitted within the I-1 District has been established prior to the adoption of this Ordinance on a parcel subject to an application for rezoning.

7.5.14. GENERAL INDUSTRIAL (I-2) DISTRICT

The I-2 District is established to provide for areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. I-2 Districts should be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. The I-2 District is established in order to provide sites for activities which involve major transportation terminals, and manufacturing facilities that have a greater impact on the surrounding area than industries found in the I-1 District. I-2

Districts should not be located adjacent to any property that is zoned for residential use, including mixed-use developments with an adjacent residential designation. I-2 Districts should be restricted so as to have direct access to or within proximity to a major or minor thoroughfare. This shall not apply where an existing building or structure used as permitted within the I-2 District has been established prior to the adoption of this Ordinance on a parcel subject to an application for rezoning.

7.6 STANDARDS FOR BASE ZONING DISTRICTS

7.6.1. GENERAL

- A. Permitted uses are listed in Section 8.1.8. Uses permitted by right, uses permitted as special uses and uses for which there are supplemental use regulations in Section 8.3 are indicated in the table. Accessory uses shall be regulated in accordance with Section 8.4. Temporary uses shall be regulated in accordance with Section 8.5.
- B. Dimensional and density regulations, including setbacks, are listed in Section 7.6.2.
- C. Standards for off-street parking and loading facilities, and vehicular access are described in detail in Section 10.3.
- D. Standards for landscaping and buffering are described in detail in Article 11.
- E. Sign regulations are described in detail in Article 12.

7.6.2. SETBACKS

Setbacks for buildings or structures are measured as the area between the furthestmost projection of a principal structure and the property line of the lot on which the structure is located, except as modified by the standards of this Section. Setbacks shall be unobstructed from the ground to the sky except as specified in this Section. Building setbacks for each zoning district are set forth in Table 7.6.2.B.

A. ENCROACHMENTS

The following features may encroach into a required building setback:

- Bay windows or other structural overhang, not to exceed three (3) feet;
- Chimneys, not to exceed two (2) feet;
- Heating and cooling units, not to exceed (3) feet;
- Overhanging roof, eave, gutter, cornice, or other architectural feature and awnings, not to exceed 2 feet;
- Steps, stairs or fire escapes (non-enclosed), not to exceed 6 feet;

- Uncovered, unenclosed decks, terraces, stoops or porches, but in no case closer than five (5) feet to any property line;
- Fences and Garden/Yard Walls;
- Any accessory building or use customarily incidental to the permitted primary use or building as allowed in accordance with § 5.2 "Accessory Uses and Structures".

B. ON STREET FRONTAGE

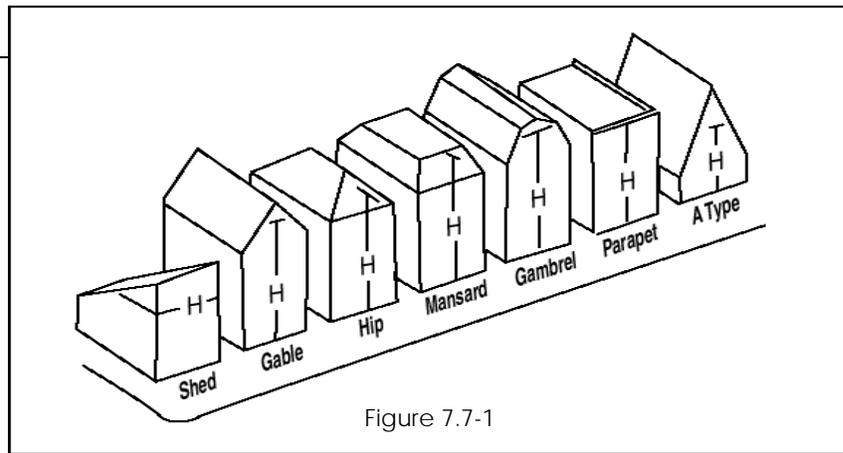
Structures shall meet the front yard setback from all abutting street rights-of-way unless otherwise provided in this Ordinance. For undeveloped lots, the developer has the option to determine which yard shall be considered the "front" so long as the structure to be constructed on said lot shall have its front facing the same yard. For the purposes of applying setbacks to existing developed lots, the front yard setback shall be defined as the yard with the shortest amount of street frontage. All other frontages shall be considered street side yards.

C. REDUCED FRONT YARD SETBACK

The minimum front yard setback may be reduced for any lot where the average established front setback on developed lots located within 300 feet on each side of such lot, and fronting on the same street as such lot, is less than the minimum required setback. In such cases, the front setback on such a lot may be less than the required front setback but not less than the average of the existing front setbacks on the developed lots within 300 feet of each side.

D. HEIGHT STANDARDS

Building height is measured as the vertical distance between the average natural grade between the lowest and highest grades along the foundation and 1) the average height level between the eaves and ridge line of a gable, hip or gambrel roof; or 2) the highest point of a mansard roof; or 3) the highest point of the coping of a flat roof. (See Figure 7.7-1)



E. HEIGHT OF ANCILLARY STRUCTURES

The construction, maintenance, or establishment of any building, tree, smokestack, chimney, flagpole, wire, tower or other structure or appurtenances thereto, which may constitute a hazard or obstruction to safe air navigation, landing, or take-off of aircraft near an airport, is prohibited. This § 4.7.5.2.2 is not intended to regulate height of structures in the AO Airport Overlay zoning district (see § 4.13). The AO Airport Overlay zone regulations shall govern the height of all structures within the boundaries of the Airport Overlay zoning district.

F. EXCEPTIONS TO HEIGHT RESTRICTIONS.

Zoning district height limits shall not apply to belfries, cupolas, spires, domes, monuments, airway beacons, structures for essential services, windmills, flagpoles, chimneys, or chimney flues. Height limits shall not apply to any bulkhead, elevator, water tank, or to any similar structure or necessary mechanical appurtenance extending above the roof of any building if such structure does not occupy more than 33 percent of the area of the roof.

7.6.3. DENSITY AND DIMENSIONAL STANDARDS

TABLE 7.6.2 A.

DIMENSIONAL STANDARDS

Zoning District	A	B	C	D	E	F	G
	Min. Lot Size (sq. ft.)	Max. Density (per acre)	Impervious Surface Ratio (2)	Min. Public Street Frontage (feet)	Min. Lot Width (feet)	Min. Lot Depth (feet)	Max. Building Height (feet)
AG**	43,560	1	-	30^	200	200	35
RE **	43,560	1	-	30^	150	150	35
RL**	20,000	2	-	15^	100	125	35
RM-1**	15,000	3	-	15^	75	125	35
RM-2**	10,000	4	-	15^	75	100	35
RV***	7,500	8	0.5	15^	50	100	35
RC***	5,000	15	0.5	15^	50	100	35
R-CO ³	3,000	15	0.5	15	35	85	40
O-I	-	-	0.7	-	-	-	35
B-1	-	-	0.65	30^	50	100	50
CC	-	-	-	-	-	-	72
C-1	-	-	0.7	-	-	-	48
C-2	-	-	0.8	30^	50	100	48 (1)
I-1	-	-	0.8	30^	50	100	72
I-2	-	-	0.9	30^	50	100	72

NOTES:

* Residences permitted in nonresidential districts shall conform to the density and dimensional standards of the RC district, except that height restrictions may follow (1) below.

** See Section 7.7 and Section 7.7.(J) for duplex lots.

*** In the districts where permitted, multi-family and/or single-family attached developments shall only be subject to Columns B, C, D, and G in Table 7.6.2 A. Setbacks for multi-family and single-family attached developments are set forth in Section 7.8. of this Ordinance.

^ See Section 5.5.

(1) Height may be increased by one foot for each one foot of additional building setback up to a maximum height of 200 feet. Setbacks for Mixed Use, PUD, PRD or similar type projects shall be measured from the overall project boundaries.

(2) Developments following the low density option (see §4.4.2-A) et seq.) may not develop at a total impervious surface ratio greater than 0.24.

(3) Dimensional requirements only applicable if not indicated on recorded final plat. See also Section 9.12.

TABLE 7.6.2 B.
SETBACKS

Zoning District	Min. Front Setback (feet)	PRINCIPAL STRUCTURES			ACCESSORY STRUCTURES	
		Max. Front Setback (feet)	Min. Interior Side Setback (feet)	Min. Rear Setback (feet)	Min. Interior Side Setback (feet)	Min. Rear Setback (feet)
AG	50	-	20	30	10	10
RE	45	-	20	30	5	5
RL	35	-	15	30	5	5
RM-1	25	-	10	25	5	5
RM-2	25	-	10	25	5	5
RV	20	-	7	5	5	5
RC	20	-	7	5	5	5
R-CO ¹	8	-	3	5	5	5
O-I	10	-	-	-	-	-
B-1	10	-	10	20	10	10
CC	-	10	-		-	-
C-1	10	-	-		-	-
C-2	10	-	-	-	-	-
I-1	30	-	-	-	-	-
I-2	30	-	-	-	-	-

(1) Minimum setbacks only applicable if not indicated on recorded final plat. See also Section 9.12.

7.7. RESIDENTIAL DESIGN STANDARDS

7.7.1. PURPOSE AND SCOPE

The purpose of this Ordinance is to improve the overall design and appearance of single family, zero lot line, duplex, and townhouse developments. Specifically, these standards are intended to enhance community aesthetics (through the use of quality and attractive building design), maintain and strengthen property values, promote Concord as a high quality community (by creating developments that attract quality jobs and businesses), and implement the goals and polices of the Concord Comprehensive Plan. Considering the above, the following standards apply.

7.7.2 SUBDIVISION DESIGN

Subdivision design for residential development shall be regulated in accordance with the following standards. These standards shall apply to all new residential subdivisions that file an application for preliminary plat approval after September 8, 2005 or a subdivision where lots have not received a Zoning Clearance Permit (ZCP). Open space is required with each subdivision development. See Section 10.5 (formally 7.15) for Open Space Standards.

A. Block Elements

No block shall be longer than 800 feet in length unless a mid-block pedestrian and bicycle connection is provided, in which case the block may extend up to 1,000 feet. A street with structures on only one (1) side (also known as a single-loaded street) shall not be restricted in length, provided that mid-block pedestrian and bicycle connections are made at the rate of one (1) for every 600 feet in length. (See Figure 7.7-1).

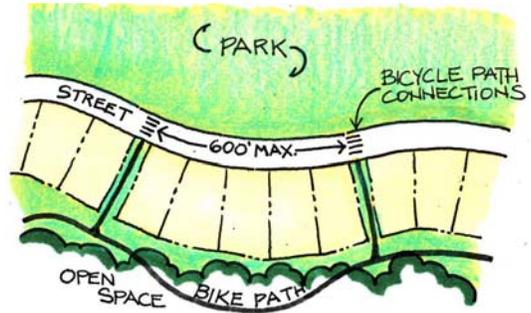


Figure 7.7-1

B. Residential Collector Street

The main collector street entering the development from a major or minor thoroughfare shall be designed as a parkway for a minimum distance of 300 feet. If a street is less than 300 feet

functioning as an entry, then it shall be designed with a median. See *Technical Standards Manual* (Driveways).

7.7.3. HOUSING TYPES

The standards for housing developed in the City of Concord are covered in Figure 7.7-9. The housing types are established to provide a common terminology for housing in the City. All drawings are for illustrative purposes only.

7.7.4. SITE AND BUILDING ELEMENTS

All housing types shall comply with the following standards. The Administrator, or his designee, may waive individual requirements in this section on a case-by-case basis, provided the intent of this Section is met.

A. Architectural Plans

Architectural plans shall be furnished to the Administrator and shall conform to the architectural details outlined below.

B. Roof Overhang

1. Eaves are required on all dwelling unit types described in Figure 7.7-4 shall extend no less than 12 inches beyond the supporting walls.



Figure 7.7-2

2. Gables shall overhang at least eight (8) inches (Figure 7.7-2).

3. Eaves on smaller accessory buildings and dormers shall overhang at least eight (8) inches.

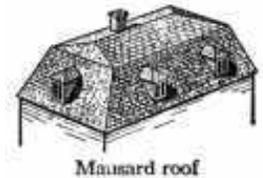
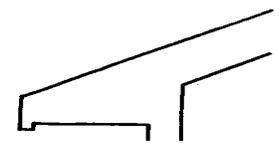


Figure 7.7-3

4. Mansard roofs applied to a façade as a projected element, which is not part of the roof structure, shall not be permitted. An acceptable mansard roof is shown in Figure 7.7-3. A mansard roof shall extend 12 inches beyond supporting walls; or be articulated with a decorative cornice.

5. Soffits (See Figure 7.7-4.) shall be placed perpendicular to the



Yes



No

building wall, not sloping in plane with the roof (except for gable end rakes).

C. Front Yard Fences

Front yard fences, including fences on corner lots, shall not exceed four (4) feet in height. Fences may not be placed within the sight triangle.

D. Front Yard Trees

One (1) canopy tree shall be provided in the required front yard. The tree shall have a minimum size (diameter) of 2½-inch caliper at time of planting. Two (2) ornamental trees may be substituted for one (1) canopy tree in a front yard. One (1) additional front yard tree shall be required in any side yard abutting a street. Any existing tree in the required front yard area over six (6) caliper inches shall be credited for one (1) required tree to be planted.



Figure 7.7-5

E. Standards for Corner Lots

Corner lots shall adhere to the following standards:

1. Side Wall Articulation

The street facing side wall of the home shall not run unbroken (unarticulated) for a distance greater than 20 linear feet without an offset. All wall offsets shall be a minimum of two (2) feet in depth and three (3) feet in width. (See Figure 7.7-5.)

2. Blank Wall Area

Blank wall areas shall not exceed 15 feet in vertical direction and 15 feet in the horizontal direction along the wall or façade facing a street. (See Figure 7.7-5.)

F. Garage Placement and Location

For single-family detached, zero lot line, patio homes, or duplex dwellings on lots of less than one (1) acre, garage placement shall match one of the following garage standards:

1. Side-Loaded Garage

Orient the garage door perpendicular to the street. (See Figure 7.7-6.)

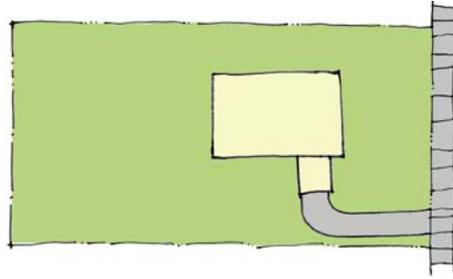


Figure 7.7-6: Illustration Showing Side-Loaded Garage

2. Rear Yard Garage (Alley or Front Loaded)

Locate the garage behind the rear of the principal building. (See Figure 7.7-7.)

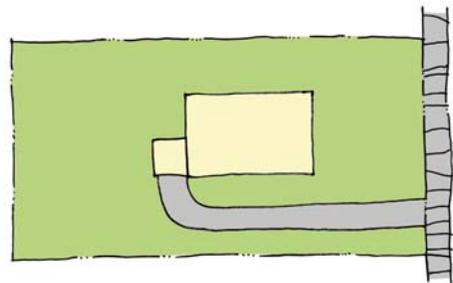


Figure 7.7-7: Illustration Showing Front Loaded Rear Yard Garage

3. Front-Loaded Garage

Orient the garage toward the street provided the following conditions are met.

a. Position garage door at least four (4) feet behind the primary front wall plane of the building front. (See Figure 7.7-8b.); or

b. Position the garage door flush with the front of the building and provide an integrated architectural treatment such as columns and a trellis or eyebrow roof to visually diminish the impact of the garage doors. No individual garage door may exceed 12 feet in width when applying this alternative and a maximum of two (2) garage doors shall be allowed. (See Figure 7.7-8a.)



**Figure 7.7-8a:
Softening the Garage Doors
with Architecture**

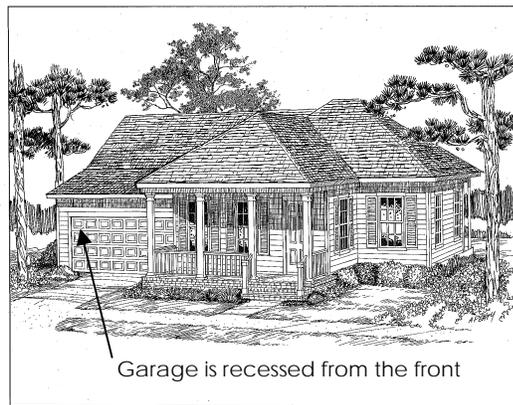
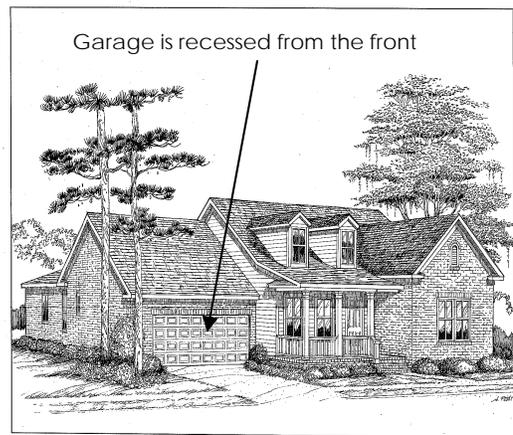
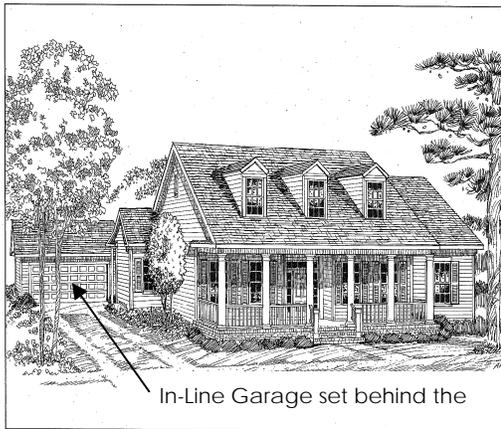
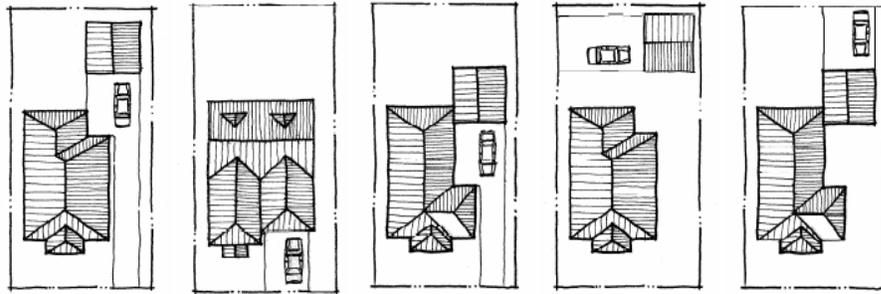
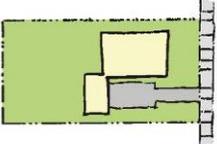
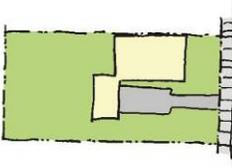
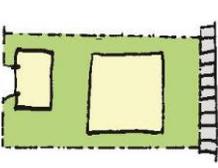
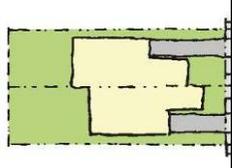
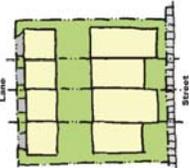
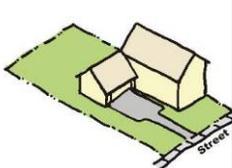
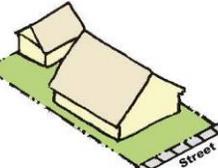
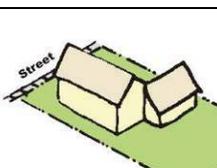
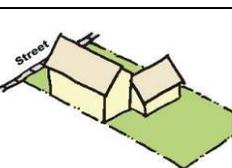
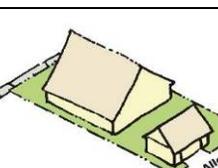
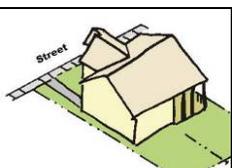
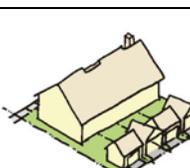


Figure 7.7-8b:
Illustrations Showing Acceptable Garage Treatment

Figure 7.7-9: Illustration Showing Housing Types

<i>Single Family Detached</i>	<i>Zero Lot Line House</i>	<i>Alley-Loaded House</i>	<i>Duplex</i>	<i>Triplex, Townhouse</i>
<i>A dwelling unit located on a single lot with yards on each side</i>	<i>A dwelling unit located on a single lot with private yards on three sides. The house has only a single side yard comprising the equivalent of the two side yards of a single-family detached house.</i>	<i>A dwelling unit located on a single lot with private yards on all four sides. The house is set much closer to the street than a single-family detached house, and alley access is required.</i>	<i>Two attached single-family units located on two lots that share a common wall along the lot line, providing for fee-simple ownership.</i>	<i>Three or more attached units where the units are lined up in a row and share side walls. Access to garages is from the rear.</i>
PLAN VIEW				
				
FRONT VIEW				
				
REAR VIEW				
				

G. Special Standards for a Zero Lot Line House

2. A single side yard shall be provided. This reduction shall not be allowed for the front yard on a corner lot or for the side yard adjacent to lots developed with other housing types. (See Figure 7.7-10.)

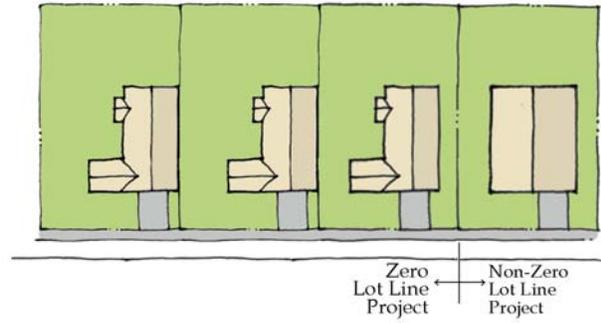


Figure 7.7-10: Illustration Showing Zero Lot Line Yards

3. An easement between the two (2) property owners to allow for maintenance or repair of the house shall be required when the roof overhang or side wall of the house are within four (4) feet of the adjacent property line (no roof overhang shall be permitted to extend across the property line). The easement on the adjacent property must provide at least five (5) feet of unobstructed space. The easement shall be recorded on the subdivision plat.
4. If the side wall of the house is on the property line, or within three (3) feet of the property line, windows or other openings that allow for visibility into the side yard of the adjacent lot are not allowed. Windows that do not allow visibility into the side yard of the adjacent lot, such as clerestory windows or translucent windows are allowed.

H. Special Standards for an Alley-Loaded House

For dwellings taking access from an alley, the following standards apply.

1. No parking shall be permitted in the required front yard. No driveways are permitted in the front yard. On-street parking is permitted.
2. The first floor shall be a minimum of 24 inches above the finished grade. (See Figure 7.7-11.) Homes built on a slab in

which a concrete foundation wall is used shall have a brick, stone or other masonry veneer skirt extending at least 24 inches up the face of the foundation wall.

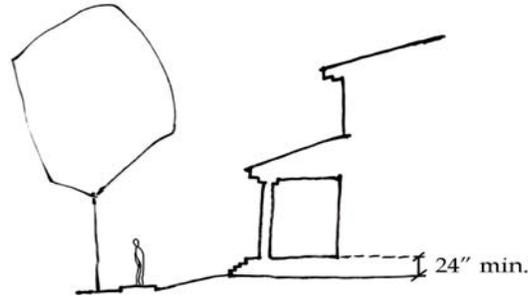


Figure 7.7-11: Illustration Showing Required Front Porch

3. A front porch with a minimum depth of eight (8) feet shall be required over a minimum of 50 percent of the building width along the street front. (See Figure 7.7-12.) Front porches may encroach a maximum of eight (8) feet into the front yard and shall be at the same first floor elevation as the home. (See Figure 7.7-11.)

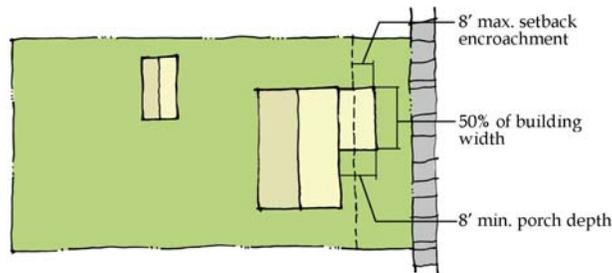


Figure 7.7-12: Illustration Showing Minimum First Floor Elevation

I. **Special Standards for a Townhouse**

Side yards are not required for interior townhouses, but street and rear yards shall be provided, and building separation requirements shall be maintained for all townhouse structures.

1. The maximum number of units allowed in a single building is eight (8).
2. The first floor shall be located a minimum of two (2) feet and a maximum of three (3) feet above grade. The administrator may modify the requirement in the proceeding sentence if the units are located on steep slopes, or if walkout ground floors are proposed due to topographic constraints, or for other justification reasonable based on unique site constraints.

J. Special Standards for Duplex Lots

Individual duplexes may be constructed only on lots having 1.5 times the minimum lot area and lot width of the zoning district in which they are located. All other setbacks shall be in accordance with Tables 7.6.2 A. and 7.6.2 B.

K. Special Standards for Single Family Residences in the O-I District

Single family residences shall be permissible only on existing lots of record existing as of August 14, 2014. Subdivision of O-I zoned land solely for the purpose of single family residential subdivisions shall not be permissible.

7.8. STANDARDS FOR MULTI-FAMILY DEVELOPMENTS

7.8.1. PURPOSE

The purpose of this Section is to provide reasonable design standards for multi-family residential developments and single-family attached residential developments which:

- A. provide design flexibility;
- B. accommodate affordable housing for current and future residents of the City;
- C. protect the health, safety and general welfare of the general public and occupants of the units;
- D. protect the property values of surrounding dwelling units;
- E. promote a pedestrian-friendly, walkable streetscape; and
- F. provide for aesthetically pleasing development patterns.

7.8.2. APPLICABILITY

- A. The provisions of this Section shall apply to multi-family residential developments for five (5) or more dwelling units or single-family attached residential developments as permitted by Table 8.1 of this Ordinance.
- B. Single-family detached homes and duplexes on individual lots are exempt from the standards of this Section, but still must follow Section 7.7.
- C. Multi-family residential developments and single-family attached residential developments in TND, TOD, and PUD districts are exempt from the standards of this Section.

7.8.3. RULES OF CONSTRUCTION

For purposes of computing the number of dwelling units to determine applicability of the standards of this Section, the number of existing or proposed dwelling units within any tract of land plus all existing or proposed multi-family residential dwellings on any adjacent property under common ownership shall be counted.

7.8.4. BULK AND DENSITY STANDARDS

Notwithstanding any provision of Section 7.6.2 of this Ordinance to the contrary, the lot size, lot width, setback, and building separation standards shall conform to Table 7.6.2 A.

7.8.5. OFF-STREET PARKING AND ACCESS STANDARDS

All projects shall conform to the parking requirements of Article 10.

A. Access to Public Street(s)

Developments with 40 or more dwelling units should have direct primary access on a major or minor thoroughfare as shown on the Thoroughfare Plan. Developments for 100 dwelling units shall to have two (2) direct entrances onto at least one (1) major and/or minor thoroughfare as shown on the Thoroughfare Plan.

B. Off-street Parking

Multi family developments shall be subject to the following parking requirements:

1. No parking space shall be located in the required setbacks, except for the rear setbacks.

2. No off-street parking space shall be located closer than 10 feet to any residential building wall.

3. Access/Driveway Design

A. No driveway shall be located closer than 15 feet to any wall of a residential building.

B. All proposed drives shall be improved in accordance with the Manual.

C. For developments of 40 or more dwelling units, a divided ingress-egress driveway with a landscaped median for all entrances from public streets shall be provided for all developments.

D. Median design shall be in conformity with the Manual.

7.8.6. COMMON OPEN SPACE

Common open space areas shall be required in accordance with Table 10.5 (formally Table 7.15-1) except as provided below:

- A. The Administrator may waive up to 50% percent of the open space requirement if all units within the development are located within 1,000 feet of a public park as measured along a public sidewalk, trail or bikeway.
- B. The open space requirements of this Section shall not apply to multi-family residential developments, which are second floor units above first floor commercial development, or to any residential developments in the CC zoning district, which are above the first floor.

7.8.7. OPEN SPACE CHARACTERISTICS

Land designated as open space shall be maintained as active open space and may not be separately sold, subdivided, or developed except as provided below. Open space shall be required in accordance with Table 10.5 (formally Table 7.15-1).

A. Open Space Provisions and Maintenance Plan Required

Any areas reserved as open space shall be indicated on a site plan. An Open Space Provision and Maintenance Plan shall be submitted as a part of the application for development approval including the project phasing schedule. This plan shall designate and indicate the boundaries of all open-space areas required by this Ordinance. The plan shall:

1. designate areas to be reserved as active open space. The specific design of open-space areas shall be sensitive to the physical and design characteristics of the site; and
2. specify the manner in which the open space shall be perpetuated, maintained, and administered.

B. Spacing and Dimensional Limitations

In order to ensure that all designated open space has suitable size, location, dimension, topography and general character, and proper road and/or pedestrian access, as may be appropriate, to be usable open space, the following standard shall apply:

Open space provided pursuant to this requirement shall be accessible to all residents of the development and shall measure at least 30 feet across its narrowest dimension.

C. Use of Stormwater Detention Basins

Retention areas or detention basins which are required as part of this Ordinance shall not qualify as an open space area unless 50 percent or more of the active and usable area is above the 10-year storm flood elevation and is designed for multiple uses and the area(s) conforms to the requirements of Subsections 1 and 2 below:

1. Retention or detention areas shall meander through the subdivision as a greenbelt, rather than as a single basin. Retention areas shall be improved so as to be useable and accessible. Retention areas shall not be inundated so as to be unusable for their designated recreational purposes.
2. Retention or detention areas shall be given a natural character and shall be constructed of natural materials. Terracing, berming, and contouring are required in order to naturalize and enhance the aesthetics of the basin. Basin slopes shall not exceed a three-to-one slope.

D. Preservation of Open Space

Open-space areas shall be maintained so that their use and enjoyment as open space are not diminished or destroyed. Open-space areas may be owned, preserved, and maintained by the owner(s) of the development or a homeowner's association, which assumes full responsibility for its maintenance. The approved site plan shall provide that, in the event that any private owner of open space fails to maintain the open-space according to the standards of the Ordinance at the time of site plan approval, City Code Enforcement Officers may, following reasonable notice, require that deficient maintenance be corrected and direct appropriate City staff, or a private contractor, to enter the open space for maintenance purposes. The cost of such maintenance shall be charged to those persons or entities having the primary responsibility for maintenance of the open space.

7.8.8. PEDESTRIAN FACILITIES

Sidewalks shall be constructed within the interior of the development to link residential buildings with other destinations such as, but not limited to: parking, adjoining streets, mailboxes,

trash disposal, adjoining sidewalks or greenways and on-site amenities such as recreation areas. These interior sidewalks shall be constructed in accordance with the standards for sidewalks as set forth in the *Manual*.

Sidewalks, in combination with curb and gutter, shall be required adjacent to all public streets, which provide access to the development. Such improvements may be subject to road widening and other related improvements. Road widening, sidewalks, curb and guttering, utility relocations, and all other related improvements shall be the responsibility of the developer and/or owner. Design standards shall be subject to review and approval by the City of Concord Director of Traffic Engineering. Design standards for pedestrian upfits to state maintained roads shall be subject to review and approval by the City of Concord Traffic Engineer and the North Carolina Department of Transportation (NCDOT).

Bus Shelter Required

A bus shelter is required for multi-family development. The shelter shall be constructed at the location(s) (including at the perimeter of a development site) where a public school bus(es) pick-up/drop-off of children as established by the Cabarrus County School system. The shelter shall be constructed to a minimum size to accommodate the average number of children that may be awaiting pick-up. The shelter shall be included in the sidewalk design to ensure adequate access.

7.8.9. DIMENSIONAL AND DENSITY STANDARDS

The maximum impervious surface coverage (impervious surface ratio) shall conform to the standards as set forth and described in Section 4.7 and shown on Table 7.6.2 A for the appropriate zoning district. Multi-family or single-family attached developments that are allowed (by right or as conditional use) in non-residential districts shall use the dimensional and density standards of Table 7.6.2 A as set forth for the RC district. Where a Watershed Overlay District (See Section 4.16.) exists, the more restrictive requirements shall apply.

The minimum spacing between buildings is 20 feet, plus one (1) foot for each one (1) foot of building height in excess of 30 feet.

7.8.10. BUILDING DESIGN

In order to provide interesting and aesthetically attractive multi-family developments and to avoid monotonous, "barracks"-style buildings, the following standards shall apply:

- A. Multi-family buildings shall have a multifaceted exterior form in which articulated facades are combined with window and door placements, as well as other detailing, to create an interesting and attractive architectural design which is comprised of more than flat walls with minimal features. (See Section 7.10.9.)
- B. Buildings shall be arranged on multi-family sites in patterns that are not strictly linear. Adjacent buildings shall not be located in continuous straight lines. Limited linear building placements, which are part of an arrangement to define common space such as a courtyard, are acceptable.
- C. Entryways shall face a street, sidewalk, or common area. Buildings shall not face the rear of other buildings on the same lot or parcel.

7.8.11 UTILITIES AND LIGHTING

- A. All utility lines shall be located underground.
- B. Outdoor area lighting shall be provided for security. Such lighting shall be shielded to direct light downward and not into dwelling units on, or adjacent to, the multi-family site. Lighting shall be provided to illuminate the intersections of primary interior driveways and building entryways.

7.8.12 LANDSCAPING REQUIREMENTS

A landscaping plan shall be submitted which shall incorporate all applicable landscaping requirements as set forth in Article 11 (current Article 9) of this Ordinance.

7.8.13 RECYCLING FACILITIES

Multi-family residential developments or single-family attached residential developments shall be required to provide a container(s) for the collection of recyclable materials. Such a container shall be subject to approval by the City's Director of Environmental Services.

7.8.14 UNIT OWNERSHIP

Developments in which property is conveyed in Unit Ownership shall comply with the North Carolina Unit Ownership Act. Common areas, parking, landscaping, open space, and driveway facilities shall be under common ownership.

7.8.15 SIGNAGE

Signage for multi-family dwellings and/or single-family attached dwellings shall be subject to the sign standards as set forth in Article 12 and more specifically Table 12.1-4 (regardless of what zoning district the development may be located within).

7.8.16 MULTI-FAMILY DEVELOPMENTS IN C-1 AND B-1 ZONING DISTRICTS (NEW)

Apartment (see definition) development in C-1 zoning districts shall include at least 20 percent office or retail square footage as part of the project either in the same structure(s) or as separate buildings.

7.8.17. MULTI-FAMILY DIMENSIONAL STANDARDS

TABLE 7.8.17.

Density	See Table 7.6.2 A. *
Lot Width and Depth	See Table 7.6.2 A. *
Front Setback or	Developments of less than 40 dwelling units: see Table 7.6.2 B. *
Street Side Setback	Developments of 40 or more dwelling units: 50 feet, except that the minimum front setback may be reduced to 20 feet if all required off-street parking is located at the rear of the building(s).
Interior Side Setback	20 feet
Rear Setback	20 feet
Separation Between Buildings	20 feet, plus one (1) foot for each one (1) foot of building height in excess of 30 feet
Common Open Space	See Table (10.5) (Article 10). (Note: multi-family developments allowed in non-residential districts shall comply with the open space standards for residential districts in Table (10.5.13))
Maximum Building Length	180 feet

- Note: Multi-family or Single-family attached developments that are allowed (by right or as conditional use) in non-residential districts shall use the dimensional and density standards of Table 7.6.2 A.

7.9 CENTER CITY (CC) DESIGN STANDARDS

7.9.1 PURPOSE

This Article protects the historic and aesthetic character of downtown Concord, by ensuring quality design and appropriate materials are used in the construction of new buildings. In addition to all other design and improvement regulations within this Ordinance, sites and buildings within the CC District (Downtown Concord) are regulated in accordance with specific standards described herein.

7.9.2 PEDESTRIAN SPACES, BUILDING SETBACKS, AND ENTRIES

- A. The intent of the pedestrian space is to allow the property owner to develop a usable size space for gathering, including but not limited to, outdoor seating, art displays, eating, or a plaza. The pedestrian space shall be accessible, visible, and easy to use. Substantial grade changes creating isolated or hidden spaces shall be avoided.
- B. Setbacks may be staggered to create a private pedestrian space. The minimum front yard setback for a portion of the building may be increased to any depth for the purposes of creating a patio or courtyard space so long as at least 50 percent of the total building frontage meets the minimum setback of the associated zoning district. (Example: A building with 50 linear feet of frontage and a 10-foot front setback requirement is allowed to have 25 feet of frontage that could set back greater than 10 feet. (See Figure 7.8-1.) For corner lots, this provision may be used to create a corner public space.

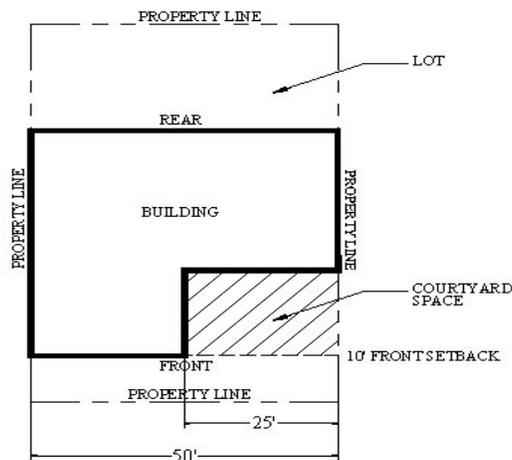


Figure 7.8-1: Illustration Showing Staggered Setback

- C. Where the pedestrian space is adjacent to the public right of way, there shall be an architectural (or defined) edge that complies with all requirements of the CC District to define the pedestrian space. All buildings shall have their principal entrance opening to a street, sidewalk or pedestrian space such as a courtyard, square or plaza. The principal entrance shall not open onto an off-street parking lot. Pedestrian access from the public sidewalk, street right-of-way or driveway to the principal structure shall be provided through appropriate pedestrian paving and landscaping where required.
- D. Landscaping is required and shall include a combination of trees, groundcover and plants as required by Article 11 of this ordinance; however, the following shall supersede the landscape requirements of Article 11:
1. Within the pedestrian space, one (1) canopy tree must be planted for each 500 square feet; or one (1) ornamental tree for each 250 square feet of created pedestrian space.
 2. A minimum of one (1) ornamental tree is required for any space of 250 square feet or less.
 3. Existing street trees should not be removed as part of the creation of a pedestrian space. Any existing trees or plant material, which is part of a previously approved landscape plan, shall be replaced.
- E. The following permitted amenities within the interior of the non-public pedestrian space include but are not limited to: ornamental fountains, stairways, waterfalls, sculptures, arbors, trellises, planted beds, drinking fountains, clock pedestals, public telephones, awnings, canopies, decorative benches, tables and similar structures.

7.9.3 SIGNAGE

- A. Liquid crystal display (LCD), flashing or blinking signs are not permitted in the CC District. All other signage in the CC District shall comply with Article 12 of the CDO.

Neon signage in the Center City District is permitted under the following conditions:

1. Neon signs shall only comprise 5% of the total allowed signage

area.

2. A sign application shall be submitted to the Development Services Department for review, along with a recommendation from the Concord Downtown Development Corporation for all proposed window signs.

- B. All window signs shall come into conformity with the current standards and requirements of this ordinance within 6 months of the date of adoption of this Article.

7.9.4 GENERAL DESIGN STANDARDS

In order to promote pedestrian activity and to avoid the impacts of traffic crossing sidewalks, the following uses shall be regulated as follows:

- A. The first floor (street level) of any new multi-story building shall be devoted to retail, commercial, and service uses, as listed in Table 8.6-1. Such buildings shall include said uses along not less than 50 percent of its street frontage. Residential dwellings shall be permitted above the first floor of any building with commercial and/or retail uses on the first floor.
- B. No "auto-oriented" use(s) listed in Table 8.1.8 shall be located within 400 feet of another auto-oriented use, as measured from the exterior boundaries of the buildings, or not more than one shall be located along any single block frontage, which ever is less.
- C. Accessory structures, additions, remodels and rehabilitation projects shall be designed and constructed using the same general form and materials as the principal building, provided that the principal building is architecturally consistent with the general character of the CC District. For the purposes of this ordinance, brick and/or brick with stucco is considered the general character of the buildings in the Center City.
- D. The design requirements of this section apply to all building walls that are visible from any public right-of-way.
- E. The preferred wall material for structures in the CC district is brick or predominantly brick colored material that is complementary to surrounding structures. The administrator may waive the brick requirements based on certain circumstances included, but not limited to:

1. Stucco may be approved to cover damaged or deteriorated brick.
2. Structural wood may be used as decorative elements as trim, in windows or on doors.

Any waivers beyond the authority of the Administrator shall be subject to approval by the Planning and Zoning Commission.

- F. Under no circumstances shall metal siding, unfinished concrete block, precast concrete, split-faced block, or vinyl siding be allowed for any building surface. Split-faced block may be used as an accent material so long as it does not cover more than 20 percent of the total building surfaces
- G. The first floors of all buildings shall be designed to encourage and to complement pedestrian-scale activity by the use of windows and doors arranged so that the uses are visible from and/or accessible to the street on not less than 50 percent of the length of the first floor street frontage. Not less than 50 percent of the length and 25 percent of the surface of the primary structure(s) shall be in public entrances or windows (including retail display windows). Where windows are used, they shall be transparent. Solid walls shall not exceed 20 feet in length. All street level retail uses with sidewalk frontage shall be furnished with an individual entrance and direct access to the sidewalk in addition to any other access that may be provided.
- H. Window glass shall be recessed a minimum of two (2) inches from the building face rather than flush. Aluminum colored windows or door frames are not permitted. Metal and/or aluminum window or door frames are permitted if trimmed in such a way as to give the appearance of wood. Synthetic material that gives the appearance of wood (i.e. Fiberglass with a wood grain pattern) is permitted. All materials shall be identified on the architectural drawings submitted for review.
- I. Reflective or tinted glass is not permitted on window or door surfaces. Glass surfaces shall not have a reflectivity in excess of 36 percent. Submitted plans shall clearly indicate the type of glass being used and its reflectivity index.
- J. Doors shall be recessed into the face of the building (to provide a sense of entry and to add variety to the streetscape). An entryway shall not be less than one (1) square foot for each

1,000 square feet of floor area, and in all cases shall not be less than 15 square feet.

- K. Decorative fences such as those constructed of brick and wrought iron are allowed within the CC District. Screening fences shall be opaque and either painted or stained with the decorative side adjacent to the public right-of-way. In no instance will a chain link or barbed wire fence be acceptable except around construction sites. Plywood, sheet metal, fiberglass or other such panel fences are also prohibited. Temporary plywood screening fences shall be allowed during construction.

- L. Canopies, awnings, and similar appurtenances may be constructed over the entrance to any building, and/or over windows subject to the following criteria:
 - 1. Such appurtenances shall be constructed of material designed to complement the streetscape.
 - 2. In no instance shall these appurtenances utilize internal illuminated backlights in their design or mounting.
 - 3. Awnings shall be made of canvas or treated fabric/canvas material.
 - 4. Vinyl, metal, or Plexiglas awnings are not permitted.
 - 5. An encroachment agreement is required for awnings or signs that hang over the public rights-of-way.

- M. Any such appurtenance may extend from the building to up to 80 percent of the width of the sidewalk area in front of the building or nine (9) feet, whichever is less, subject to any encroachment permit which may be required by the North Carolina Department of Transportation, or the City. In addition, the property owner shall carry liability insurance in the amount of \$500,000 as described in CURRENT Section 12.5.5.1.[NEW 12] The City Attorney's office may ask for verification of this coverage when reviewing encroachment permits.

- N. Such appurtenances shall be self-supporting. In no case shall supports for such appurtenances extend to the sidewalk and/or ground within the public right of way.

- O. In no case shall any such facility extend beyond the curb line of the street, nor shall it interfere with the growth or maintenance of street trees, or maintenance of streetlights or street signs.
- P. A minimum overhead clearance of eight (8) feet from the sidewalk shall be maintained.
- Q. Any lot, which becomes vacant through the removal of a structure for any reason must be screened from all abutting public street rights of way in accordance with the provisions of this ordinance or cleared of rubbish and debris and seeded with grass or other appropriate landscaping material. If the lot is to be used for parking, either as a transitional or permanent use, it must meet all the minimum requirements for that use as established by this ordinance.
- R. A site plan is required as per Article 5 along with architectural elevations or perspective drawings.

7.9.5 PROHIBITED ALTERATIONS

In no such case shall any existing window opening be enclosed so as to create a solid wall. In situations where alterations of original windows have been completed prior to the adoption of this Ordinance, restorative measures to return the opening to its original existence shall be made when additions or alterations are made to the existing structure, unless otherwise prohibited by State Building Code.

7.9.6 PARKING CRITERIA

Parking for renovated and rehabilitated buildings is exempt from the following requirements unless new rentable gross floor area is added or created.

- A. In order to maintain a pedestrian friendly street edge, no off-street surface parking shall be permitted between the principal structure and the street right-of-way. Parking is permitted on the sides of buildings, but the maximum width shall not exceed 60 feet (two rows including drive aisle). Such parking shall be screened with landscaping with evergreen plant material that reaches a mature height of no less than three (3) feet. Off-street surface parking areas, which are screened from the view from public streets by the principal buildings, except for the limited view through the driveway providing access to parking, shall provide one (1) ornamental tree and five (5) shrubs for lots less than 10 spaces. For lots greater than 10 spaces, one (1) shade tree or (2)

ornamental trees and eight (8) shrubs shall be required per 10 parking spaces. Off-street parking areas shall be designed so that parked vehicles do not encroach upon or extend onto public rights-of-way, sidewalks or strike against or damage any wall, vegetation, utility, or other structure.

- B. The administrator may allow a decorative masonry wall or a combination of a wall with plantings in lieu of parking lot yards if one or more of the following conditions exist:
 - 1. The parking lot contains six (6) or less spaces
 - 2. The site on which the parking is located contains a designated historic structure
 - 3. The presence of lot yards complicates deliveries necessary for the day-to-day operations of the principle structure.

7.9.7 LOADING AND UNLOADING AREAS

Where feasible, loading/unloading areas shall be located only in the rear or side yard.

7.9.8 STRUCTURED PARKING FACILITIES

In addition to the above listed requirements, structured parking facilities shall be subject to the following criteria:

- A. Structured parking must be designed so that the only openings at the street level are those to accommodate vehicle entrances and pedestrian access to the structure.
- B. In the event that any openings for ventilation, service or emergency access are located at the first floor level in the building wall then they must be decorative and must be an integral part of the overall building design. These openings as well as pedestrian and vehicular entrances must be designed so that cars parked inside are not visible from the street. The remainder of the street level frontage must either be occupied retail space or an architecturally articulated wall designed to screen the parking areas of the structure, to encourage pedestrian activity and to provide for urban open space. Parking garages shall be architectural compatible with those in the CC district.

- C. Cars on all levels of a structured parking deck must be screened from view from the street utilizing decorative elements such as grillwork or louvers. In no instance will cabling alone be sufficient to meet this screening requirement.
- D. The design requirements of this section apply to all building walls, which are visible from any public right-of-way.

7.9.9. STREETScape PROTECTION

- A. Any damage to the existing streetscape design, including street trees, by development, use or condition of private property shall be corrected by the property owner at the owner's expense to the satisfaction of the City of Concord, prior to the release of a certificate of occupancy.
- B. The City, the cost of which is to be billed to the owner, including city administrative costs, shall correct any damage not corrected by the owner.

7.9.10 COMPLIANCE

A site plan is required as per Article 5 along with architectural elevations or perspective drawings compiling with the requirements of this Ordinance. In no case shall a Certificate of Compliance (COC) be issued if the design requirements covered in this Ordinance have not been met.

7.10 SUPPLEMENTAL DESIGN STANDARDS AND REQUIREMENTS FOR NON-RESIDENTIAL DISTRICTS

7.10.1 PURPOSE AND SCOPE

The purpose of this Section is to improve the overall design and appearance of nonresidential buildings and property. Specifically, these standards are intended to enhance community aesthetics (through the use of quality building design, landscaping, and signage), maintain and strengthen property values, promote Concord as a high quality community (by creating developments that attract quality jobs and businesses), and implement the goals and polices of the Concord Land Use Plan.

7.10.2 APPLICABILITY

A. New Construction

This Section applies to all new construction on O-I, B-1, C-1, C-2, I-1 and I-2 properties. In addition to all other regulations within this Ordinance, sites and buildings within the O-I, B-1, C-1, C-2, I-1, and I-2 zoning districts are regulated in accordance with specific standards as listed below.

The City Manager, or his designee, may waive individual requirements of this Section on a case-by-case basis for buildings not fronting on a major or minor thoroughfare or infill development.

B. Existing Development

Additional construction that is 25 percent or less of the floor area of the existing building shall be subject only to the building setbacks and minimum parking standards. If additional parking is required, parking lot yard landscaping shall be required as set forth in Article 7.

Additional construction that is more than 25 percent of the floor area of the existing building shall be subject to all of the requirements of this Section. The City Manager, or his designee, may waive individual requirements of this Section on a case-by-case basis.

7.10.3 SIGN REGULATIONS

Signs shall be regulated in accordance with standards set forth in Article 12 of this Ordinance, or by an approved comprehensive sign package.

7.10.4 ELECTRICAL AND SERVICE EQUIPMENT

HVAC and similar types of incidental machinery or equipment shall be screened from view, or located in such a manner as to not be visible from a public street. Trash receptacles, dumpsters, utility meters, aboveground tanks, satellite dishes and antennas shall be screened from view, in accordance with Section 11.9.9.

7.10.5 ARCHITECTURAL PLANS

Architectural plans shall depict architectural details outlined in this Section and shall consist of:

- A. Preliminary renderings of building elevations plus typical cross sections to clearly define the character of the project; and
- B. Exterior building materials inventory to indicate compliance with this Section.

7.10.6 APPROVALS

For new structures greater than 30,000 square feet, the Planning and Zoning Commission shall approve the plans. All other structures shall comply with the requirements of Section 3.6.

7.10.7 COMPLIANCE

Architectural details and/or drawings shall be submitted to the administrator at the time of site plan submittal. All requirements of this ordinance must be met before a Certificate of Compliance (COC) can be issued.

7.10.8 KEY DESIGN CONSIDERATIONS

The following key design considerations shall be applied to all development subject to this section at the time of site plan review:

- A. **Compatibility**
Adjacent buildings shall relate in similarity of scale, bulk, height, architectural style, roof style, and configuration.

B. Proportions

Windows, doors, columns, piers, projections, ribs, awnings, cornices, parapets, eaves, and other building components shall be proportional to the overall scale of the building. Windows should be greater in height than width, unless otherwise required by a specific design feature or architectural style.

C. Termination of Vistas

Entry drives or drives within the site or from significant adjacent streets shall be terminated in a focal point, such as a building or other significant architectural or landscape feature. (See Figure 7.10-1.)

7.10.9 REQUIRED DESIGN ELEMENTS

The following design elements shall be incorporated in architectural and site plan:

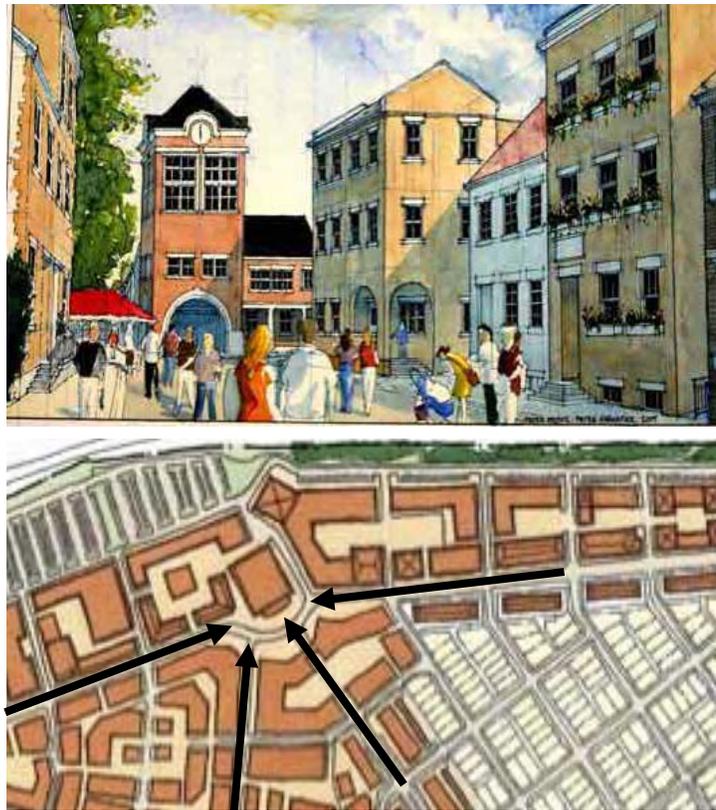


Figure 7.10-1: Termination of Vistas

7.10.10 BUILDING AND SITE DESIGN STANDARDS

A. Building Entrance

Primary building entrances shall be clearly defined, and shall be recessed or framed by a sheltering element such as an awning, arcade, overhangs, or portico (in order to provide weather protection for pedestrians). Public entrances flush with the building wall with no cover are not allowed. (See Figure 7.9-2.)

B. Boulevard Entrance

For developments containing total floor area in excess of 80,000 square feet, the principal access into the site shall be a boulevard incorporating a 10-foot wide landscaped center median.

C. Transit Stops

Transit bus stop may be required if the development is located on an existing or planned public transit route, which shall be determined by transit plans and the Transit Administrator.

D. Outdoor Space

Each site shall be designed to include public pedestrian walkways throughout the development linking all facilities open to the public, which shall include one (1) or more plazas or courtyards with benches, or patios/ seating areas. For developments containing total floor area in excess of 80,000 square feet, at least one (1) outdoor space or site amenity such as a public square, park, or outdoor playground area on the site, or on adjacent land. All features shall be accessible, useable spaces. Outdoor space or design elements may include, but are not limited to:

1. Window shopping walkway
2. Water feature
3. Clock tower
4. Seating walls
5. Benches
6. Courtyards or plazas
7. Fountains
8. Sculpture or public art

The Administrator may approve any other such deliberately shaped area or focal feature or amenity that, in the judgment of the Administrator, adequately enhances such community and public spaces.

E. Sidewalks

All buildings, parking areas, public spaces, amenity features, and adjoining developments of similar use, shall be linked with sidewalks. Sidewalks shall be provided along public streets that provide access to the development. These interior sidewalks shall be constructed in accordance with the standards for sidewalks as set forth in Article II section 10.20 of the TSM.

F. Exterior Materials

Exterior building materials shall include brick, split-faced concrete block, stone, stucco, synthetic stucco, or cement-board or wood siding. Metal may be used as accent material, and cumulatively may not exceed 20 percent of the area of any individual exterior wall. Highly reflective materials such as bright finished metal and tinted glass shall not be used as the primary building material. When two (2) or more materials are used on an exterior wall, the heavier material (e.g., brick) shall be placed below the lighter material (e.g., stucco). All windows and doors at the ground floor level on any retail building shall be transparent.

G. Roof Pitch

Flat roofs and roofs with a pitch of less than 3:12 require a parapet wall. Eaves a minimum of one (1) foot from the building face shall profile a pitched roof. Roofing for pitched roofs greater than 6:12 shall be wood, tile, slate, architectural asphalt shingles, or low-reflectivity metal (flat or matte finish). Applied mansard roofs shall not be permitted.

H. Parapet Walls

Average parapet height shall not exceed 15 percent of the supporting wall height. Maximum parapet height shall not exceed 33 percent of the supporting wall height. (See Figure 7.11-2.)

I. Facade/Wall Treatment

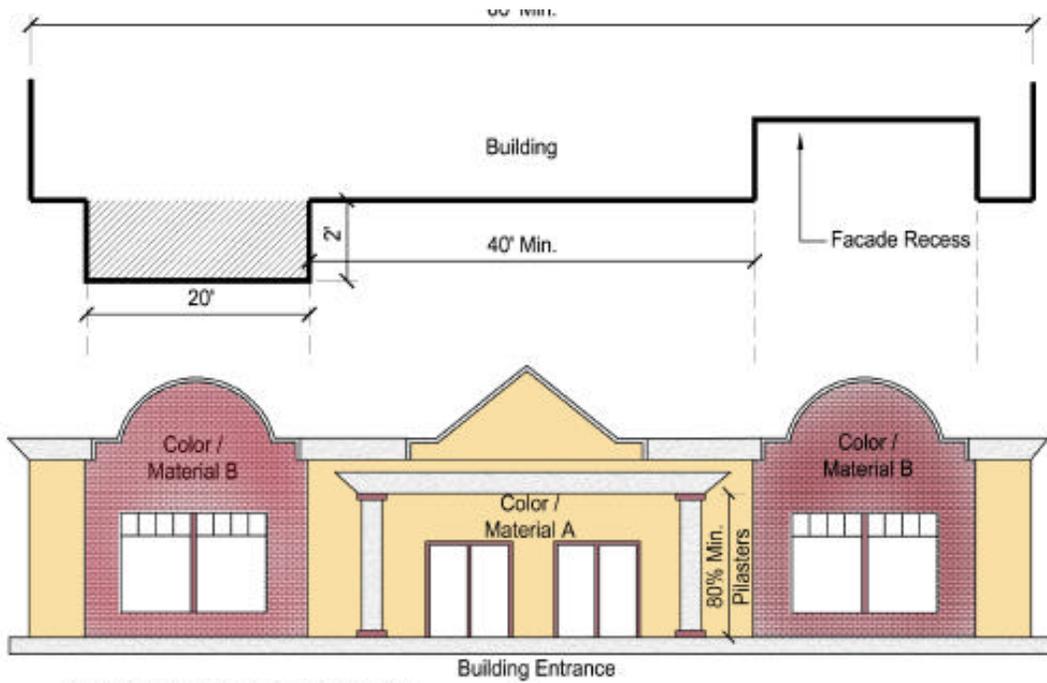
Facades shall have a recognizable "base" consisting of (but not limited to): walls, ledges, sills, integrally textured materials (such as stone or other masonry), integrally colored and patterned materials, or planters. Facades shall also have a recognizable "top" consisting of (but not limited to): cornice treatments with integrally textured materials (other than colored "stripes" or "bands"), sloping roofs (with overhangs and brackets), or stepped parapets. All sides of a building and any accessory structure shall utilize materials and design characteristics consistent with those of the front facade. In order to prevent large flat expanses of featureless exterior

walls, recesses, projections, columns, offsets, or change in building wall plane shall be required every 50 feet of building wall length. No uninterrupted length of any façade shall exceed 50 feet. Projections, recesses, and decorative columns shall be a minimum of one foot wide and one foot deep. Structural columns supporting a portico, porch, or overhang shall meet these requirements. (See Figure 7.11-2.)

- J. Additionally, at least four (4) of the following elements must comprise 60 percent of front façade length and 40 percent of any façade length fronting a public street or parking lot:

- Parapets
- Cornices
- Roofline offsets
- Windows or doors
- Window hoods
- Transoms
- Bulkheads
- Awnings or canopies
- Ribs or columns
- Changes in texture or masonry

Figure 7.11-2



Note: Material changes may be used in lieu of or in addition to facade offsets

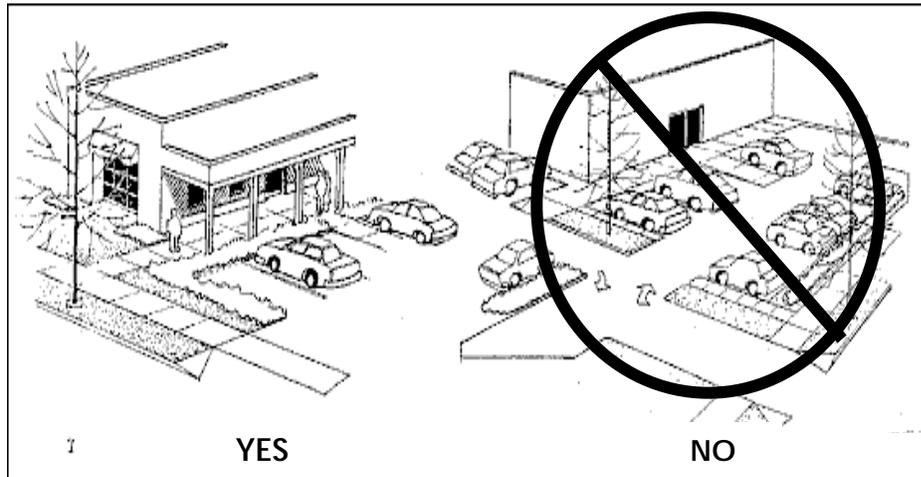
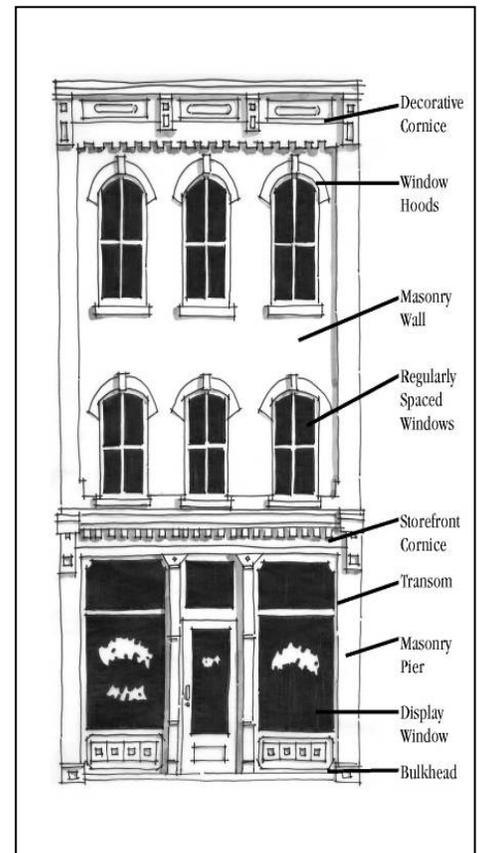
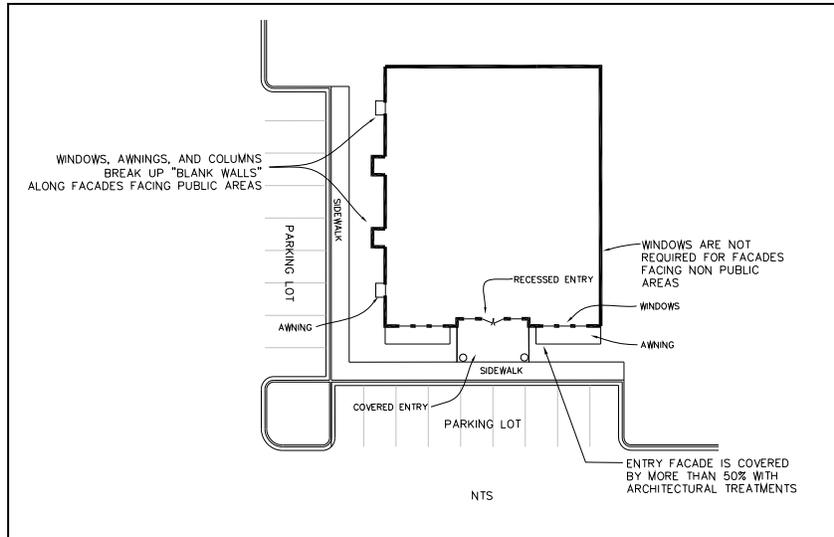
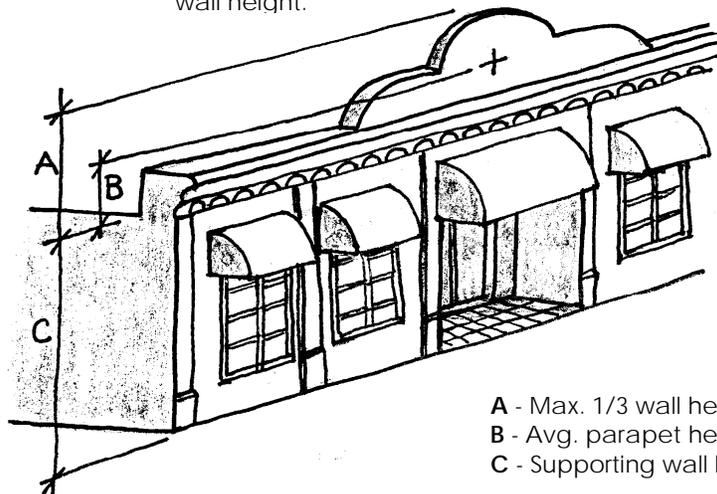


Figure 7.11-2 Continued



- Average parapet height shall not exceed 15% of supporting wall height.
- Parapet heights shall not exceed 1/3 of supporting wall height.



A - Max. 1/3 wall height
B - Avg. parapet height
C - Supporting wall height