

Sec. 44-430. Mixed-Use Corridor (MUC-O).

Purpose: This district's standards relate to building form, design, signage, landscaping, parking, access management, and appearance. This district may be used to accomplish one or more of the following public purposes:

- ◆ *Provide a mixed-use corridor with connections to a Village District;*
- ◆ *Provide a walkable mixed-use area that is inviting to pedestrians and convenient for the traveling public;*
- ◆ *Establish higher development standards along major road corridors in the County;*
- ◆ *Provide a mixture of commercial, office and residential uses; and*
- ◆ *Establish building form and architectural standards compatible with the historical character of the area.*

Sec. 44-430.01 Plan Consistency.

The MUC-O district is established to implement the following small area plan land use categories:

- (a) Sherrills Ford Village-Mixed Use, Hwy. 150 Corridor Commercial & Office/Institutional and Regional Commercial/Mixed Use Center designations;
- (b) St. Stephens/Oxford Highway Commercial & Office/Institutional Corridor and Mixed-Use Corridor designations; and
- (c) Mountain View Highway Corridor Commercial & Office/Institutional designation.

(Ord. No. 2008-01, 1/22/2008)

Sec. 44-430.02. Boundaries.

Where any uncertainty exists with respect to the boundary of any district as shown on the zoning map, the district is deemed to extend from the edge of the right-of-way of the corridor road as designated in this Section. Where additional uncertainty exists, the regulations under Sec. 44-402 shall apply. If the Chapter does not indicate otherwise, both sides of the road are considered a corridor road. For purposes of this section, the following road segments are designated as corridor roads:

- (a) NC Hwy. 150:
 - (1) From the Catawba River to the Lincoln County line, with exception of a section from the Seaboard Coast railroad right-of-way, located west of Slanting Bridge Road (SR 1844), extending west to the bridge of the Mountain Creek arm of Lake Norman. The district extends 500 feet from the edge of the right-of-way on both sides of Highway 150 and is referred to as the "Hwy. 150 Corridor"; and
 - (2) The regional commercial/mixed use center at the intersection of Hwy 150 and Hwy 16 as designated in the Sherrills Ford Small Area Plan.

- (b) NC Hwy. 16:
 - (1) Hwy. 16 North from the planning jurisdiction of the City of Conover to 1000 feet north of the intersection of C & B Farm Road (SR 1487) extending 1000 feet from the edge of the right-of-way on both sides of Hwy. 16, referred to as the “Greater Rock Barn Economic Development District.”
 - (2) Hwy. 16 South extending 500 feet from the edge of the right-of-way on both sides of Hwy. 16 at the following rural commercial nodes designated in the small area plans:
 - a. Smyre Farm Road (SR 1884) and Bethany Church Road (SR 1804);
 - b. Balls Creek Road (SR 1810) and Providence Mill Road (SR 1810); and
 - c. Buffalo Shoals Road (SR 1003) referred to as the “Hwy. 16 South Commercial Node District.”
- (c) Rock Barn Road (SR 1709) from the planning jurisdiction of the City of Conover to 3500 feet north of the intersection of St. Johns Church Road (SR 1712) extending 1000 feet from the edge of the right-of-way on both sides of Rock Barn Road, referred to as the “Greater Rock Barn Economic Development District.”
- (d) Springs Road (SR 1453) from the planning jurisdiction of the City of Hickory to the intersection of County Home Road (SR 1484) extending 500 feet from the edge of the right-of-way on both sides of Springs Road, referred to as the “Springs Road Corridor.”
- (e) NC Highway 127 from the planning jurisdiction of the City of Hickory to the intersection of Mountain Grove Road (SR 1128) extending 500 feet from the edge of the right-of-way on both sides of Hwy. 127, referred to as the “Hwy. 127 Corridor.”

Right-of-way, as referenced above, is defined as the land within the legally defined property whose title vests in the state and is designated or intended for highway purposes.

(Ord. No. 2008-01, 1/22/2008)

Sec. 44-430.03. Applicability.

This Section applies to all land designated as the MUC-O on the zoning map.

- (a) Except as provided in Subsection (4) below, the MUC-O district applies to the extent that there is any inconsistency between the MUC-O district and the underlying general or special use district.
- (b) This Section applies to any of the following activities within the MUC-O district:
 - (1) Any change of use;

- (2) Any minor or major expansion to an existing commercial structure as noted in Table 44-430.03-1;
 - (3) Any development of vacant tracts that occurs after the effective date of this Section; and
 - (4) Any subdivision of land.
- (c) This Section does not apply to existing single-family, site-built or manufactured homes or duplexes that are used for residential purposes. Additions to such structures or accessory uses are permitted subject to the zoning requirements of the district and Sec. 44-404. Existing single-family, site-built or manufactured homes and duplexes that are partially or fully destroyed may be rebuilt or repaired as a matter of right as allowed in Sec. 44-705(b). If a tract of land is vacant at the time this Chapter is adopted, a single-family home may be constructed on the property as a matter of right subject to other applicable zoning regulations contained within this Chapter.
- (d) The applicant may propose actions, designs, or solutions (hereinafter “alternative standards”) that are not literally in accord with this Section but that embody its spirit. Alternative standards may be approved provided that they comply with the spirit of the regulations in the particular case, and that the public purposes of this Section are satisfied to an equivalent or greater degree.
- (e) Compliance with this Chapter is required in accordance with Table 44-430.03-1.

Table 44-430.03-1. Compliance table, MUC-O District.

C = Compliance with all applicable standards required
R = Retrofit to the extent practical as determined by the planning director. An appeal of the planning director’s decision shall follow the process detailed in Sec. 44-305.

Existing building expansion (minor): Expansion to buildings less than or equal to 25% of the current leasable/heated area.

Existing building expansion (major): Expansion to buildings greater than 25% of the current leasable/heated area.

	Site standards	Building design standards/site appearance	Driveway connection/access management	Streetscape landscaping	Buffering and screening	Landscaping of parking areas	Parking	Pedestrian design	Site lighting	Signs
Parking area expansion (minor 12-24 spaces)	N/A	N/A	R	R	R	R	R	R	R	N/A
Parking area expansion (major 25 or more spaces)	N/A	N/A	R	R	C	C (for new spaces only)	C	R	C	N/A
Change of use	R	R	R	R	R	R	R	R	R	R
Existing building expansion (minor)	R	R	R	R	R	R	R	R	R	R
Existing building expansion (major)	C	C	R	R	C	C	C	C	C	C
New building construction undeveloped site (including outparcels)	C	C	C	C	C	C	C	C	C	C

Sec. 44-430.04. Site plan required.

Any person wishing to develop a lot or parcel in the MUC-O is encouraged to have at least 5 acres incorporated into an integrated site plan. A site plan for parcels less than 5 acres that existed prior to the adoption of the MUC-O District may be accepted by the planning director if a determination is made that practical difficulties exist and all opportunities have been exhausted. In addition, the site plan may be considered provided that the development standards in the MUC-O district are met to the extent feasible. A separate zoning site plan must be submitted showing applicable Chapter requirements. An architectural plan must also be submitted indicating compliance with the applicable building design and site standards.

Sec. 44-430.05.

Uses.

- (a) Uses allowed in the MUC-O District are those that would typically occupy smaller scale commercial/retail/office type uses where the general public would utilize specific goods and services.
- (b) The uses allowed in the RC, HC, and O-I districts as shown in Table 44-403-1 - Use Matrix are permitted in the MUC-O District, with the exception of Subsection (c) below. In addition, multi-family development is permitted to the extent that it is a portion of a mixed-use project and does not comprise more than 50% of the gross square footage of the overall development. A family subdivision, as defined in this Chapter, is allowed provided that no more than 2 driveway cuts and/or rights-of-ways are created which connect to the corridor road. Where the tract of land has 1000 feet or more of corridor road frontage, a family subdivision will be allowed with up to 3 driveway cuts and/or rights of way connecting to the corridor road.
- (c) The following uses are prohibited in the MUC-O District (excluding land areas in the Highway Commercial (HC) nodes along Hwy. 16 South as referenced in Sec. 44-430.02(b)(2). The Highway 16 South nodes allow all permitted uses listed in Table 44-403-1 under the HC category.

Table 44-430.05-1. Prohibited principal uses in MUC-O District.

The following list of prohibited principal uses are applicable to the MUC-O district with exception of the land areas in the Highway Commercial (HC) nodes along Hwy. 16 South as referenced in Sec. 44-430.02(b)(2). The Highway 16 South nodes allow all permitted uses listed in Table 44-403-1 under the HC category.

Amusement park/arcade (outdoor)	Dragstrips or racetracks	Open storage
Armory	Equipment rental, heavy	Pawnshop
Auto storage or salvage yards	Farm supplies	Roadside stand, commercial
Batting cage (outdoor)	Greenhouse, commercial	Sanitarium and mental institution
Boardinghouse, rooming house	Industrial supplies and equipment	Subdivision of land for non-family, single-family residential uses
Bus terminal	Lumber and building materials sales	Wholesale distribution
Campgrounds	Manufactured/modular home sales	Wood waste grinding operations (industrial)
Cemetery, human public	Miniature golf (outdoor)	Zoo
Cemetery, pet	Movie theater (drive-in)	
Circus, carnival and fair (permanent)	Municipal garage	

(Ord. No. 2008-01, 1/22/2008; Ord. No. 2008-17, 10/20/08)

(d) The following uses are permitted with supplemental standards as shown in Subsections (1) through (5) below.

Table 44-430.05-2. Permitted principal uses in MUC-O with supplemental regulations.

Auto, truck, boat, recreation vehicle and motorcycle sales or rentals	Golf driving range	Nightclub
Billiard or pool hall	Mini-warehouse	Par-three golf
Carwash (free standing)	Motor vehicle repair, major	Rental of light equipment and supplies
Dry storage facilities	Motor vehicle repair, minor	

(Ord. No. 2008-17, 10/20/08)

(1) Auto, truck, boat, light equipment, recreation vehicle and motorcycle sales or rentals, motor vehicle repair (major and minor) or dry storage facilities.

a. All display/inventory must be located in an enclosed building, utilizing window display; or

- b. All frontages of the site must be screened with ornamental fencing, a minimum of 6 feet high, bracketed by stone or brick columns, with a maximum separation of 18 feet apart. The fence cannot be located in the front setback. Fencing is not required in front of the office, when the office abuts the setback or the fencing line; and
- c. Landscaping requirements of Article V must be met. In addition, landscaping must be installed along the entire frontages to achieve 50% opacity within 2 to 3 years, at a 6-foot height, both in plan (aerial) view and elevation (street level) view;
 - 1. Plant species must be a minimum of 75% evergreen; and
 - 2. A mixture of species and a variety of shapes and forms must be utilized throughout the frontage landscaping; or
 - 3. A maintained, earthen-mound or berm may be installed with vegetation, to achieve 50% opacity from the top of the berm, to the height of 6 feet, both in plan (aerial) view and elevation (street level) view. Plants must be a minimum of 75% evergreen and a minimum 3-gallon in size and 2 feet in height at the time of planting. The berm must have a minimum base width of 12 feet. This mound or berm cannot impound storm water runoff or direct runoff to adjacent properties.
- d. No stacking of items or materials outdoors is permitted;
- e. All display, inventory, structures, parking areas, and other improvements must be setback a minimum 50 feet from the right-of-way;
- f. Vehicle service entrances must be rear entry, or in the rear or side yard for a corner lot on the lower classified street; and
- g. Dry storage facilities must meet the requirements of Sec. 44-618 and cannot have open *sides or bays visible from any rights-of way*. *All storage must be within the facility.*

(2) Golf driving range, par-three golf.

- a. Fairways and driving ranges and nets must be setback a minimum of 150 feet from the rights-of way.
- b. All frontages of the site must be screened with ornamental fencing, a minimum of 6 feet high, bracketed by stone or brick columns, with a maximum separation of 18 feet apart. The fence cannot be located in the front setback. Fencing is not required in front of the office, when the office abuts the setback or the fencing line; and

- c. Landscaping requirements of Article V must be met. In addition, landscaping must be installed on frontages to achieve 50% opacity within 2 to 3 years, at a 6-foot height, both in plan (aerial) view and elevation (street level) view;
 - 1. Plant species must be a minimum of 75% evergreen; and
 - 2. A mixture of species and a variety of shapes and forms must be utilized throughout the frontage landscaping; or
 - 3. A maintained, earthen-mound or berm may be installed with vegetation, to achieve 50% opacity from the top of the berm, to the height of 6 feet, both in plan (aerial) view and elevation (street level) view. Plants must be a minimum of 75% evergreen and a minimum 3-gallon in size and 2 feet in height at the time of planting. The berm must have a minimum base width of 12 feet. This mound or berm cannot impound storm water runoff or direct runoff to adjacent properties.

(3) Carwash (free standing).

- a. All frontages of the site must be screened with ornamental fencing, a minimum of 6 feet high, bracketed by stone or brick columns, with a maximum separation of 18 feet apart. The fence cannot be located in the front setback. Fencing is not required in front of the office, when the office abuts the setback or the fencing line; and
- b. Landscaping requirements of Article V must be met. In addition, landscaping must be installed on frontages to achieve 50% opacity within 2 to 3 years, at a 6-foot height, both in plan (aerial) view and elevation (street level) view;
 - 1. Plant species must be a minimum of 75% evergreen; and
 - 2. A mixture of species and a variety of shapes and forms must be utilized throughout the frontage landscaping; or
 - 3. A maintained, earthen-mound or berm may be installed with vegetation, to achieve 50% opacity from the top of the berm, to the height of 6 feet, both in plan (aerial) view and elevation (street level) view. Plants must be a minimum of 75% evergreen and a minimum 3-gallon in size and 2 feet in height at the time of planting. The berm must have a minimum base width of 12 feet. This mound or berm cannot impound storm water runoff or direct runoff to adjacent properties.

(4) Mini-warehouse.

- a. All supplemental standards of Sec. 44-619 must be met;
 - b. All frontages of the site must be screened with ornamental fencing, a minimum of 6 feet high, bracketed by stone or brick columns, with a maximum separation of 18 feet apart. The fence cannot be located in the front setback. Fencing is not required in front of the office, when the office abuts the setback or the fencing line; and
 - c. Landscaping requirements of Article V must be met. In addition, landscaping must be installed on frontages to achieve 50% opacity within 2 to 3 years, at a 6-foot height, both in plan (aerial) view and elevation (street level) view;
 - 1. Plant species must be a minimum of 75% evergreen; and
 - 2. A mixture of species and a variety of shapes and forms must be utilized throughout the frontage landscaping; or
 - 3. A maintained, earthen-mound or berm may be installed with vegetation, to achieve 50% opacity from the top of the berm, to the height of 6 feet, both in plan (aerial) view and elevation (street level) view. Plants must be a minimum of 75% evergreen and a minimum 3-gallon in size and 2 feet in height at the time of planting. The berm must have a minimum base width of 12 feet. This mound or berm cannot impound storm water runoff or direct runoff to adjacent properties.
- (5) Billiard or pool hall, nightclub.
Neon or florescent colored signs cannot be displayed on the exterior of the building, in windows or doors visible from the rights-of way.

(Ord. No. 2008-17, 10/20/08)

Sec. 44-430.06. Site standards.

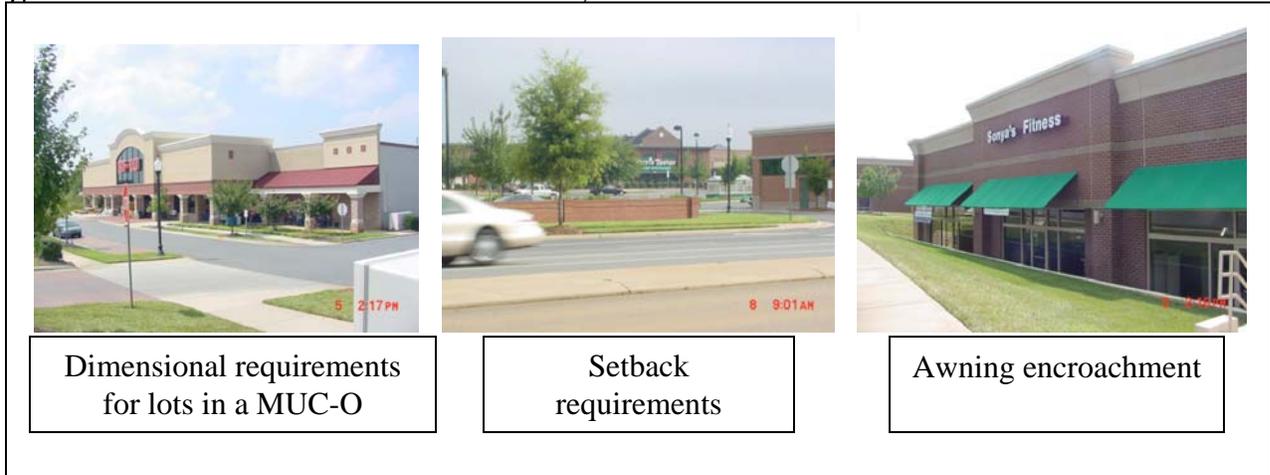
- (a) *Scope.* The standards and regulations in this section should be adhered to for all development in the MUC-O District. The general provisions include:
 - (1) *Long-range plans.* The development must conform to all long-range plans concerning such issues as road building and utility extensions.
 - (2) *General site design.* In general, the site design must attempt to reduce cut and fill; protect groundwater resources; avoid unnecessary paved surfaces; provide adequate access and promote visual attractiveness.
 - (3) *Suitable sites.* The site must be suitable for development in the manner proposed without hazards to persons or property, on or off the site, free from the probability of flooding, erosion, subsidence or slipping of the soil, or other dangers. Conditions of soil, groundwater level, drainage and topography shall all be appropriate to both the kind and pattern of use intended.

- (4) *Unified site planning.* If appropriate to the form of development, lands included in the MUC-O may be divided by streets, alleys, rights-of-way or easements, but must be so located, dimensioned and arranged as to permit unified planning and development and to meet all requirements in connection and to provide necessary protection against adverse relationships between uses in the district and uses in surrounding areas.
- (b) *Preservation.* Protecting environmentally sensitive land, open space and historical sites should be given high priority in site design. More specifically the following must be preserved whenever feasible:
 - (1) *Wetlands.* Wetlands as defined through field inspection by the U.S. Army Corps of Engineers;
 - (2) *Floodplains.* Lands in the floodplain as identified on FEMA flood hazard maps;
 - (3) *Steep slopes.* Slopes in excess of 20% over intervals of 10 feet or more; and
 - (4) Historic sites.
- (c) *Dimensional requirements for lots within a site plan.* Subdivision of land in the MUC-O District requires review and approval of a site plan. Individual lots in the MUC-O District must conform to Table 44-430.06-1.

Table 44-430.06-1. Dimensional standards, MUC-O District.

Minimum lot size	20,000 square feet
Minimum lot width	100 feet
Building setbacks, measured as the minimum distance measured from the edge of the street right-of-way and/or nearest property line to be as follows:	
Front setback on internal streets	10 feet
Side setback (principal structures)	6 feet, or 0 feet for attached buildings
Rear setback (principal structures)	20 feet or 30 feet if adjacent to a residential use or district
Setback required from corridor road	35 feet
Accessory structures, side/rear setback	0 feet
Encroachments	Canopies and awnings may encroach into the front setback up to 8 feet

Figure 44-430.06-1. Dimensional standards, MUC-O district



Sec. 44-430.07. Building design standards/site standards.

These standards provide building designs that accommodate diversity in style and building materials striving to define a distinct character while maintaining a high quality of development standards. Buildings are oriented to maximize the convenience of pedestrian walkability. These standards further provide development patterns that avoid the excessive linear expansive rooflines of strip plazas.

- (a) *Building size.* For buildings exceeding an aggregate square footage of 50,000, a planned development special district rezoning is required in accordance with Sec. 44-443. Individual buildings within the MUC-O cannot exceed 65,000 square feet of gross floor area. An exception to building size may be considered, during the rezoning process, for a village center or a planned development special district.
- (b) *Street line preservation.*

- (1) Where a major or minor thoroughfare is planned to be built or widened and initial roadway design and right-of-way locations have been completed and funded in the current State Transportation Improvement Program (STIP), all building setbacks must be measured from the expanded right-of-way for these improvements. All parking, landscape and buffering installations must be located outside of the expanded right-of-way.
 - (2) Future roads or road improvements that are shown on the urban area transportation plan or the County's thoroughfare plan must be indicated on any subdivision plat, site plan, or zoning authorization permit applications. Buildings, structures, parking, landscape and buffering installations must be located outside the proposed right of way or pavement edge of such improvements where these locations are indicated on the urban area transportation plan or the County's thoroughfare plan.
- (c) *Type of construction.* The following standards must be met for building construction in the MUC-O.
- (1) Building front. Ribbed paneling consisting of vinyl or metal, as the primary building material, or unpainted cinder blocks are prohibited as the building material for the front of a building facing a public right-of-way. Metal and vinyl, of a ribbed panel design, may be used as accent materials, as part of the façade face comprising no more than 25%. For the purposes of this Subsection, buildings located on corner lots are only considered to have one front.
 - (2) Façade(s) visible from a publically dedicated or private right-of-way. Building façade(s) consisting of ribbed vinyl or metal, as the primary building material, or unpainted cinder blocks are prohibited as the building material along the portion(s) of the building which are visible from private or public rights-of-way. Metal and vinyl, of a ribbed panel design, may be used as accent materials, as part of the façade face comprising no more than 25%. An exception to allow any building material can be made where a solid vegetative screen exists or is installed which shields that portion of the façade(s) from private or public rights-of-way, as determined by the planning director.
 - (3) Façade(s) not visible from a publically dedicated or private right-of-way. Sides not visible from public rights-of-way may use ribbed paneling, painted cinder blocks or other materials.
 - (4) Roofs may be of a standing seam metal material, but ribbed metal is not allowed. Roof colors must be of a neutral tone, such as beige, brown, grey or subtle natural colors such as forest green or black. An exception to the color requirement may be approved by the Planning director.
 - (5) *Type of building materials encouraged.* Examples of building materials which are encouraged include masonry, wood, fibrocement product, such as hardiboard, textured vinyl and stucco and other new and innovative materials as they become available in the marketplace. Green roofs and Leadership in Energy and Environmental Design (LEED) construction or equivalent standards are encouraged.

- (6) Existing buildings that are listed in the National Register of Historic Places are exempt from these standards where they are in conflict with the Secretary of Interior guidelines.
 - (7) Building shapes are not restricted as long as they meet all other requirements, including building and fire codes.
- (d) *Roof pitch.* Roof pitches less than 3/12 and flat roofs will require a parapet wall. A pitched roof must be profiled by eaves a minimum of 6 inches from the building face or with a gutter. Convenience store canopies cannot have a consistently flat roof. The pitch of the canopy and exterior materials must resemble the roof of the principal structure.

(Ord. No. 2008-17, 10/20/08)

Figure 44-430.07-1 Convenience store canopy with roof form that resembles principal structure.



- (e) *Front facade treatment.* Front facades include facades abutting public or private street rights-of-way, excluding rear elevation facades. Architectural elements like windows and doors, bulkheads, masonry piers, transoms, cornice lines, window hoods, awnings, canopies, and other similar details must be used on all facades fronting public or private street rights-of-way. Building wall offsets, including projections, recesses, changes in floor level, must be used in order to: relieve the visual effect of a single, long blank wall. These features are all designed to encourage a pedestrian friendly environment, add variety and provide interest.
- (1) For buildings greater than 75,000 square feet, where the front facade including the main entrance is greater than 60 feet in length, at least 33% of the length must contain recesses and projections of 4 feet or more from the primary building line.
 - (2) The first floor of all building facades, fronting the public or private street rights-of-way, regardless of building size must be designed to complement architectural aesthetics by:

- a. Limiting blank walls to no more than 40 feet in length for buildings 75,000 square feet or less;
 - b. Limiting blank walls to no more than 60 feet in length for buildings greater than 75,000 square feet; and
 - c. Including glass windows or doors, false window panels/treatments, awning, murals or framed openings comprising at least 20% of the wall area.
- (3) Roofline offsets should be provided to lend architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.
 - (4) Building facades having public access shall be separated at least every 400 feet by either a street or pedestrian amenity such as park benches, gazebos, water features, etc.
 - (5) Ventilation grates or emergency exit doors at the first floor level in the building facade, which are oriented to any public street, must be decorative.

Figure 44.430.07-2 Pedestrian friendly design features.



- (f) Building entrances.
 - (1) The main customer entrance for a building must face public or private streets.
 - (2) All sides of a principal building that directly face an abutting public street must include at least one customer entrance.
 - (3) Customer entrances must include at least 3 of the following:
 - roof overhangs;

- recesses/projections;
- arcades;
- raised corniced parapets over the door;
- peaked roof forms;
- arches;
- outdoor patios;
- display windows;
- architectural details such as tile work and moldings which are integrated into the building structure and design; or
- integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

(4) Service entrances for shipping and receiving must not be visible from a public street.

- (g) *Site appearance.* The site design and overall appearance should achieve proportionality and connectivity with adjacent sites to the extent possible while recognizing that individual businesses and uses developed within the corridor are separate and have unique characteristics.
- (h) *Underground utilities.* All on-site utilities (electrical, telephone, etc.) must be located underground unless technical restrictions exist for doing so. Provisions must be made to significantly reduce the visual blight of any aboveground utilities.
- (i) *Paving materials.* Permitted paving materials for crosswalks, sidewalks, and similar pedestrian pathways include brick, concrete (aggregate exposed finish), cement pavers, brick pavers or materials that are similar in appearance and durability. Breaking pavement patterns is to establish pedestrian spaces, which can be more easily recognized by the motoring public thus increasing a high level of safety for both parties.
- (j) *Outside display/storage.* Outside display or storage of inorganic product must be screened from any state maintained road in accordance with Sec. 44-523(f)(2) and Sec. 44-523(f)(3). Product can be displayed under a roof overhang area without screening; however, a defined unobstructed walkway of 5-feet must be maintained along the entire frontage of the building.

(Ord. No. 2008-01, 1/22/2008)

Sec. 44-430.08. Multi-family residential use and design standards.

- (a) Multi-family development is allowed only if it is a portion of a mixed-use development and does not comprise the majority of the development. Multi-family development can include apartments, townhomes, rowhouses, or duplexes.
- (b) The multi-family development must be connected by vehicular and pedestrian ways to the mixed use commercial and/or office uses.
- (c) To encourage uniformity along a street, consistent setbacks for residential units apply.
- (d) Front-loaded garages, where constructed for multi-family developments, should be at least 10 feet behind the primary plane of the front facade of the residential structure.
- (e) On-street parking for multi-family development is allowed and is encouraged to be located adjacent to public open spaces and parks.
- (f) Sidewalks, for multi-family developments, must be provided on one side of residential streets with a minimum 5-foot width.

Sec. 44-430.09. Driveway connection/access management.

- (a) *Driveway connection/access management.* The minimum distance between a new driveway and an existing state road intersection must conform to the requirements in Table 44-430.09-1 below. Where the NCDOT Policy on Street and Driveway Access to North Carolina Highways conflicts with these regulations, the stricter of the standards applies. The minimum distance between four-way intersections on a corridor road is 1,500 feet.

Table 44-430.09-1. Driveway connections/access management, MUC-0 District.

Frontage (feet)	Number of Driveways Allowed	Minimum Spacing (feet)
Less than 500	1	N/A
501-999	2	400
More than 1000	3	400

Figure 44-430.09-1 Driveway connections/access management, MUC-O district.



- (b) *Internal street separation.* Internal streets shall be separated by a minimum of 200 feet.
- (c) *Off-site traffic improvements.* The requirements of Sec. 44-446.09(d) apply to the MUC-O District.
- (d) *Shared access.* The requirements found in Sec. 44-446.09(e) apply to the MUC-O District.
- (e) *Connected interior driveways/parking.* The requirements found in Sec. 44-446.09(f) apply to the MUC-O District.
- (f) *Channelization.* Channelization improvements must be installed where significant turning conflicts are involved with the new development. “Channelization” means the separation of conflicting traffic movements into well-defined paths of travel by traffic islands or significant pavement markings.
- (g) *Signalization.* Only after all other traffic improvements have been explored may signalizations be installed.
- (h) *Street design.* All streets must be designed and paved to meet NCDOT standards. Streets can be designated as either public or private. Neighborhood streets must be designed for a maximum 30 mph speed limit.
- (i) *Cul-de-sac length.* Cul-de-sac street segments (street portion between intersections), designed to be so permanently, shall not be longer than 500 feet to

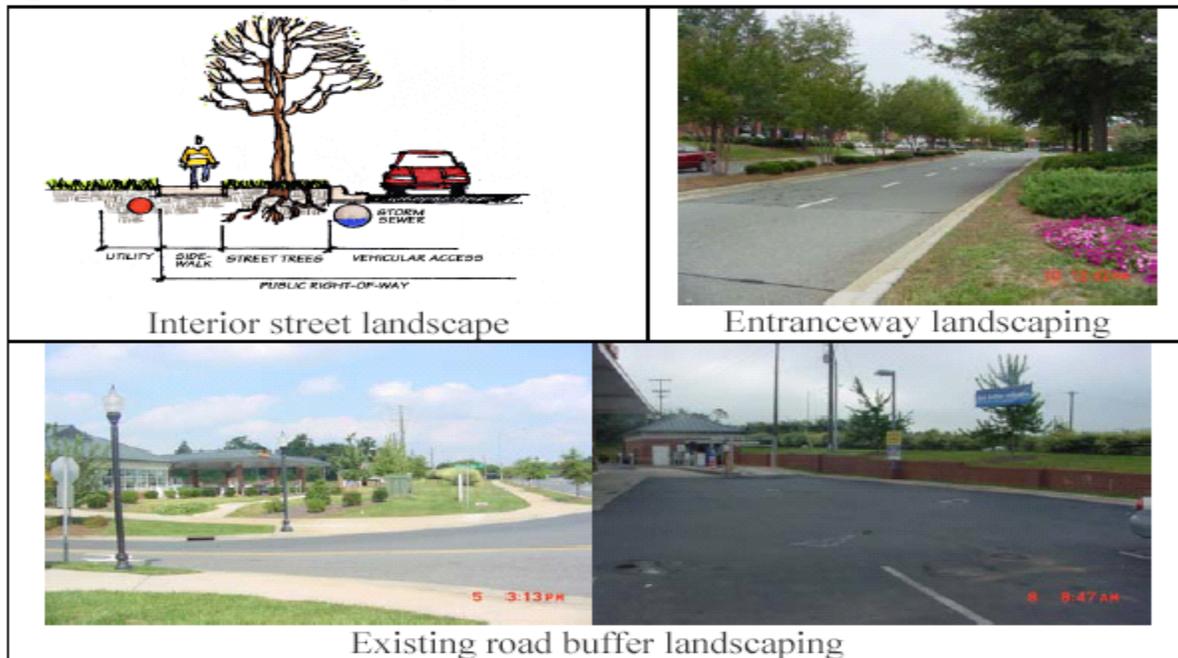
the beginning of the turning point. Exceptions can be made in cases where unusual land configuration, topography or interconnectivity dictates otherwise, as determined by the approval authority.

- (j) *Block length.* Block lengths cannot exceed 1000 feet. Exceptions can be made in cases where unusual land configuration, topography or interconnectivity dictates otherwise, as determined by the approval authority.
- (k) *Curbing.* Interior streets must be curbed. The standard 2-foot 6-inch curb and gutter section is preferred; however, concrete valley gutter is an allowable type.

Sec. 44-430.10. Streetscape landscaping.

- (a) *Existing road buffer and interior street landscaping.* All public interior streets and development fronting along corridor roads must provide the following along all street frontages:
 - (1) A 3 to 5-foot landscape strip between the curb and sidewalk, subject to NCDOT approval.
 - (2) A minimum 5-foot wide sidewalk on both sides of street for mixed-use development, subject to Sec. 44-518 and NCDOT approval.
 - (3) A 10-foot (minimum) landscape strip behind the right-of-way (within the front setback).
 - (4) Street trees must be planted adjacent to the sidewalk and must meet the following.
 - a. An average of one shade tree is required for every 40 linear feet of lot frontage on each side of the street, or where overhead lines are present, street trees of low growing varieties must be planted an average of one tree for every 30 feet of street frontage on each side of the street. Trees should be spaced approximately equal distance.
 - b. Each tree, at the time of installation, shall have a clear trunk height of at least 5 feet and a minimum caliper of 2 inches. The tree must be a minimum 15-gallon container size or balled and burlapped at time of planting. An appropriate mulch bed must be provided around the tree.
 - c. In the absence of overhead lines in the planting area, the shade tree should achieve a mature height of over 20 feet and a mature spread of at least 15 feet.
 - d. All trees planted within the right-of-way shall require approval by NCDOT through an encroachment agreement.
- (b) *Entranceways.* Multi-tenant, multi-parcel or multi-building developments must install a median-type entranceway at all entrances on major or minor thoroughfares, subject to NCDOT approval. The median must be grassed and landscaped with shrubbery and small decorative trees.

Figure 44-430.10-1. Landscaping, MUC-O district.



(Ord. No. 2008-17, 10/20/08)

Sec. 44-430.11. Buffering and screening.

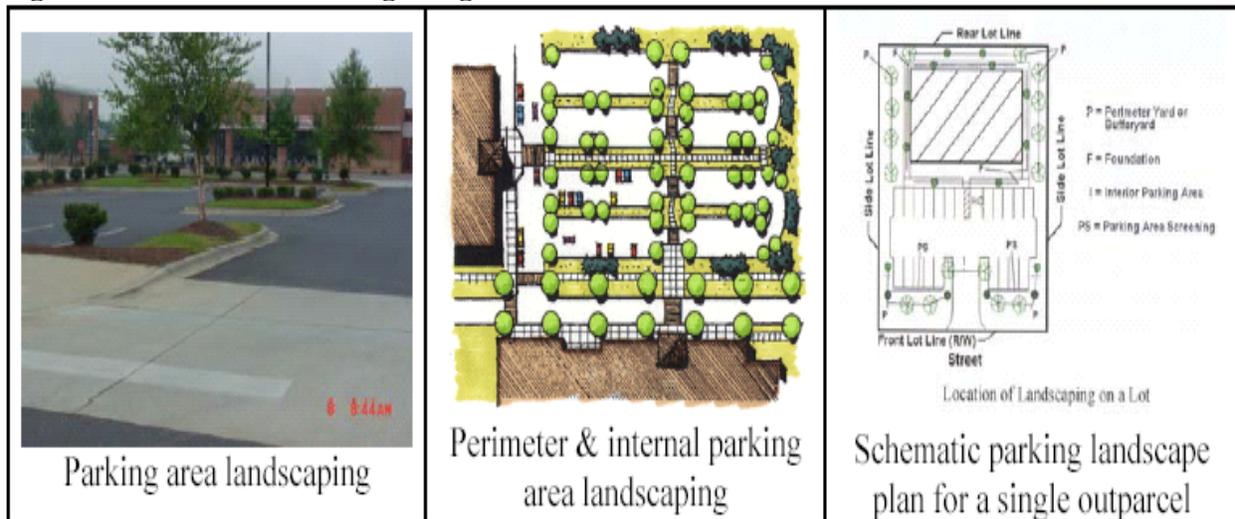
- (a) *Residential buffers.* When the district directly abuts a residential zoning district, a landscaped buffer meeting the requirements found in Sec. 44-523(f) is required.
- (b) *Water body buffers.* When natural bodies of water are on site, the requirements found in Sec. 44-446.10(i) apply.
- (c) *Solid waste screening.* Solid waste or trash handling areas must be screened from adjacent properties and from public view, including rights-of-way, by an enclosure constructed of materials compatible with the materials on the front building wall of the principal building. All areas must have a solid and closeable gate.

Figure 44-430.11-1 Solid waste screening.



- (
- d) *Mechanical equipment screening.* All mechanical equipment, such as air conditioners or pumps, must be screened from view of all streets, public places and neighboring properties, through the use of features such as berms, fences, building walls, false facades, or dense landscaping. Chain link fencing cannot be used. Mechanical equipment on rooftops must be screened from the view of the street with parapets, designed features and other materials compatible with the building and suitable for screening.
 - (e) *Maintenance area screening.* All loading and service areas must be screened from view of all streets and adjoining properties of less intensive use with a buffer meeting the requirements of Sec. 44-523(f). If the loading area abuts the perimeter buffering, the loading area is not required to be screened.
 - (f) *Foundation plantings.* The pedestrian entranceway and/or surface parking facilities must be separated from the exterior wall of any principal structure by a landscape buffer. The landscaped buffer strip must be at least 5 feet in width along the building foundation. An exception to this requirement is allowed where the building square footage exceeds 75,000 and where raised 15-gallon planters containing evergreen shrubs/trees are provided on both sides of all pedestrian ingress and egress locations.
 - (g) *Construction cleanup, maintenance, and landscaping of disturbed land.* During the construction of a project, the requirements found in Sec. 44-446-10(a), (b) and (c) apply.
 - (h) Parking areas, including perimeter and internal areas, must be landscaped in conformance with Sec. 44-523(d) and (e).

Figure 44-430.11-2. Parking design.



(Ord. No. 2008-01, 1/22/2008)

Sec. 44-430.12. Parking.

The requirements found in Article V, Division 5 apply to off-street parking. An exception to the number of parking space requirements may be considered for parking within a planned development special district during the rezoning process based upon documented industry standards or market studies. The following requirements also apply:

- (a) Generally.
 - (1) Parking is discouraged in the area between the road and the front or side of a principal building or structure. If parking is proposed within this area, the parking area landscaping requirements in Sec. 44-523(d) and (e) must be met.
 - (2) On-street parking permitted. The number of required off street parking spaces is reduced by the number of on street parking spaces permitted along the lot frontage of the proposed development.
- (b) *Off-street loading.* Off-street loading must be screened as provided in Sec. 44-526. No space designated as a required off-street parking space, for the general public, can be used as off-street loading space or maneuvering room for vehicles being loaded or unloaded.
- (c) *Interior parking.*
 - (1) When a parking lot is located in front of a building, a pedestrian walkway must connect a customer entrance to the public street.
 - (2) Shared parking lots can be located in the interior sections of multiple-building developments provided screening, buffering, landscaping, pedestrian amenities and setbacks are followed.

- (d) *Connected parking areas.* Properties within the MUC-O shall connect interior parking and driveways. Where adjacent property is vacant, sufficient provisions to connect to the properties shall be submitted.
- (e) *Commercial vehicle parking.* Only one parked commercial vehicle can be visible from streets.
- (f) *Bicycle parking.* A multi-building development should include an area for parking bicycles.

Figure 44-430.12-1. Parking options.



(Ord. No. 2008-01, 1/22/2008)

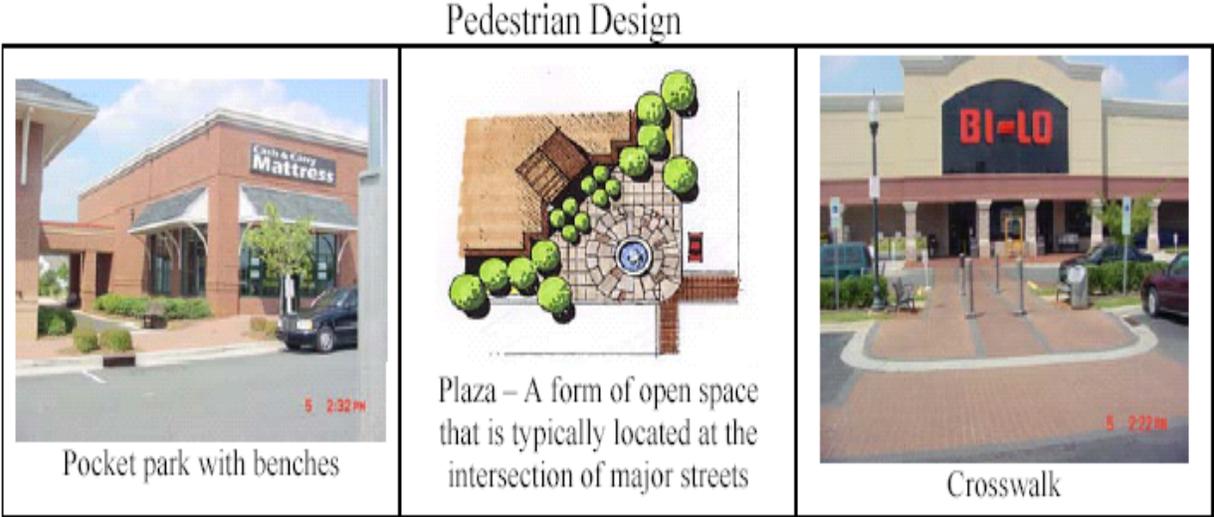
Sec. 44-430.13. Pedestrian design.

These standards are designed to provide a unified and well-organized arrangement of buildings, service areas, parking, pedestrian and landscaped common areas (including pocket parks), maximum comfort and convenience of visitors and employees. Commercial buildings are grouped in relation to parking areas such that, after visitors arriving by automobile enter the walkway system, establishments can be visited conveniently with a minimum of conflicts with vehicles. Pedestrian design enhancements are required in order to create an efficient and functional environment as well as promoting a sense of place.

- (a) *Pedestrian design requirements.* For multi-tenant/building/parcel projects, the site plan must include provisions for pedestrian-scale amenities, which may include benches, picnic tables, pocket parks, courtyards, plazas, water attractions and trash receptacles. An area must be reserved for pedestrian use and/or open

space and be improved and maintained accordingly. Such areas may include covered malls for general pedestrian use, exterior walkways/crosswalks, outdoor seating areas where the facilities are available for common use by employees and visitors. Required buffer areas and setbacks as well as improved deck and roof areas may be used to meet this requirement.

Figure 44-430.13-1. Pedestrian amenities.



- (b) *Heavy traffic generators.* Convenience stores, fast food restaurants and similar uses, if provided, must be located so that operations do not block pedestrian or traffic flows in other parts of the development.
- (c) *Location of loading zones and maintenance areas.* Loading zones where customers pick up goods must be located and arranged to prevent interference with pedestrian movement within the development. Facilities and access routes for shopping center deliveries, servicing, and maintenance must be located and arranged to prevent interference with pedestrian traffic in the center.
- (d) *Pedestrian travel.* All buildings or building clusters within the development must be connected with linkages other than roads (sidewalks, bikeways and walking paths). When feasible, as determined by the planning director, linkages must be provided between adjacent existing developments and/or continue to the site parcel line to provide access to adjacent future developments. Pedestrian access may be provided at any suitable locations within the district but, where practicable, be separated from vehicular access points in order to reduce congestion, marginal friction and hazards, except where signalization is used in such a manner as to control pedestrian and vehicular movements safely.

Sec. 44-430.14. Lighting.

This Section provides direction in controlling light spillage and glare so as not to adversely affect motorists, pedestrians, and land uses of adjacent properties. Lighting intensities should be

controlled to ensure that light and glare are not directed at adjacent properties, neighboring areas, and motorists. The following general provisions apply:

- (a) Generally.
 - (1) Light fixtures (not attached to buildings) must be affixed to a pole, which may be of metal, fiberglass, or concrete. Wooden poles are not permitted.
 - (2) All fixtures must be either semi-cutoff or full-cutoff fixtures only.
 - (3) The maximum height of the light source (light bulb), detached from a building, is 20 feet. An exception to the light height requirement may be considered for light fixtures up to 35 feet within a planned development special district during the rezoning process.
 - (4) No fixture can be located in close proximity to residentially zoned property which would contribute to light spillage upon the residential property.

- (b) *Outdoor illumination of building, landscaping and signs.* The following provisions apply to the outdoor illumination of buildings, landscaping and signs:
 - (1) Floodlights, spotlights or any other similar lighting cannot be used to illuminate buildings or other site features unless they are an integral architectural element that is designated on the development plan. Floodlights or other type of lighting attached to light poles that illuminate the site and/or building(s) are prohibited. When approved, exterior lighting should be integrated with the architectural character of the building.
 - (2) The unshielded outdoor illumination of any building or landscaping is prohibited. To avoid light spillage, only semi-cutoff, cutoff, or full cutoff fixtures can be used.
 - (3) Lighting fixtures used to illuminate a sign must either be by directed ground lighting sign or mounted on the top of the sign and be shielded from the sight of passing motorists.

- (c) *Lighting for convenience store aprons and canopies.* In addition to the provisions of Subsections (a) and (b) above, the following provisions apply:
 - (1) The lighting fixture bulbs must be recessed into a canopy ceiling so that the bottom of the fixture is flush with the ceiling so that light is restrained to no more than 85 degrees from vertical.
 - (2) As an alternative to recessed ceiling lights, indirect lighting may be used where the light is directed upward and then reflected down from the underside of the canopy. In this case, light fixtures must be shielded so that direct illumination is focused exclusively on the underside of the canopy.
 - (3) Lights shall not be mounted on the top or sides (facia) of the canopy, and the sides of the canopy cannot be externally illuminated.
 - (4) The lighting for new facilities (pump islands and under canopies) cannot exceed the average horizontal illumination of 10 foot-candles at grade level.

Figure 44-430.14-1. Lighting.



- (d) Prohibited lighting and fixtures. The following are prohibited:
- (1) Vertical burn lamps, and similar lighting fixtures.
 - (2) Canopies and awnings used for building accents which have internal illumination.
 - (3) Flashing, colored or obtrusive lighting.
 - (4) The use of laser source light or any similar high intensity light for outdoor advertising or entertainment.
 - (5) The operation of searchlights for advertising purposes.
 - (6) Black lights and neon lights (including argon and similar rare gas fixtures), except for signage.

(Ord. No. 2008-01, 1/22/2008)

Sec. 44-430.15. Signs.

The following requirements apply to all signage.

- (a) *Generally.* All signs delineated on a detailed site plan must conform to the requirements in Article V, Division 7, except where the requirements included in this Subsection are more restrictive. The following also apply:
- (1) No freestanding on-site sign larger than 6 square feet may be located closer than 100 feet from another similar or larger sign.
 - (2) All signs must be located to avoid impeding the view of motorists or pedestrians.
 - (3) No signs can be located in any street right-of-way. Signs may be placed in the landscaped buffer areas.
 - (4) An exception to the standards in Subsection (b)(1) and (2) below may be considered for signs within a planned development special district during the rezoning process.
- (b) *Permitted signs.* The following signs are permitted:

- (1) One freestanding sign, having no more than 2 sign surface areas, may be erected. The signs may not exceed 50 square feet per side for back-to-back signs and may not be over 16 feet in height.
 - (2) One wall sign or awning sign is permitted for individual establishments or buildings within the project for each wall exposed to adjoining streets. The sign must be mounted on the building and not extend above its lower roofline. The sign cannot exceed 10% of the area of the specific business wall involved, up to a maximum of 50 square feet, whichever is less.
 - (3) Signs directing traffic are permitted but cannot exceed 5 square feet per side.
 - (4) In addition to one freestanding sign, one static fascia canopy sign is permitted on sides visible from the public right-of-way. Each canopy sign may have a maximum area equal to 25% of the canopy fascia surface, up to a maximum height of 2 feet.
- (c) *Prohibited permanent signs.* The following are prohibited as permanent signs but may be used in association with grand openings or other special events for a period of not to exceed 30 days:
- (1) Portable signs.
 - (2) *Roof signs.*
 - (3) Mechanical movement signs.
 - (4) Posters, streamers, or similar devices used to attract attention to the site, advertise a product or communicate a message.
 - (5) Windblown signs (banners, balloons, streamers, etc.).

Figure 44-430.15-1. Signs.



(Ord. No. 2008-01, 1/22/2008) (Ord. No. 2008-17, 10/20/08)