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SECTION 01
INTRODUCTION
OBJECTIVE

The objective of this document is to explain the process used to develop recommendations for rezoning of properties along the LYNX Blue Line to one of the four new Transit Oriented Development (TOD) zoning districts. Specifically, the document:

- Explains why the City is recommending rezonings along the Blue Line;
- Documents the process for determining which properties are recommended for TOD rezoning;
- Provides information on how specific TOD districts were determined;
- Shows station by station rezoning recommendations; and
- Discusses what the proposed rezonings mean for property owners.

PROJECT PURPOSE

The purpose of the TOD alignment mapping is to proactively rezone parcels along the LYNX Blue Line light rail corridor to one of the four new TOD zoning districts. This will:

- Ensure that zoning for properties along the Blue Line is consistent with the type and form of development called for in City Council adopted station area plans.
- Make it easier to build the type of development that the plans call for and that complements walkable neighborhoods and transit use.
- Result in greater development predictability for both property owners and community members.
WHY IS THE CITY PURSUING REZONING OF PROPERTY ALONG THE LYNX BLUE LINE?

On April 15, 2019, the Charlotte City Council approved four new TOD zoning districts. These new districts are designed to encourage and enable the development of moderate to high-intensity, mixed-use neighborhoods near rapid transit stations and streetcar stops. The new districts are:

**TOD-UC: Transit Urban Center.** This district is appropriate for parcels near high-intensity rapid transit stations and streetcar stops. Of the four TOD zoning districts, TOD-UC will permit the greatest building heights and demand the uppermost level of site and architectural design.

**TOD-NC: Transit Neighborhood Center.** This district is intended for use in existing or future transit station areas and near streetcar stops as a transition from the higher intensity TOD-UC district to existing neighborhoods, or where adopted policy recommends lower maximum building heights. The TOD-NC district generally maintains the high level of design standards associated with the TOD-UC district.

**TOD-CC: Transit Community Center.** The TOD-CC district is appropriate for parcels near moderate-intensity rapid transit stations and streetcar stops. Its lower maximum building heights and less stringent design standards are intended to accommodate and encourage transit supportive development in stations areas where there is not a current market demand for more intense development.

**TOD-TR: Transit Transition.** This is the least intense district with the lowest maximum building height and more relaxed design standards. It is intended to be used as a transition between the TOD-CC district and established neighborhoods. This district is also appropriate where the rehabilitation and reuse is buildings is important to preserve the existing neighborhood character and scale.
SECTION 02
PROPERTIES RECOMMENDED FOR REZONING

WHICH PROPERTIES ARE RECOMMENDED FOR REZONING TO TOD?

All properties along the LYNX Blue Line, and recommended for transit oriented development in a City Council adopted station area plan, were considered for rezoning to one of the new TOD zoning districts. Most of these properties are being recommended for alignment rezoning.
There are, however, some properties that are not recommended for rezoning, as described below:

- **Existing Urban Conditional Zoning:** The proposed alignment rezoning does not include properties currently zoned TOD-M(CD), TOD-MO, TOD-R(CD), TOD-RO, MUDD(CD), MUDD(O), UMUD(CD), UMUD(O), UR-1/2/3 (CD), or that have a TS-Overlay (CD) or TS-Overlay (O). These properties are not being recommended for rezoning because their existing urban zoning districts are generally consistent with transit oriented development goals.

- **Existing Uptown Mixed Use District (UMUD):** Properties zoned conventional UMUD are not included in the proposed rezoning. This zoning district meets the general intent of transit oriented development, and rezoning these UMUD properties to a TOD district would impact allowed development intensity.

- **Recently Approved Rezonings to Non-Urban Districts:** In a limited number of cases, station area plans indicate that property is appropriate for TOD zoning in the long term but also recommend that current uses, typically commercial or industrial, should remain in the near term. These properties are not being recommended for rezoning if they have recently been rezoned to districts that support their existing land use.

- **Properties Zoned TOD-CC Not Recommended for TOD-UC:** When the new TOD districts were approved on April 15, 2019, all properties zoned conventional TOD-M or TOD-R were translated to the new TOD-CC district. In some cases, policies suggest that properties should be rezoned to one of the less intense TOD-NC or TOD-TR districts. However, none of the properties recently translated to TOD-CC are being recommended for rezoning to TOD-NC or TOD-TR so that development entitlements are not impacted. However, there are some properties that are recommended to be rezoned from the moderate intensity TOD-CC to high intensity TOD-UC.

- **Pending Rezonings:** Any property that has been submitted for a rezoning but for which Council has made no decision will not be included in the TOD alignment rezonings. In many cases, these are rezoning submittals for TOD zoning in advance of the scheduled alignment rezonings.
All parcels currently recommended for TOD along the Blue Line on the adopted Future Land Use map are included in this analysis. Some parcels were classified as a different land use on the Future Land Use map because they were rezoned since adoption of the transit station area plan. However, these parcels were included in this analysis because they are considered consistent with the intent of the original Adopted Future Land Use designation of Transit Oriented Development (high density residential, mixed use, “urban zoning districts”, etc.). Parcels with an approved Transit Supportive Overlay (TS) were also included in the analysis, even if located outside of the transit station area plan.

For the purposes of this report, the High Intensity zoning districts are TOD-Urban Center and TOD-Neighborhood Center; the Moderate Intensity zoning districts are TOD-Community Center and TOD-Transition.
1. Market Conditions: Noell Consulting Group performed a market study for the station areas along the LYNX Blue Line. The study identified station areas that are projected to support high intensity development, defined as market support for residential development at 75 dwelling units per acre or greater. The properties within these station areas typically recommended for TOD-UC or TOD-NC. The station areas are:

   • 36th Street
   • 25th Street
   • Parkwood
   • SouthEnd (Carson, Bland, and East-West).

2. The remaining station areas are expected, at least in the near term, to develop at more moderate intensities. These are recommended for TOD-CC or TOD-TR. These station areas are:

   • J.W. Clay/UNC Charlotte
   • McCullough
   • University City Boulevard
   • Tom Hunter
   • Old Concord
   • Sugar Creek
   • Scaleybark
   • Woodlawn
   • Tyvola
   • Archdale
   • Arrowood
   • Sharon Road West
   • I-485
HIGH INTENSITY/MODERATE INTENSITY TRANSIT STATION AREAS

- JW Clay/UNC Charlotte
- McCullough
- University City Blvd
- Tom Hunter
- Old Concord
- Sugar Creek
- 36th Street
- 25th Street
- Parkwood
- Carson/Bland/East-West
- New Bern
- Scaleybark
- Woodlawn
- Tyvola
- Archdale
- Arrowood
- Sharon Road West
- I-485
3. Properties located in high intensity station areas are typically recommended for TOD-UC and those in moderate intensity station areas are typically recommended for TOD-CC. However, there are some factors listed below that result in a rezoning recommendation for some properties in high intensity station areas to TOD-NC and in moderate intensity station areas to TOD-TR.

- Walk distance from transit station: Properties located more than a ½ mile walk from the station platform are recommended for TOD-NC or TOD-TR consistent with the intent of the new TOD districts to limit the use of TOD-UC and TOD-CC to properties within ½ mile walk of a station. The walk distance is based on the street network, bicycle and pedestrian paths, and publicly funded street connections.

- Proximity to single family residential zoning: All properties within 200 feet of single family residential zoning have been recommended for either TOD-NC or TOD-TR, unless the property with single family residential zoning is:
  - For a County owned park of three acres or greater,
  - Located across a 4+ lane street from the property to be rezoned,
  - Recommended by a Council adopted station area plan for transit oriented development,
  - Developed with an institutional use, or
  - Across a railroad or light rail corridor from the property to be rezoned.

The intent of this provision is to ensure a transitional zoning district – TOD-NC or TOD-TR – is located between the more intense districts – TOD-UC and TOD-CC – and established neighborhoods.

4. Area Plan Policies: Some transit station area plans include a maximum height for specific properties. Typically, the height maximum is recommended to maintain the established character of a street or to provide the desired transition to an established neighborhood. For properties with a maximum recommended height of 60’ or less, the recommended district is TOD-NC or TOD-TR, depending on the market conditions provided by the Noell study.
SECTION 04
STATION BY STATION REZONING RECOMMENDATIONS

For each station area, the adopted Future Land Use Maps and current development policy are provided, in addition to the recommended zoning districts for parcels proposed to be rezoned. The legend for the Future Land Use Maps is shown below and can also be referenced in each transit station area plan.

Adopted Future Land Use:

- Single Family <= 3 DUA
- Single Family <= 4 DUA
- Single Family <= 5 DUA
- Multi-Family <= 22 DUA
- Multi-Family
- Residential <= 4 DUA
- Residential <= 5 DUA
- Residential <= 6 DUA
- Residential <= 8 DUA
- Residential <= 12 DUA
- Residential <= 17 DUA
- Residential > 22 DUA
- Park/Open Space
- Greenway
- Institutional
- Office
- Transit Oriented - Residential
- Transit Oriented - Employment
- Transit Oriented - Mixed
- Industrial
- Retail
- Utility
- Office/Industrial-Warehouse-Distribution
- SF/MF/Office/Retail
- Residential/Office
- Residential/Office/Retail
- Residential/Retail
- Office/Retail
- Office/Retail/Ind-Ware-Dist
SECTION 04
JW CLAY

CURRENT ADOPTED POLICY

Current adopted policy for the JW Clay Blvd./UNC Charlotte station area is in the University City Area Plan (2015).
TOD RECOMMENDATION

Based on current and projected market conditions, J.W. Clay Boulevard / UNC Charlotte is identified as a Moderate Intensity station area. Due to the existing context and market conditions, the TOD-CC zoning district is most appropriate. However, if desired by the property owner, a property would be considered appropriate for a change to TOD-UC.
SECTION 04
McCULLOUGH

CURRENT ADOPTED POLICY

Current adopted policy for the McCullough transit station area is in the University City Area Plan (2015).
TOD RECOMMENDATION

Based on current and projected market conditions, McCullough is identified as a Moderate Intensity station area. Some parcels are recommended to utilize the TOD-TR district to mitigate impacts to abutting single family residences, while a majority of this station area is recommended for TOD-CC. However, if desired by the property owner, a property identified for TOD-CC would be considered appropriate for a change to TOD-UC, and a property identified for TOD-TR would be considered appropriate for a change to TOD-NC.
CURRENT ADOPTED POLICY

Current adopted policy for the University City Boulevard transit station area is in the University City Area Plan (2015).
TOD RECOMMENDATION

Based on current and projected market conditions, University City Boulevard is identified as a Moderate Intensity station area. Some parcels are recommended to utilize the TOD-TR district to mitigate impacts to abutting single family residences, while the remaining land in the station area is recommended for TOD-CC. However, if desired by the property owner, a property identified for TOD-CC would be considered appropriate for rezoning to TOD-UC and a property identified for TOD-TR would be considered appropriate for a rezoning to TOD-NC.
CURRENT ADOPTED POLICY

Current adopted policy for the Tom Hunter transit station area is in the Blue Line Extension (BLE) Transit Station Area Plans (2013).
Based on current and projected market conditions, Tom Hunter is identified as a Moderate Intensity station area. The BLE Transit Station Area Plan includes maximum height recommendations throughout the station area. All parcels recommended for Transit Oriented Development rezoning in this station area are recommended for a fifty (50) foot maximum building height. Therefore, all properties are recommended for the TOD-TR which best aligns with the adopted height policy.
SECTION 04
OLD CONCORD

CURRENT ADOPTED POLICY

Current adopted policy for the Old Concord transit station area is in the Blue Line Extension (BLE) Transit Station Area Plans (2013).
TOD RECOMMENDATION

Based on current and projected market conditions, Old Concord is identified as a Moderate Intensity station area. The BLE Transit Station Area Plans includes maximum height recommendations throughout the station area. All parcels recommended for Transit Oriented Development in this station area are recommended for a fifty (50) foot maximum building height. Therefore, all properties are recommended for TOD-TR which best aligns with the adopted height policy.
CURRENT ADOPTED POLICY

Current adopted policy for the Sugar Creek transit station area is in the Blue Line Extension (BLE) Transit Station Area Plans (2013).
Based on current and projected market conditions, Sugar Creek is identified as a Moderate Intensity station area. The BLE Transit Station Area Plans include maximum height recommendations in the station area. The sites recommended for TOD south of the Blue Line light rail alignment, as well as sites north of Greensboro Street on the west side of Sugar Creek Road, are recommended for a fifty (50) foot maximum building height, and therefore, TOD-TR is the recommended zoning district to align with the adopted height policy.

The remainder of the sites are recommended for TOD-CC or TOD-TR based on the factors described earlier in this document. However, if desired by the property owner, the remaining properties identified for TOD-CC would be considered appropriate for rezoning to TOD-UC and the remaining properties identified for TOD-TR would be considered appropriate for TOD-NC.
SECTION 04
36TH STREET

CURRENT ADOPTED POLICY

Current adopted policy for the 36th Street transit station area is in the Blue Line Extension (BLE) Transit Station Area Plans (2013).
TOD RECOMMENDATION

Based on current and projected market conditions, 36th Street is identified as a High Intensity station area. The BLE Transit Station Area Plans include maximum height recommendations in the station area. The sites recommended for TOD south of the Norfolk Southern Railroad corridor are recommended for a fifty (50) foot maximum building height. Additional sites immediately west of Craighead Avenue and south of the Norfolk Southern Railroad corridor are recommended for a sixty (60) foot maximum building height. The properties identified for TOD with a recommended height limitation are recommended for the TOD-NC zoning district to best align with adopted height policy. The remainder of the properties are recommended for TOD-UC or TOD-NC based on the factors described earlier in this document.
SECTION 04
25TH STREET

CURRENT ADOPTED POLICY

Current adopted policy for the 25th Street transit station area is in the Blue Line Extension (BLE) Transit Station Area Plans (2013).
Based on current and projected market conditions, 25th Street is identified as a High Intensity station area. The BLE Transit Station Area Plans include maximum height recommendations in the station area. Sites identified for TOD that are generally located south of the Norfolk Southern rail spur to Jordan Place/North Davidson Street are recommended for a fifty (50) foot maximum building height. These are recommended for the TOD-NC Center zoning district to best align with adopted height policy. The remainder of the sites are recommended for TOD-UC based on the factors discussed earlier in this document.
CURRENT ADOPTED POLICY

Current adopted policy for the Parkwood transit station area is in the Blue Line Extension (BLE) Transit Station Area Plans (2013).
TOD RECOMMENDATION

Based on current and projected market conditions, Parkwood is identified as a High Intensity station area. The BLE Transit Station Area Plans include maximum height recommendations in station areas. Only a small area located south of Parkwood Avenue between 15th Street and 16th Street is recommended for a fifty (50) foot maximum building height. This area is recommended for the TOD-NC zoning district to best align with adopted height policy. Other areas recommended for TOD do not have a recommended maximum building height and are recommended for TOD-UC or TOD-NC based on the factors described earlier in this document. Some of the properties recommended for TOD-UC are more than a 1/2 mile walk distance of the Parkwood Station but are within a 1/2 mile walk of the 9th Street Station.
SECTION 04
SOUTH END: CARSON, BLAND, EAST/WEST

CURRENT ADOPTED POLICY

Current adopted policy for the South End transit station areas (Carson, Bland, and East-West stations) is in the South End Transit Station Area Plan (2005) and the South End Vision Plan (2018).
TOD RECOMMENDATION

Based on current and proposed market conditions, South End is identified as a High Intensity station area. All areas are recommended for TOD-UC or TOD-NC based on factors described earlier in this document. It is important to note that some properties within the station area are also located within the local Dilworth Historic District and Wilmore Historic District boundaries and will also be subject to those regulations.
SECTION 04
NEW BERN

CURRENT ADOPTED POLICY

Current adopted policy for New Bern Station Area is in the New Bern Station Area Plan (2008) and the South End Vision Plan (2018).
TOD RECOMMENDATION

Based on current and proposed market conditions, New Bern is identified as a High Intensity station area. All areas are recommended for TOD-UC or TOD-NC based on factors described earlier in this document.
SECTION 04
SCALEYBARK

CURRENT ADOPTED POLICY

Current adopted policy for Scaleybark Station Area is in the Scaleybark Station Area Plan (2008).
TOD RECOMMENDATION

Based on current and proposed market conditions, Scaleybark is identified as a Moderate Intensity station area. Properties in this station area are recommended for TOD-CC or TOD-TR based on factors described earlier in this document. However, if desired by the property owner, the properties identified for TOD-CC would be considered appropriate for rezoning to TOD-UC and the properties identified for TOD-TR would be considered appropriate for rezoning to TOD-NC.
SECTION 04
WOODLAWN

CURRENT ADOPTED POLICY

Current adopted policy for Woodlawn Station Area is in the Woodlawn Station Area Plan (2008).
TOD RECOMMENDATION

Based on current and proposed market conditions, Woodlawn is identified as a Moderate Intensity station area. All areas are recommended for TOD-CC or TOD-TR based on factors described earlier in this document. However, if desired by the property owner, the properties identified for TOD-CC would be considered appropriate for rezoning to TOD-UC and the properties identified for TOD-TR would be considered appropriate for rezoning to TOD-NC.
SECTION 04
TYVOLA

CURRENT ADOPTED POLICY

Current adopted policy for Tyvola Station Area is in the Tyvola & Archdale Station Area Plan (2008).
TOD RECOMMENDATION

Based on current and proposed market conditions, Tyvola is identified as a Moderate Intensity station area. All areas are recommended for TOD-CC or TOD-TR based on factors described earlier in this document. However, if desired by the property owner, the properties identified for TOD-CC would be considered appropriate for rezoning to TOD-UC and the properties identified for TOD-TR would be considered appropriate for rezoning to TOD-NC.
SECTION 04
ARCHDALE

CURRENT ADOPTED POLICY

Current adopted policy for Archdale Station Area is in the Tyvola & Archdale Station Area Plan (2008).
TOD RECOMMENDATION

Based on current and proposed market conditions, Archdale is identified as a Moderate Intensity station area. All areas are recommended for TOD-CC or TOD-TR based on factors described earlier in this document. However, if desired by the property owner, the properties identified for TOD-CC would be considered appropriate for rezoning to TOD-UC and the properties identified for TOD-TR would be considered appropriate for rezoning to TOD-NC.
SECTION 04
ARROWOOD

CURRENT ADOPTED POLICY

Current adopted policy for Arrowood Station Area is in the Arrowood Station Area Plan (2009).
TOD RECOMMENDATION

Based on current and proposed market conditions, Arrowood is identified as a Moderate Intensity station area. All areas are recommended for TOD-CC or TOD-TR based on factors described earlier in this document. However, if desired by the property owner, the properties identified for TOD-CC would be considered appropriate for rezoning to TOD-UC and the properties identified for TOD-TR would be considered appropriate for rezoning to TOD-NC.
SECTION 04
SHARON ROAD WEST

CURRENT ADOPTED POLICY

Current adopted policy for Sharon Road West Station Area is in the Sharon & I-485 Station Area Plan (2009).
Based on current and proposed market conditions, Sharon Road West is identified as a Moderate Intensity station area. All areas are recommended for TOD-CC or TOD-TR based on factors described earlier in this document. However, if desired by the property owner, the properties identified for TOD-CC would be considered appropriate for rezoning to TOD-UC and the properties identified for TOD-TR would be considered appropriate for rezoning to TOD-NC.
SECTION 04
I-485 / SOUTH BLVD

CURRENT ADOPTED POLICY

Current adopted policy for I-485 Station Area is in the Sharon & I-485 Station Area Plan (2009).
TOD RECOMMENDATION

Based on current and proposed market conditions, I-485 is identified as a Moderate Intensity station area. All areas are recommended for TOD-CC or TOD-TR based on the factors described earlier in this document. However, if desired by the property owner, the properties identified for TOD-CC would be considered appropriate for rezoning to TOD-UC and the properties identified for TOD-TR would be considered appropriate for rezoning to TOD-NC.
SECTION 05
WHAT THIS REZONING MEANS TO YOUR PROPERTY

How will the new TOD zoning affect what I can do in the future?
New development on a TOD-zoned site, such as construction of a new principal building or demolition and new construction, is subject to all applicable requirements of the TOD district.

How will the new TOD zoning affect my building?
As of the date a TOD map amendment is approved for the parcel or parcels, all legally established existing principal structures and parking structures are considered legally nonconforming in regard to the dimensional and design standards of the TOD District that they may not comply with. Once the principal structure or parking structure is demolished, this legally nonconforming status is null and void.

My building is legally nonconforming. Can I add on?
Yes. Depending on the size, the addition would have to meet some or all of the development standards of the TOD district.
What about renovations?

Alterations to legally nonconforming structures are allowed but cannot increase the degree of nonconformity that previously rendered them nonconforming.

How will the new TOD zoning affect the uses in my building?

- A legally nonconforming use of land or buildings may continue to operate.

- Normal repair and maintenance may be performed to allow the continuation of a legally nonconforming use.

- A one-time expansion of a legally nonconforming use is permitted that increases the square footage devoted to such nonconforming use by no more than 10% of the area or 1,000 square feet, whichever is greater.

- A legally nonconforming use of a structure may be changed to another nonconforming use of the same or higher classification, or to a conforming use.

- Where a legally nonconforming use is visibly discontinued for 12 consecutive months, then the use shall not be reestablished or resumed, and any subsequent use of the land or structure shall conform to the requirements of these regulations.

- Where a structure in which a legally nonconforming use is located is destroyed or damaged by fire, flood, wind, other act of God, the structure may be repaired or restored to its original dimensions and conditions as long as a building permit for the repair or restoration is issued within 12 months of the date of the damage.