

Ordinance No. 887

An Ordinance Amending Chapter 23
of the City Code - Zoning Ordinance

An Ordinance Amending the City Code
with respect to the Zoning Ordinance

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Article III Division 3 Section 23-38 "Urban Residential Districts" by deleting paragraph (e) in its entirety and replacing the same with the following new paragraph (e):

"(e) Dimensional requirements for the Urban Residential districts shall be in accordance with the following:

Dimensional Requirements for the
Urban Residential Districts

	UR10	UR30	UR50	UR100
*Minimum lot area (sq.ft.)	5,000	5,000	5,000	5,000
Minimum setback (ft.)	0	0	10	20
Minimum side yard (ft.)	5	5	5	5
**Minimum rear yard (ft.)	20	20	20	20
***Maximum coverage (structures, driveways & parking areas) (% total of lot)	60	60	60	60
****Maximum F.A.R.	.25	.75	1.5	2.5
Maximum height (ft.)	40	40	40	40*****
Minimum bldg. separation (ft.)	10	10	10	10

*Where the sale of individual dwelling units within a multi-family structure is to include a certain amount of land directly associated with the unit, a subplot having less than 5,000 square feet may be created. In such cases all land associated with the overall development must be either divided into the individual sublots, or held in common ownership by an association of homeowners. For purposes of this section a "subplot" is a platted parcel of land which is a divided unit of a lot for which zoning approval has been granted for the development of a multi-family structure(s) with the intention of sale of individual units and associated land. Sublots shall include a minimum of 400 square feet of private open space.

**Minimum rear yard shall be five (5) feet whenever the property adjoining that rear yard is public park or open space such as a cemetery or a public tree easement.

***Any roof areas designed as open space may be classified as open space to satisfy the limitation on the amount of permitted land coverage.

****The maximum F.A.R. does not apply to either a single family, 2-family or 3-family structure located on a single lot under single ownership. Also, parking facilities are exempt from Maximum F.A.R. limitations.

*****Principal buildings may be erected to a height in excess of forty (40) feet without additional setback, side or rear yards where such abuts a public right-of-way, public park or public open space such as a cemetery or a public tree easement. Where the side or rear yard abuts any other property the affected yard shall be increased one foot for every four (4) feet of building height in excess of forty (40) feet. This additional required yard space may be utilized for other residential and certain non-residential uses, provided that these uses have their own primary entrances at exterior grade, as follows:

- (1) Residential uses may be constructed to a height of two (2) stories;
- (2) Non-residential uses as permitted in this district may be constructed to a height of one (1) story.

In addition the roof above these uses may be utilized to satisfy parking requirements or if so classified and designed as open space to satisfy the limitations on the amount of permitted land coverage.

2. Amend Article III Division 3 Section 23-38 "Urban Residential Districts", paragraph (g)(2) by changing the phrase "... walls or fencing to a height of six (6) feet ..." to read "... walls or fencing to a height of five (5) feet ...".
3. Amend Article III Division 3 Section 23-38 "Urban Residential Districts", paragraph (i) by changing the phrase "The requirements of section 23-32, planned multi-family developments in residential districts, shall not apply ..." to read: "The dimensional requirements of section 23-32, planned multi-family developments in residential districts, shall not apply ...".
4. Amend Article III Division 3 Section 23-38 "Urban Residential Districts" by inserting a new paragraph (k) as follows:

"(k). Signs within Urban Residential (UR) districts shall be permitted in accordance with Article VI, Sign Regulations, Division 1, Section 23-76 through Section 23-79 and Section 23-85 (b) and the following:

(a) Signs on the premises of single family and two-family dwellings:

1. Types of signs permitted: Identification.
2. Permitted number of signs: 1 per dwelling unit.
3. Maximum area of signs: 1½ square feet.
4. Permitted illumination: Lighted, but not flashing.
5. Signs shall be motionless.
6. Permitted location: Behind street right-of-way line and not more than eight (8) feet above floor level at dwelling unit entry if attached to structure, or not more than five (5) feet above grade if not attached to structure.

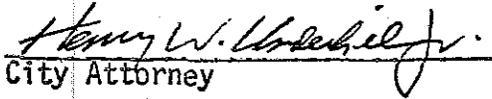
- (b) Signs on the premises of multi-family dwellings or planned multi-family developments:
1. Types of signs permitted: Identification.
 2. Permitted number of signs: 1 per street front.
 3. Maximum area of signs: 6 square feet.
 4. Permitted illumination: Lighted, but not flashing.
 5. Signs shall motionless.
 6. Permitted location: Behind street right-of-way line and not more than eight (8) feet above grade if attached to structure, or not more than five (5) feet above grade if not attached to structure. Attached signs shall not project more than six (6) inches from structure.
- (c) Signs on the premises of non-residential use either within a dwelling structure or an independent non-residential use:
1. Types of signs permitted: Business.
 2. Permitted number of signs: 1 per use.
 3. Maximum area of signs: Eight (8) square feet if projection from structure is less than six (6) inches, or six (6) square feet if detached or if projection from structure is six (6) inches or more.
 4. Permitted illumination: Lighted, but not flashing.
 5. Signs shall be motionless.
 6. Permitted location: Behind street right-of-way line and not more than ten (10) feet above grade if attached to structure, or more than five (5) feet above grade if not attached to structure.
- (d) Signs on the premises of a group of three (3) or more non-residential uses within a dwelling structure:
1. Types of signs permitted: Identification.
 2. Permitted number of signs: One (1) per street front.
 3. Maximum area of signs: Eight (8) square feet.
 4. Permitted illumination: Lighted, but not flashing.
 5. Signs shall be motionless.
 6. Permitted location: Behind right-of-way line and not more than ten (10) feet above grade if attached to structure, or more than five (5) feet above grade if not attached.
- (e) Signs or bulletin boards providing historical information, information of non-commercial activities, or space for free use by the general public:
1. Types of signs permitted: Bulletin board.
 2. Permitted number of signs: One (1) per structure.
 3. Maximum area of signs: Twelve (12) square feet except a kiosk. A kiosk may be erected to a maximum height of ten (10) feet and a maximum diameter of four (4) feet excluding canopies, eaves and the like.
 4. Permitted illumination: Lighted, but not flashing.
 5. Signs shall be motionless.

- 4 -

6. Permitted location: Behind street right-of-way line and not more than ten (10) feet above grade."

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 30th day of January, 19 78, the reference having been made in Minute Book 67 and recorded in full in Ordinance Book 25, Page 176-179.

Ruth Armstrong,
City Clerk

January 30, 1978

Ordinance Book 25 - Page 180

ORDINANCE NO. 888AN ORDINANCE AMENDING CHAPTER 23
OF THE CITY CODE - ZONING ORDINANCEAN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Article I Definitions by adding a new definition "Drive-in service window" in the proper alphabetical order and numbered (5b) as follows:

"(5b) Drive-in service window. A customer service facility designed for the convenience of the motoring public as an accessory part of an office or retail establishment which is intended to enable the customer to transact business with a salesperson located within the principal structure without exiting the motor vehicle. It is presumed that the motor vehicle exits the premises immediately upon the transaction of business."

2. Amend Article III Division 1 Permitted Uses, Special Districts and Conditional Uses paragraph (b) Business Uses by inserting between "Dormitories, for the students of colleges, commercial schools, schools providing adult training and for the staffs of hospitals" and "Dwellings, one family attached" the new use "Drive-in service window as an accessory part of the principal structure or operation subject to the requirements listed in Section 23-34.08" and indicate by the symbol "x" in the following columns that the use is permitted: RE-1, RE-2, INST., O-15, O-6, B-1, B-2, B-3T, B-3, B-D, I-1, I-2 and I-3.

3. Amend Article III Permitted Uses, Special Districts and Conditional Uses Division 2 Special Requirements for Certain Permitted Uses by adding the following new Section 23-34.08 Drive-in service windows.

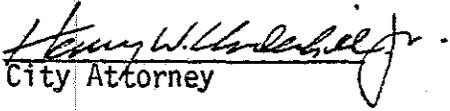
"Section 23-34.08 Drive-in service windows.

- (a) Drive-in service windows are permitted as an accessory part of a principal facility or operation such as a bank, dry cleaning establishment, photo developing center, restaurant or the like subject to the following requirements:
- (b) The plan for the proposed drive-in facility establishment has been approved by the Traffic Engineer, such approval to be granted if the Traffic Engineer determines that the drive-in window and its associated operational characteristics will not create a traffic hazard either with respect to traffic congestion, the adequacy and safety of ingress and egress points and the on-site vehicular circulation pattern."

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Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 30th day of January, 19 78, the reference having been made in Minute Book 67, and recorded in full in Ordinance Book 25, Page 180.

Ruth Armstrong,
City Clerk

Ordinance No. 889-Z

An Ordinance Amending Chapter 23
of the City Code - Zoning Ordinance

An Ordinance Amending the City Code
with respect to the Zoning Ordinance

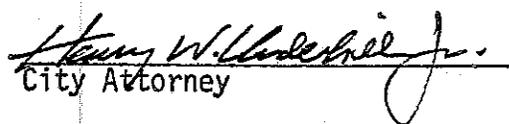
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from I-1 to B-3 on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEING several parcels fronting the northwesterly margin of West Morehead at the southeasterly corner of West Morehead and Church Street and more specifically shown on the attached map.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 30th day of January, 19 78, the reference having been made in Minute Book 67, and recorded in full in Ordinance Book 25, Page 182.

Ruth Armstrong,
City Clerk

January 30, 1978
Ordinance Book 25 - Page 184

An Ordinance Amending Chapter 23
of the City Code - Zoning Ordinance

Ordinance No. 890-Z

An Ordinance Amending the City Code
with respect to the Zoning Ordinance

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That, Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-9 to Institutional (CD) with a Special Use Permit for a social service (sheltered workshop) on the Official Zoning Map, City of Charlotte, N. C. the following described property to be developed in accordance with the site plan attached hereto and other requirements as may have been designated by the Charlotte City Council:

BEGINNING at a point in the northerly margin of Nevins Road, said point being the southernmost point of the David B. Carter property described in Deed Book 1876 at Page 216 in the Mecklenburg County Registry; thence S.45-46-30W. 261.93 feet to the P.C. of a curve to the right with a radius of 466.65 feet; thence running an arc distance of 140.78 feet to a point; thence leaving said margin running S.04-58E. 56.16 feet to a point in the margin of Nevins Road; thence S.83-32W. 300.0 feet to a point in the centerline of Nevins Road; thence N.04-58W. 30 feet, more or less, to the northerly margin of Nevins Road; thence S.83-32W. 100.0 feet; thence leaving Nevins Road N.15-37-14W. 853.50 feet; thence N.86-24-10E. 394.60 feet; thence S.51-29-10E. 397.64 feet; thence S.40E. 345.78 feet to the point of BEGINNING.

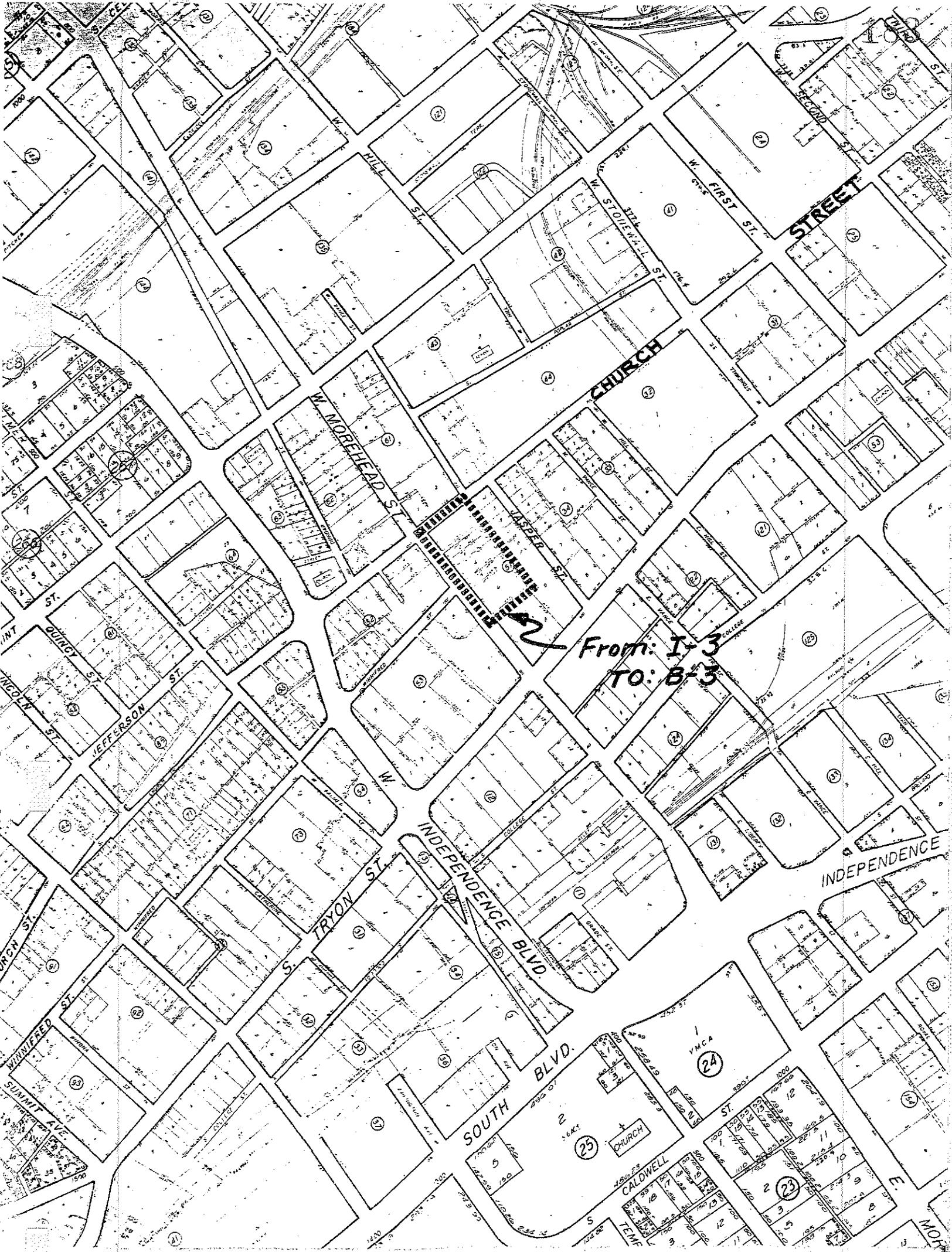
Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form;

Henry W. Underhill Jr
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 30th day of January, 1978, the reference having been made in Minute Book 67, and recorded in full in Ordinance Book 25, Page 184.

Ruth Armstrong,
City Clerk



From: I-3
TO: B-3

CHURCH STREET

W. MOREHEAD ST.

INDEPENDENCE BLVD.

SOUTH BLVD.

INDEPENDENCE

YMCA

CHURCH

CALDWELL

TEMP.

TRYON ST.

JEFFERSON ST.

DUNCAN ST.

W. STONEWALL ST.

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January 30, 1978
Ordinance Book 25 - Page 184

Ordinance No. 890-Z

An Ordinance Amending Chapter 23
of the City Code - Zoning Ordinance

An Ordinance Amending the City Code
with respect to the Zoning Ordinance

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That, Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-9 to Institutional (CD) with a Special Use Permit for a social service (sheltered workshop) on the Official Zoning Map, City of Charlotte, N. C. the following described property to be developed in accordance with the site plan attached hereto and other requirements as may have been designated by the Charlotte City Council:

BEGINNING at a point in the northerly margin of Nevins Road, said point being the southernmost point of the David B. Carter property described in Deed Book 1876 at Page 216 in the Mecklenburg County Registry; thence S.45-46-30W. 261.93 feet to the P.C. of a curve to the right with a radius of 466.65 feet; thence running an arc distance of 140.78 feet to a point; thence leaving said margin running S.04-58E. 56.16 feet to a point in the margin of Nevins Road; thence S.83-32W. 300.0 feet to a point in the centerline of Nevins Road; thence N.04-58W. 30 feet, more or less, to the northerly margin of Nevins Road; thence S.83-32W. 100.0 feet; thence leaving Nevins Road N.15-37-14W. 853.50 feet; thence N.86-24-10E. 394.60 feet; thence S.51-29-10E. 397.64 feet; thence S.40E. 345.78 feet to the point of BEGINNING.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Underhill Jr
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 30th day of January, 1978, the reference having been made in Minute Book 67, and recorded in full in Ordinance Book 25, Page 184.

Ruth Armstrong,
City Clerk

Petition No. 77-66

January 30, 1978
Ordinance Book 25 - Page 185Ordinance No. 891-ZAn Ordinance Amending Chapter 23
of the City Code - Zoning OrdinanceAn Ordinance Amending the City Code
with respect to the Zoning Ordinance

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-6MF to B-1 on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEGINNING at a point in the southerly margin of Sunnyside Avenue, said point being S.74-22E. 134.53 feet from the intersection of Sunnyside Avenue and Hawthorne Lane; thence running S.74-22E. 55.0 feet to the centerline of an alley; thence along said alley centerline running S.11-39W. 242.2 feet; thence N.78-21W. 55.0 feet; thence N.11-39E. 244.3 feet to the point of BEGINNING.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 30th day of January, 19 78, the reference having been made in Minute Book 67, and recorded in full in Ordinance Book 25, Page 185.

Ruth Armstrong,
City Clerk

January 30, 1978
Ordinance Book 25 - Page 186

Ordinance No. 892-Z

An Ordinance Amending Chapter 23
of the City Code - Zoning Ordinance

An Ordinance Amending the City Code
with respect to the Zoning Ordinance

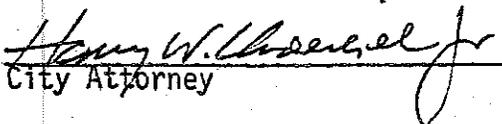
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-6MF to B-1 on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEGINNING at a point, said point being a nail in the proposed centerline of Goldwyn Avenue, which has a proposed right-of-way of 70 feet (35.0 feet each side of the proposed centerline), said nail being located 150 feet N.60-17-0W. from the point of intersection of the centerline of Marney Avenue and proposed centerline of Goldwyn Avenue; thence N.60-17-0W. 170 feet to a point at the intersection with the centerline of Stancil Place; thence leaving Goldwyn Avenue N.29-43-0E. 199 feet to an iron; thence S.60-17-0E. 125 feet to an iron; thence S.24-04-55W. 200 feet to the intersection with the centerline of proposed Goldwyn Avenue, the point of BEGINNING and containing 29,426 square feet.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 30th day of January, 19 78, the reference having been made in Minute Book 67, and recorded in full in Ordinance Book 25, Page 186.

Ruth Armstrong,
City Clerk

ORDINANCE NO. 893-X

AN ORDINANCE TO AMEND ORDINANCE NO. 576-X, THE 1977-78 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE GENERAL REVENUE SHARING FUND TO THE GENERAL FUND FOR THE PAYMENT OF LEGAL FEES INCURRED DURING THE COMPLETION OF THE FIRST WARD URBAN RENEWAL PROJECT.

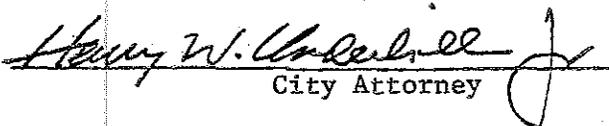
BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$45,977.21 is hereby transferred from the General Revenue Sharing Trust Fund Balance to the General Fund Awards and Damages account (530.82). These funds will be used to pay legal fees awarded by the courts that resulted from lawsuits filed as a consequence of the First Ward Urban Renewal Project.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective upon its adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of January, 1978, the reference having been made in Minute Book 67, and is recorded in full in Ordinance Book 25, at Page 187.

Ruth Armstrong
City Clerk

ORDINANCE NO. 894-X

AN ORDINANCE TO AMEND ORDINANCE NO. 576-X, THE 1977-78 BUDGET ORDINANCE, AMENDING THE TABLE OF ORGANIZATION AND PROVIDING A SUPPLEMENTAL APPROPRIATION IN THE OFFICE OF TRANSIT PLANNING TO IMPLEMENT THE UPTOWN TRANSIT INFORMATION CENTER.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the Table of Organization for the Office of Transit Planning is hereby amended to add the following positions:

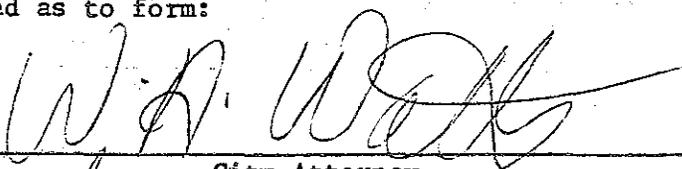
<u>Class No.</u>	<u>Description</u>	<u>No. of Positions</u>
0003	Office Assistant III	<u>1</u>
0005	Office Assistant V	<u>1</u>
	Total	2

Section 2. That the sum of \$61,720 is hereby transferred from the unappropriated balance of the 1975 Public Transit Bond Fund to the Uptown Transit Information Center (Account No. 852.10). These funds will be used to establish an information center in downtown Charlotte.

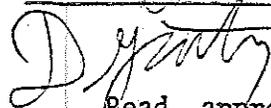
Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Approved as to form:



City Attorney



Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of January, 1978, the reference having been made in Minute Book 67, and is recorded in full in Ordinance Book 25, at Page 188.

Ruth Armstrong
City Clerk

ORDINANCE NO. 895-X

AN ORDINANCE TRANSFERRING FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE 1975 PUBLIC TRANSIT BOND FUND TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE PURCHASE OF BUSES AND FOR SPARE COMPONENTS AND TO PROVIDE AN ADVANCE OF FUNDS PENDING THE RECEIPT OF FEDERAL AND STATE GRANT FUNDS.

BE IT ORDAINED by the City Council of the City of Charlotte,
North Carolina;

Section 1. That a supplemental appropriation of \$1,071,048 is needed to complete the financing of the acquisition of transit passenger buses and the purchase of spare components under the Urban Mass Transit Act Section 3 capital improvement program, as follows:

<u>Account Number</u>	<u>Account Title</u>	<u>Original Appropriation</u>	<u>Revised Cost Estimate</u>	<u>Difference</u>
850.00	Purchase of Transit System Buses	\$2,210,000	\$3,256,648	\$1,046,648
851.00	Purchase of Spare Components	<u>19,000</u>	<u>43,400</u>	<u>24,400</u>
	TOTAL	\$2,229,000	\$3,300,048	\$1,071,048

Section 2. That the sum of \$1,071,048 is estimated to be available from the following sources pending Federal approval of the UMTA Capital Improvement Grant Amendment:

<u>Source of Funds</u>		
Federal	(80%)	\$ 856,838
State	(10%)	107,105
Local	(10%)	<u>107,105</u>
	TOTAL	\$1,071,048

Section 3. That the sum of \$107,105 is hereby transferred from the unappropriated balance of the 1975 Public Transit Bond Fund to finance the supplemental local share for the acquisition of transit passenger buses and the purchase

ORDINANCE NO. 895-X (CONTINUED - PAGE 2)

of spare components.

Section 4. That the Finance Director or his designate is hereby authorized to make \$963,943 available from the unappropriated balance of the 1975 Public Transit Bond Fund in advance of the receipt of Federal and State grant funds. These funds shall be repaid upon receipt of Federal and State funds.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This ordinance shall become effective upon its adoption.

Approved as to form:



City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of January, 1978, the reference having been made in Minute Book 67, and is recorded in full in Ordinance Book 25, at Page 189.

Ruth Armstrong
City Clerk

ORDINANCE NO. 896-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE BUILDING AT 1312 N. Davidson St. PURSUANT TO THE BUILDING CODE OF THE CITY OF CHARLOTTE AND SECTION 6.61, ARTICLE IV, CHAPTER 6, CHARTER OF THE CITY OF CHARLOTTE.

WHEREAS, the building located at 1312 N. Davidson St. in the City of Charlotte has been found by the Superintendent of Building Inspection to be unsafe and dangerous to life by reason of open & unoccupied and the owners thereof, have been ordered to demolish building and remove the remnants of the building, all pursuant to the Building Code of the City of Charlotte and Section 6.61, Article IV, of the Charter of the City of Charlotte, and

WHEREAS, said owners have failed to comply with said order served by certified mail on October 7, 1977 and October 19, 1977, NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Superintendent of Building Inspection is hereby ordered to cause the demolition and removal of the building located at 1312 N. Davidson St. in the City of Charlotte in accordance with the Building Code of the City of Charlotte and Section 6.61, Article IV, Chapter 6, of the Charter of the City of Charlotte.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of January, 1978, the reference having been made in Minute Book 67, and is recorded in full in Ordinance Book 25, at Page 191.

Ruth Armstrong
City Clerk