

These pages not used

ORDINANCE 1603-Z is DELETED due to an interpretation of Council's notes from this meeting. It was determined that Petition 2000-97 was deferred and not approved.



City Clerk

DECLARATION

I, _____, Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of September, 2000, the minutes being made in Ordinance Book 50, and recorded in full in Ordinance Book 50.



Clerk of the City of Charlotte

CITY ZONE CHANGE

Petition No. 00-98
Wilmore Neighborhood Association

ORDINANCE NO. 1604-Z

ZONING REGULATIONS

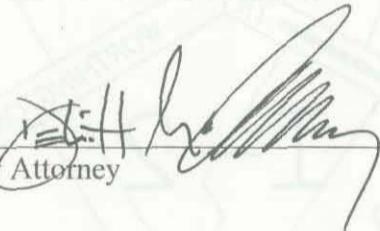
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 2.238 acres located on the north and south sides of West Worthington Avenue between Cliffwood Place and S. Tryon Street (tax parcels 119-077-06 and 07, 119-076-25, 26, 27, 28, and 29) from R-8 and R-43MF to UR-2 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

APPROVED AS TO FORM:



City Attorney

I, Brenda R. Freeze City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of September, 2000, the reference having been made in Minute Book 115, and recorded in full in Ordinance Book 50, Page(s) 490-491.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of September, 2000.



Brenda R. Freeze, CMC, City Clerk

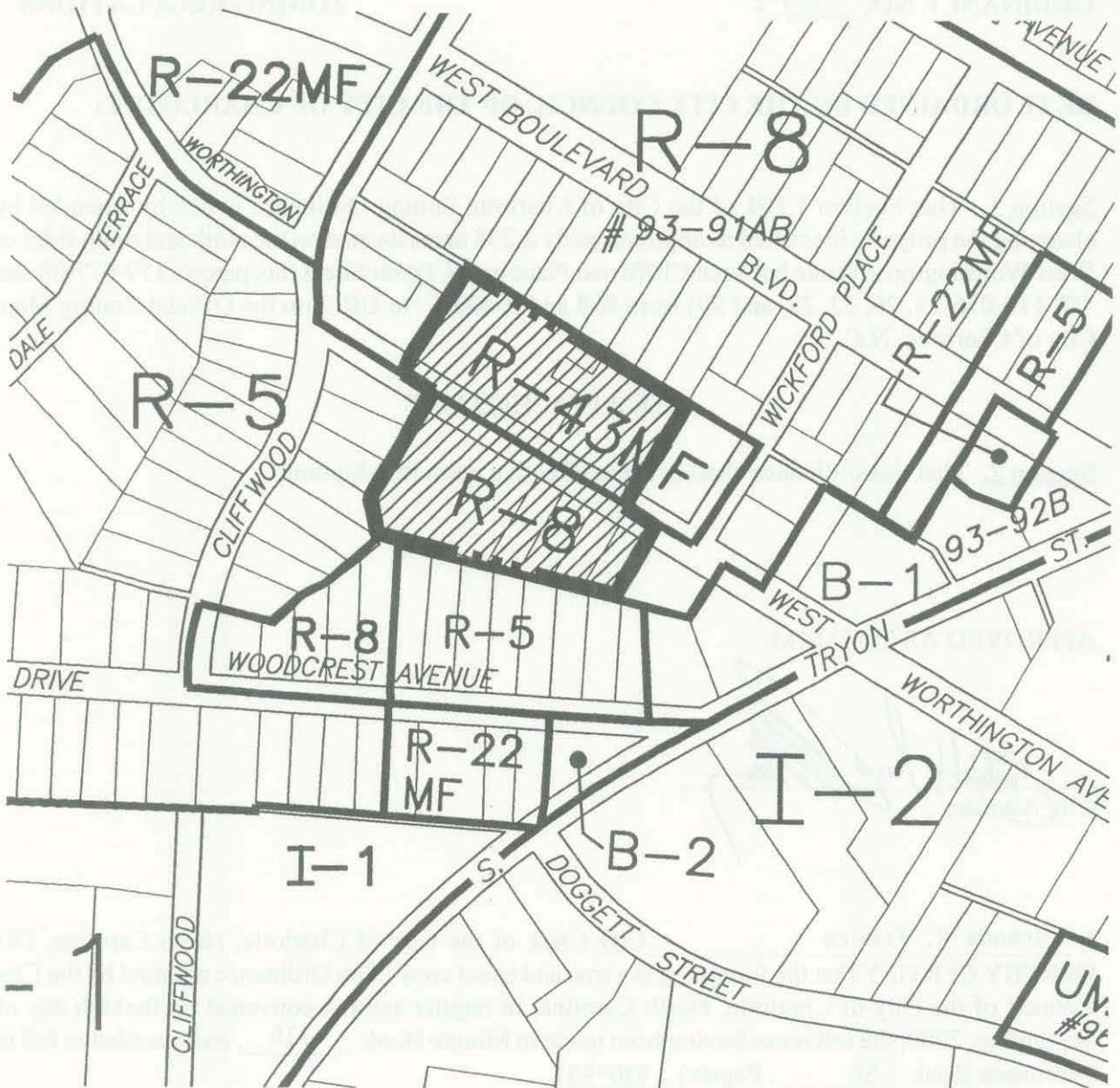
Petitioner: Wilmore Neighborhood Association

Hearing Date: July 17, 2000

Classification (Existing): R-8 and R-43MF

Zoning Classification (Requested): UR-2

Location: Approximately 2.24 acres located on the north and south sides of West Worthington Avenue, between Cliffwood Place and S. Tryon Street.



Zoning Map #(s): 103

Scale: No Scale

Petition No. 00-100
Petitioner: Charlotte-Mecklenburg Planning Commission

ORDINANCE NO. 1605 AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE

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

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

Amend CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY, PART 3: BUFFERS AND SCREENING, by adding a new section as follows:

Section 12.307. Buffer requirements for residential uses adjoining Class I streets with full control of access.

The purpose of this section is to establish requirements for buffering to provide a visual screen between residential uses and Class I streets with full control of access.

The following requirements will apply when property zoned as a residential district is being developed for residential purposes adjoining the right-of-way a Class I street with full control of access. Residential purposes shall be defined for these requirements as being any building used as a permanent dwelling unit. Any such building, which exists prior to the effective date of this section, will not be subject to these requirements when undergoing any addition, expansion, or renovation. These requirements will not be applicable if the North Carolina Department of Transportation (NCDOT) provides a noise abatement or screening wall.

1. A buffer area will be provided on the residential lot along the entire length of any yard or setback adjoining a Class I street right-of-way, or as provided for in Section 12.304. Alternative buffer and screening requirements.
2. Such buffer will consist of 5 trees and 20 shrubs/100 linear feet in an area of sufficient width to support the plant materials, but not less than 10 feet in width.
3. The buffer area may be included as part of the required minimum yards or

- setback areas, but it must be out of any existing or proposed right-of-way.
4. The buffer area will be subject to the provisions of Section 12.302. (9), (10), and (12).
 5. The buffer area may be replaced with the use of an earthen berm or a solid masonry wall, both with a minimum of 6 feet to a maximum of 10 feet in height. Berms shall have a maximum slope of 3:1.
 6. Shrubs are not required if a fence or wall is built. If a berm is constructed, shrubs are required but trees are not.
 7. Existing trees and vegetation may be used to meet the requirements of this section if they are of sufficient magnitude to meet or exceed these requirements.

(Editor's Note: Section 12.302 (9), (10), and (12) reads thusly:)

- (9) Required trees and shrubs within the buffer shall meet the following standards:
 - (a) Forty percent of the required trees within the buffer shall be large maturing trees;
 - (b) All trees shall have a minimum caliper of 2 inches measured 6 inches above ground at the time of planting;
 - (c) Shrubs shall be evergreen and at least 2 ½ feet tall when planted with an average height of 5 to 6 feet to be expected as normal growth within four years. However, 25% of the shrubs may vary from the above standard. The allowed variations are as follows:
 - (i) Shrubs may be deciduous; or
 - (ii) Shrubs may be 2 feet tall when planted, provided an average height of 3 to 4 feet is expected as normal growth within four years.

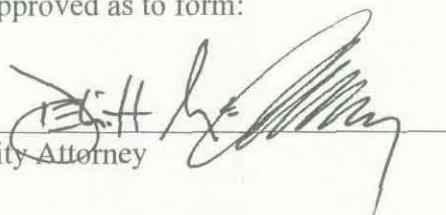
Shrubs planted on a berm may be of a lesser height, provided the combined height of the berms and plantings is at least 6 feet after 4 years;

 - (d) Shrubs and trees shall be on the approved plant list in Appendix 1;
 - (e) All specifications for the measurement, quality, and installation of trees and shrubs shall be in accordance with the "American Standards for Nursery Stock" published by the American Association of Nurserymen, and free of disease; and
 - (f) Twenty-five percent of all trees within the buffer shall be evergreen.
- (10) Guidelines for landscaping buffers are as follows:
 - (a) The arrangement of trees and shrubs in the buffer area shall be done in a manner that provides a visual separation between abutting land uses. Shrubs shall be massed in rows or groups to achieve the

- maximum screening effect; and
 - (b) Guidelines for the arrangement of plant materials are illustrated in Figure 12.302.
- (12) Required buffers shall not be disturbed for any reason except for required driveways, sidewalks, or other pedestrian or bicycle paths, walls, fences, or required landscaping, landscaping maintenance and replacement, or maintenance and construction of berms, or utility lines. However, utility line construction must meet the following requirements:
- (a) The removal of any tree larger than 8-inch caliper shall require the approval of the Zoning Administrator;
 - (b) If utility lines run longitudinally within a buffer yard, the width of the buffer yard shall be increased by the same amount that is cleared for placement of the utility lines; and
 - (c) To the extent possible, the path cleared for the utility lines shall be replaced with plant materials which are consistent with those that existed prior in the buffer yard.

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

Approved as to form:



City Attorney

I, Brenda R. Freeze City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of September, 2000, the reference having been made in Minute Book 115, and recorded in full in Ordinance Book 50, Page(s) 492-494.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of September, 2000.



Brenda R. Freeze, CMC, City Clerk

Petition No. 00-101
Petitioner: Charlotte City Attorney

AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE – ZONING ORDINANCE

ORDINANCE NO. 1606

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

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

CHAPTER 13: SIGNS,

1. Section 13.102. Definitions, (S7), (e) Canopy and Awning Signs, by deleting the word "onto" in the first sentence and replacing it with the words "upon or on top of".

The revised sentence will read thusly:

- (e) A sign attached to or painted or printed upon or on top of a canopy or awning.
2. Section 13.108. Specifications for permanent signs requiring a permit, (2) Canopy and Awning Signs, by adding the following before the last sentence:

The maximum height of a canopy sign is 2 feet and cannot extend above the roof line of the building.

3. Section 13.108. Specifications for permanent signs requiring a permit, (3) Projecting Signs, by deleting the existing wording which reads as follows:

(3) Projecting Signs

A projecting sign may be used in lieu of a detached sign. Such sign shall be permitted, provided:

- (a) A projecting sign shall not project more than 4 feet from a building wall;
- (b) A projecting sign shall not extend vertically above the roof line or parapet wall of a building; and
- (c) The minimum height from grade to the lowest edge of a projecting sign shall be 9 feet.

And replacing it with the following which keeps the existing provisions for projecting signs but adds provisions for projecting signs for individual tenants of a shopping center:

(3) Projecting Signs

A. All projecting signs

A projecting sign may be used in lieu of a detached sign. Such sign shall be permitted, provided:

- (a) A projecting sign shall not project more than 4 feet from a building wall;
- (b) A projecting sign shall not extend vertically above the roof line or parapet wall of a building; and
- (c) The minimum height from grade to the lowest edge of a projecting sign shall be 9 feet.

B. Projecting Signs in Shopping Centers

Projecting signs may be permitted for individual tenants of a shopping center without altering the provisions of detached signs as specified in Section 13.109. (4)(b) and (c). Such signs shall be permitted, provided:

- (a) Subject to the same provisions of (a), (b), and (c) above;
- (b) A projecting sign shall not project into any required setback or yard along a public street;
- (c) A projecting sign, wall sign, or combination of both may be located on any building wall (or wall space of an individual tenant) of a structure so long as the maximum sign surface area of all signs on one wall (or wall space of an individual tenant) does not exceed 10% of the area of the building wall to which the sign or signs are attached up to a maximum of 200 square feet. The maximum area of a projecting sign shall be 75 square feet;
- (d) The maximum allowable sign area per wall shall not be transferable to another wall.

4. Section 13.108a. Specifications for permanent signs in Uptown Mixed Use District requiring a permit, (2) Projecting Signs, by replacing the existing wording of subsection (a), which reads as follows:

- (a) A projecting sign shall not project into the 12-foot required setback as measured from the back of the curb;

with the following revised wording:

- (a) A projecting sign shall be allowed to project up to 4 feet into the required setback as measured from the back of the curb. Under no circumstance will a sign project more than 6 feet from the building face. These requirements shall not apply to an existing building that already encroaches into the 12-foot required setback. Such a non-conforming building shall be permitted to have a projecting sign that does not project more than 4 feet from the building face into the setback, and shall not be any closer than 2 feet from the face of existing curb. The maximum area of a projecting sign shall ^{be} 75 square feet.

- (b) If the projecting sign extends into the public street right-of-way, an encroachment agreement from the Charlotte Department of Transportation (CDOT), and if applicable, the North Carolina Department of Transportation (NCDOT) is required. Contact CDOT for information concerning cost, submittal, and liability insurance coverage requirements. Through the right-of-way encroachment process CDOT will review the sign location and design to determine whether the sign can be installed/constructed in a manner that will not adversely affect public safety.

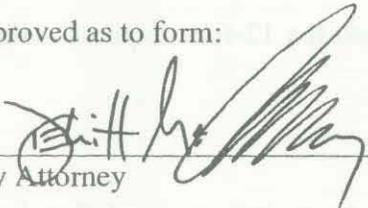
5. Section 13.108a. Specifications for permanent signs in Uptown Mixed Use District requiring a permit, (4) Canopy and Awning Signs, (c), by adding after the word "upon" the words "or on top of", and by adding the phrase "but cannot extend above the roof line of the building" to the end of the sentence.

The revised sentence will read thusly:

- (c) Signs may be attached, painted, or printed upon or on top of a canopy or awning, but cannot extend above the roof line of the building.

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

Approved as to form:



City Attorney

I, Brenda R. Freeze City Clerk of the City of Charlotte, North Carolina, DO
HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted
by the City Council of the City of Charlotte, North Carolina, in regular session convened
on the 18th day of September, 2000, the reference having been made in Minute Book
115, and recorded in full in Ordinance Book 50, Page(s) 496-498A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this
the 22nd day of September, 2000.



Brenda R. Freeze, CMC, City Clerk

CITY ZONE CHANGE

Petition No. 00-104
Kroger Equity, Inc. and
Kroger-Vanguard Partners L.P.

ORDINANCE NO. 1607-Z

ZONING REGULATIONS

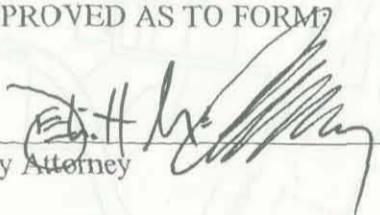
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 23.26 acres located on the east side of Interstate 77, north of Seventy-Seven Center Drive and west of Springbrook Road, (tax parcels 169-052-06, 169-062 -05,12,17, 26, 24, 27, 28) from I-2 to I-1 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

APPROVED AS TO FORM



City Attorney

I, Brenda R. Freeze City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of September, 2000, the reference having been made in Minute Book 115, and recorded in full in Ordinance Book 50, Page(s) 499-500.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of September, 2000.



Brenda R. Freeze, CMC, City Clerk

Brenda R. Freeze, CMC, City Clerk

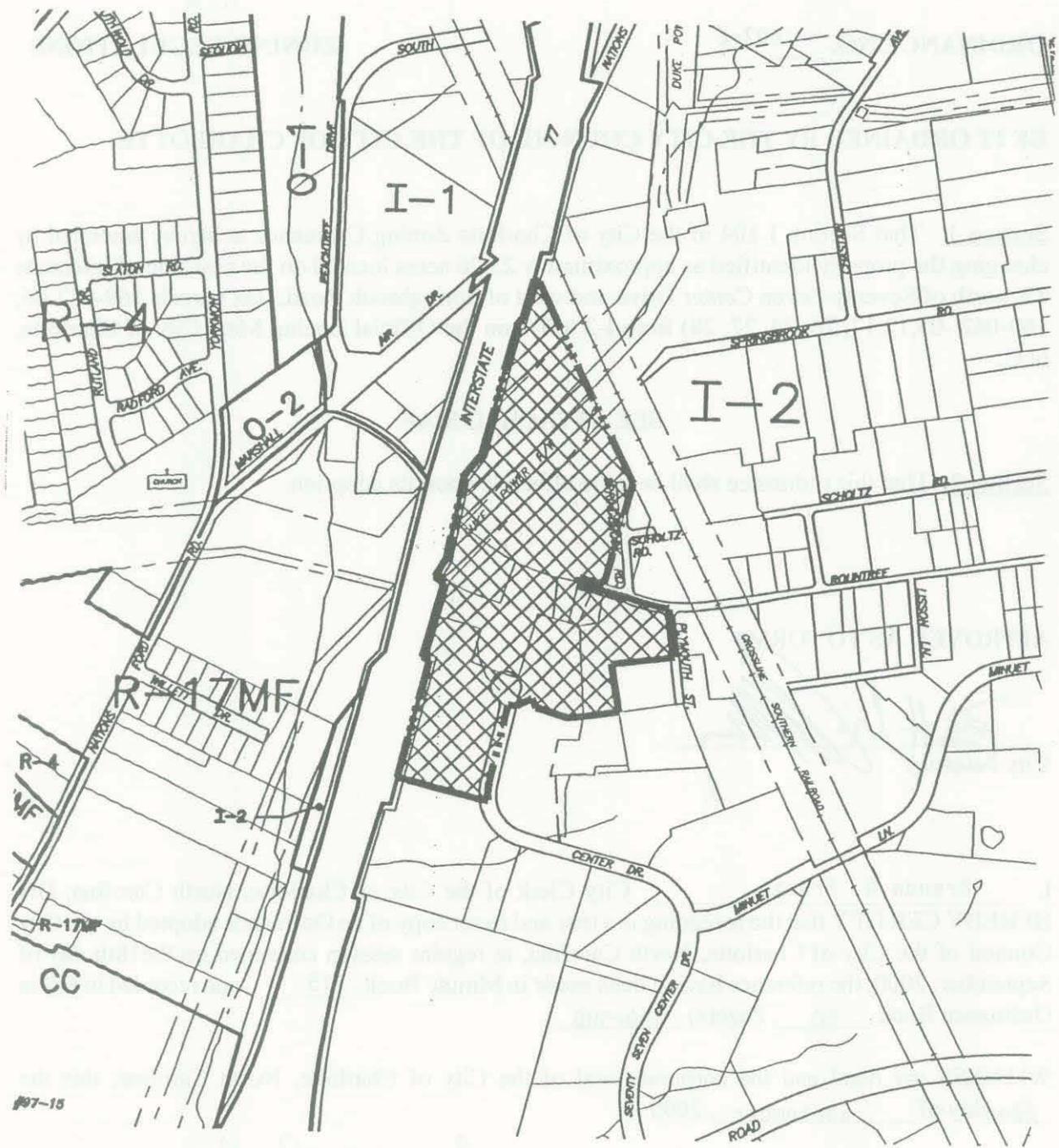
Petitioner: Koger Equity, Inc. and Koger-Vanguard Partners L.P.

Hearing Date: July 17, 2000

Classification (Existing): I-2

Zoning Classification (Requested): I-1

Location: Approximately 23 acres located on the east side of Interstate 77, north of Seventy Seven Center Drive and west of Springbrook Road.



Zoning Map #(s): 126

Scale: No Scale

CITY ZONE CHANGE

Petition No. 00-105
Pappas Properties Development, LLC.

ORDINANCE NO. 1608-Z

ZONING REGULATIONS

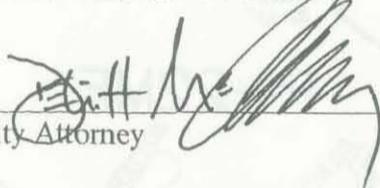
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 6.06 acres located on the southwest corner of Bland Street and South Boulevard, (tax parcel 123-041-026) from B-1 to MUDD on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

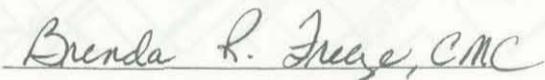
APPROVED AS TO FORM:



City Attorney

I, Brenda R. Freeze City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of September, 2000, the reference having been made in Minute Book 115, and recorded in full in Ordinance Book 50, Page(s) 501-502.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of September, 2000.



Brenda R. Freeze, CMC, City Clerk

Petition #: 00-106
Petitioner: Charlotte-Mecklenburg Planning Commission

ORDINANCE NO. 1609

OF THE CITY CODE - ZONING ORDINANCE
AN ORDINANCE AMENDING APPENDIX A

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

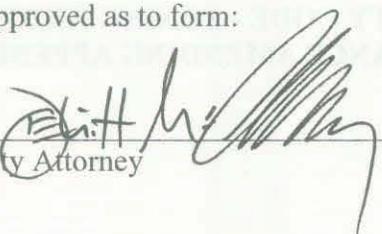
Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

CHAPTER 9: GENERAL DISTRICTS, PART 4: URBAN RESIDENTIAL DISTRICTS,
Section 9.406. Urban Residential Districts; area, yard and height regulations, by adding a new subsection (6) as follows:

- (6) Transportation corridor rights of-way. The requirements for transportation corridor rights-of-way in an urban area may vary due to patterns of existing rights-of-way, existing development, traffic movements and intersection design. In order to assure that adequate land is available to accommodate future public transportation corridor improvements, right-of-way must be protected. All development and uses in the district, except renovated and/or rehabilitated buildings, must reserve and keep free of development the necessary rights-of-way, which abut the property. The necessary rights-of-way will be determined on a case-by-case basis by the Charlotte Department of Transportation and the Charlotte-Mecklenburg Planning Commission staff. In making their determination these agencies will be guided by the adopted Central Area Plan and by the approved streetscape plan for the street if such a plan has been adopted. However, the absence of an adopted streetscape plan does not relieve the requirement for the necessary right-of-way to be reserved.

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

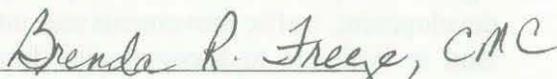
Approved as to form:



City Attorney

I, Brenda R. Freeze City Clerk of the City of Charlotte, North Carolina, DO
HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City
Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of
September, 2000, the reference having been made in Minute Book 115, and recorded in full in
Ordinance Book 50, Page(s) 503-504.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of
September, 2000.



Brenda R. Freeze, CMC, City Clerk

Petition No. 00-17
Unique Southern Estates, LLC.

ORDINANCE NO. 1610-Z

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

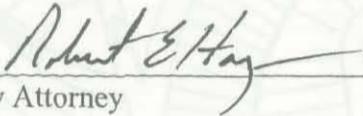
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the zoning maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from B-2(CD) to B-2(CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:



SA. ~~Asst~~ City Attorney

I, Brenda R. Freeze City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of September, 2000, the reference having been made in Minute Book 115, and recorded in full in Ordinance Book 50, Page(s) 505-506.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of September, 2000.



Brenda R. Freeze, CMC, City Clerk

Petition #: 2000-17
Petitioner: Unique Southern Estates
Hearing Date: February 21, 2000 , September 18, 2000
Classification (Existing): B-2(CD)
Zoning Classification (Requested): B-2(CD) S.P.A.
Location: Approximately 4.06 acres located on the southeast corner of the intersection of
The Plaza and Belvedere Avenue.



Zoning Map #(s): 101

Scale: 1" = 400'

Petition #: 00-123
Petitioner: Lynnwood Foundation

ORDINANCE NO. 1611

**OF THE CITY CODE - ZONING ORDINANCE
AN ORDINANCE AMENDING APPENDIX A**

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

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

Add a new section 9-502. (3.1) as follows:

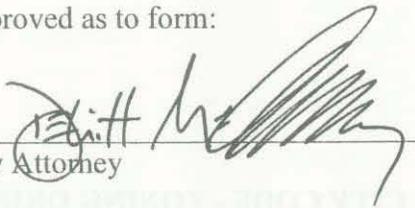
- (3.1) Conference centers, including facilities for corporate meetings, training, retreats, or other meetings.

Add a new section 9-504 (4.1) as follows:

- (4.1) Guest accommodations, provided by a conference center for persons who are attending functions or activities taking place within its facilities may also be made available to guests who are not participating in the principal activities of the conference center so long as the number of rooms so utilized does not exceed 20 rooms; and, on an annual average, no more than 30% of the rooms per night are occupied by such guests. Any conference center which elects to offer accommodations to unrelated guests must maintain accurate records sufficient to demonstrate to the Zoning Administrator, compliance with this standard and must produce copies of these records for the Zoning Administrator within 3 business days following the Zoning Administrator's request.

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

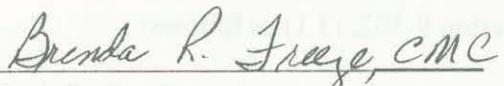
Approved as to form:



City Attorney

I, Brenda R. Freeze City Clerk of the City of Charlotte, North Carolina, DO
HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City
Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of
September, 2000, the reference having been made in Minute Book 115, and recorded in full in
Ordinance Book 50, Page(s) 507-507A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of
September, 2000.



Brenda R. Freeze, CMC, City Clerk