

ORDINANCE NO. 652. AN ORDINANCE AMENDING CHAPTER 21, ARTICLE II 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 21, Article II, Section 5 of the City Code of the City of Charlotte (O. B. 10) be amended by inserting in the first paragraph of said Section between "Residence 2 Districts" and "Business 1 Districts" the words "Office-Institution Districts", and further amend said Section by inserting in the second paragraph thereof the symbol "O-I" after the symbol "R 2" and the words "Office-Institution" after the words "Residence 2".

Section 2. Further amend Chapter 21, Article II by inserting between Section 8 and Section 9 a new Section as follows:

Section 8. (A) OFFICE-INSTITUTION DISTRICTS

A. Uses Permitted.

1. One-family dwellings; two-family dwellings; multiple dwellings.
2. Customary home occupations in a residence, provided that such occupations shall be carried on only by persons residing in the residence, and provided further that not more than twenty-five (25) percent of the floor space of the residence is used in the conduct of such activities, only articles made on the premises are sold on the premises, and no articles for sale are displayed so as to be visible from the street.
3. Churches.
4. Public, private and commercial schools.
5. Parks, playgrounds, buildings and structures for recreational purposes not operated for profit.
6. Libraries, museums, art galleries.
7. Buildings for dramatic, musical and other cultural activities not operated for profit.
8. Buildings for fraternal, social and civic organizations not operated for profit.
9. Buildings for social service organizations.
10. Hospitals, sanitariums, nursing homes and clinics not used primarily for the treatment of contagious diseases, alcoholics or drug addicts.
11. Orphanages, homes for the aged, rest homes, convalescent homes, charitable institutions not used primarily for the treatment of contagious diseases, alcoholics or drug addicts.
12. Professional offices for accountants, architects, attorneys, chiropridists, chiropractors, dentists, engineers, optometrists, osteopaths, physicians, surgeons.
13. Business offices and buildings for the display of sample merchandise to wholesalers and retailers of the merchandise displayed, provided deliveries of merchandise are not made from the premises and the merchandise displayed is not visible from the exterior of the building.
14. Governmental offices.
15. Studios for artists, designers, photographers, musicians.

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16. Radio and television stations, provided however that no tower structure intended for the transmission or reception of radio or television signals shall be higher, as measured from the base to the top of said tower structure, than the least dimension from the base of the tower to the nearest lot line.
17. Banks.
- 17-A. Funeral homes.
18. Public utilities, except utility service and storage yards.
19. Signs illuminated only by non-flashing, indirect means announcing the existence of the uses permitted in this Section, provided, however, that such signs shall be limited to one sign mounted flat to the front wall of the main building and one sign detached from the main building; provided further, however, that the detached sign shall not exceed twelve (12) square feet in area and six (6) feet in height, and shall comply with the provisions of Chapter 7, Section 265, of the Code of the City of Charlotte.
20. Uses and structures customarily incidental to the uses permitted in this Section.

B. Building and Area Regulations.

1. Area: There shall be a minimum of 5,000 square feet of lot area for each dwelling designed for not more than two families and an additional 1,000 square feet of lot area for each dwelling unit in excess of two.
2. Front yard: A front yard shall be required for every main building. The minimum depth of the required front yard shall be twenty (20) feet. No parking of motor vehicles shall be permitted in the required front yard.
3. Side yard: A side yard shall be required on each side of every main building. The minimum width of the required side yard shall be one-fourth (1/4) the height of the main building, but not less than eight (8) feet.
4. Rear yard: A rear yard shall be required for every main building. Main buildings to be used in whole or in part as dwellings shall have a rear yard equivalent in depth to the height of the main building, but not less than thirty (30) feet. Main buildings to be used for purposes other than dwelling shall have a rear yard equivalent to one-fourth (1/4) the height of the main building, but not less than eight (8) feet. Accessory buildings shall not occupy rear yard space in excess of twenty-five (25) per cent of the required rear yard area, plus fifty (50) per cent of any additional space in the rear of the main building.

C. Off-street Parking.

1. Off-street parking for automobiles shall be provided in conjunction with all buildings, structures or uses of land established in this District in accordance with the following requirements:
 - a) Dwellings shall have one off-street parking space for each dwelling unit.
 - b) All other buildings, structures and uses of land shall have off-street parking space as required by Section 10, Business 1-A Districts, Sub-section C, Off-street Parking Requirements.

Section 3. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

Approved as to form:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, N.C. on the 28th day of March, 1960, the reference having been made in Minute Book 39, at Page 312, and recorded in full in Ordinance Book 12, at Page 457.

Lillian R. Hoffman, City Clerk

Ordinance No. 657. An Ordinance Amending Chapter 21 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 21, Article 1, Section 2 of the City Code of the City of Charlotte (O. B. 10) be amended by having Building Zone Map of the City of Charlotte amended by changing from Residence 2 to Business 1 the following described property:

TRACT I: BEGINNING at a point in the northwesterly margin of Camp Greene Street, said point being a common corner of property belonging to Marsh Land Company and P. B. Melton and running thence with said margin in a southwesterly direction following a circular curve to the left, having a radius of 873.83 feet, an arc distance of 236.87 feet; thence N. 65-07-40 W. 237.59 feet; thence N. 60-19-47 W. 80.08 feet; thence N. 69-30-40 W. 79.57 feet to the westerly margin of a Duke Power Company right-of-way line; thence with said margin N. 22-47-20 E. 51.55 feet, more or less, to an existing Business 1 zone boundary line; thence with said boundary line three courses as follows: (1) S. 67-39 E. 205 feet; (2) with the arc of a circular curve to the right, having a radius of 1073.83 feet, an arc distance of 240 feet; (3) S. 46-51-10 E. 200 feet, more or less, to the BEGINNING.

TRACT II: BEGINNING at a point in the southeasterly margin of Camp Greene Street, said point being in an existing Business 1 zone boundary line and also being in a line which is parallel to and 200 feet southwest of the southwesterly margin of Freedom Drive and running thence with said parallel line S. 46-51-10 E. 200 feet, to a point in a line which is parallel to and 200 feet southeast of the southeasterly margin of Camp Greene Street; thence in a southwesterly direction with said parallel line 183 feet, more or less, to a point in a line which is parallel to and 200 feet Northwest of the northwesterly margin of an unopened street, ^{centerline of} said unopened street enters ^{approximately} the centerline of Camp Greene Street 150 feet south of Royston Road; thence with said parallel line S. 75-54-30 E. 360 feet, more or less, to an existing Industrial zone boundary line; thence in a southerly direction with said boundary line 76.09 feet, more or less, to a property line of Marsh Land Company; thence with said property line S. 24-20 W. 156.76 feet to a point, said point being N. 24-20 E. 76.73 feet from the southeast corner of said Marsh Land Company property; thence with a line which is parallel to ^{and approximately 210} feet southwest of the southwesterly margin of Freedom Drive N. 46-51-10 W. 610.65 feet, more or less, to the southeasterly margin of Camp Greene Street; thence with said margin in a northeasterly direction 221.31 feet, more or less, to the BEGINNING.

Section 2. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

Approved as to form:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, on the 28th day of March, 1960, the reference having been made in Minute Book 39, Page 314 and recorded in full in Ordinance Book 12, at Page 459.

Lillian R. Hoffman
City Clerk

ORDINANCE RE: PEDESTRIAN CONTROL

ORDINANCE NO. 665 AMENDING CHAPTER 2 OF THE CITY CODE
RELATING TO PEDESTRIAN CONTROL AND SAFETY

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

Section 1. That, Chapter 2, Article VI, Section 59, of the City Code of the City of Charlotte (O. B. 10) as amended, be, and the same is amended by striking out Section 59 thereof, and substituting in lieu thereof the following:

"SECTION 59 - PEDESTRIAN CONTROL AND SAFETY

(a) Pedestrians Subject To Traffic Control Signals

Pedestrians shall be subject to traffic-control signals as herefore declared in Chapter 2, Article III, Section 24 of the Code of the City of Charlotte, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this section.

(b) Pedestrian right-of-way in crosswalks

(1) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so slowly from the opposite half of the roadway as to be in danger.

(2) No pedestrian shall suddenly leave the curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(3) Paragraph (a) shall not apply under the conditions stated in paragraph (e) (2) hereof.

(4) Whenever any vehicle is stopped at any marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

(c) Pedestrians to use right half of crosswalks

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

(d) Crossing at right angles

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk.

(e) When Pedestrian shall yield

(1) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(2) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(3) It shall be unlawful and a violation of this ordinance for a pedestrian, while crossing the street at a point other than a crosswalk to step suddenly, run or jump into the path of a moving vehicle when such vehicle is so close as to constitute a hazard; provided, however, this provision shall not be construed to relieve the operator of a vehicle of his responsibility as defined in section 10 of this article and elsewhere in the Code of the City of Charlotte.

(4) The foregoing rules in this section have no application under the conditions stated in (f) hereof when pedestrians are prohibited from crossing at certain designated places.

(f) Prohibited Crossing

(1) Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.

(2) No pedestrian shall cross a roadway other than in a crosswalk in the central business district which is bounded by and includes Eleventh Street on the north, McDowell Street on the east, Morehead Street on the south and Graham Street on the west or in any outlying business district.

(g) Obedience of Pedestrians to Bridge and Railroad Signals

(1) No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate, or barrier after a bridge operation signal indication has been given.

(2) No pedestrian shall pass through, around, over, or under any crossing gate or barrier at any railroad grade crossing or bridge while such gate or barrier is closed or being opened or closed.

(h) Pedestrians Walking Along Roadways

(1) Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(2) Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only upon the left side of the roadway or its shoulder facing traffic which may be approaching from the opposite direction.

(i) Pedestrians Soliciting Rides or Business

(1) No person shall stand in a roadway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle.

(2) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway or parking lot.

(j) Drivers to Exercise Due Care

Notwithstanding the foregoing provisions of this article every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon the roadway.

Section 2. Further amend Chapter 2, Article IX, Section 82, of the City Code of the City of Charlotte (O. B. 10) as amended, by striking out the last line thereof reading: "Section 59(a) and (b). Pedestrians subject to traffic control signals 1.00", and substituting in lieu thereof, "Pedestrians subject to traffic regulations 3.00."

Section 3. This ordinance shall be in full force and effect from and after its adoption.

APPROVED AS TO FORM:

John D. Shaw
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, on the 28th day of March, 1960, the reference having been made in Minute Book 39, at Page 314, and recorded in full in Ordinance Book 12, beginning at Page 460.

Lillian R. Hoffman
City Clerk