

September 26, 1983
Ordinance Book 32 - Page 171

ORDINANCE NO. 1416-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1376-X, THE 1983-84 BUDGET ORDINANCE, TRANSFERRING CAPITAL FUNDS FOR INSPECTION AND EVALUATION OF CORRECTIVE MEASURES TAKEN TO ELIMINATE WATER LEAKAGE PROBLEMS OF DOWNTOWN PEDESTRIAN BRIDGES.

Engineering Dept.
RECEIVED
SEP 7 1983

City of Charlotte

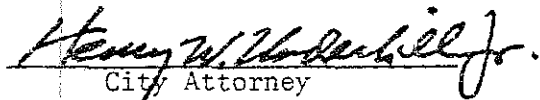
BE IT ORDAINED by the City Council of the City of Charlotte,
North Carolina;

Section 1. That the sum of \$20,000 is hereby transferred from General CIP Account 329.00 - Delta Road Extension to General CIP Account 293.00 - Overstreet Walkways to provide for monitoring of corrective measures to downtown pedestrian bridges.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 26th day of September, 1983, the reference having been made in Minute Book 80, and is recorded in full in Ordinance Book 32 at Page 171.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1417-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1376-X, THE 1983-84 BUDGET ORDINANCE TRANSFERRING FUNDS FROM AIRPORT FUND TRANSFERS TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE SETTLEMENT OF NOISE SUITS.

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

Section 1. That the sum of \$100,000 is hereby transferred from Airport Fund Transfers to the Airport Capital Improvement Fund 2073; Account 562.04 - Noise Litigation Awards, to meet the costs of airport noise litigation settlements.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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

H. Michael H.
Deputy City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of September, 1983, the reference having been made in Minute Book 80 and is recorded in full in Ordinance Book 32 at Page 172.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1418-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1376-X, THE 1983-84 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE AIRPORT OPERATING FUND AND ESTIMATING REVENUES FROM FEDERAL AND STATE GRANTS TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO EXPAND AIR CARRIER RAMPS AND NEW TAXIWAY CONSTRUCTION AT THE AIRPORT.

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

Section 1. That the sum of \$5,041,086 is hereby estimated to be available to expand air carrier ramps and new taxiway construction from the following sources:

<u>Sources</u>	<u>Amount</u>
Unappropriated Balance of the Airport Operating Fund	\$1,054,395
Airport Improvement Program Grant Number 3-37-0012-03	3,686,691
<u>State Aviation Grant</u>	<u>300,000</u>
Total	<u>\$5,041,086</u>

Section 2. That the sum of \$5,041,086 is hereby appropriated to Airport CIP Account 2073; 562.17 - Terminal Apron Ramp Expansion.

Section 3. That the Finance Director or his designee is hereby authorized to advance \$300,000 from the Unappropriated Balance of the Airport Operating Fund until such time that a portion of the project cost is funded through a State Aviation Grant. Local funding displaced by State Grant funding will revert to its original source.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 26th day of September, 1983, the reference having been made in Minute Book 80 and is recorded in full in Ordinance Book 32 at Page 173.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1419-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1139 N. College Street PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF M. C. Alexander & Linda Lou A. Chapman by will RESIDING AT 1101 Third St., S. W. #407, Washington, DC 20024

WHEREAS, the dwelling located at 1139 N. College Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant to the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina, and

WHEREAS, said owners have failed to comply with said order served by registered mail on the 8/8/83 and 8/22/83:
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Director of the Community Development Department is hereby ordered to cause the demolition and removal of the dwelling located at 1139 N. College Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:

W. C. Bennett
CITY ATTORNEY

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th September, 1983, the reference having been made in Minute Book 80, and is recorded in full in Ordinance Book 32, at Page 174.

Pat Sharkey
City Clerk

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Ordinance No. 1420

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 I, Section 23-2. Definitions by deleting the item numbered (22) (a) in its entirety and replacing it as follows:
 - (a) Advertising sign: A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered on a commercial basis:
 - (1) Only elsewhere than upon the premises where the sign is displayed; or
 - (2) As a minor and incidental activity upon the premises where the sign is displayed.

2. Amend Article VI., Division 2, Section 23-83. Schedule of Sign Regulations in the B-2 and B-3T business districts: and the I-1, I-2 and I-3 industrial districts, by deleting the subsection labelled "(c)" in its entirety, and replacing it with the following:

(c) [✓]Advertising signs shall be permitted on premises where other businesses or permitted uses are established. [✓]Advertising signs shall be subject to the following regulations:

 - (1) Type I advertising signs shall be at least [✓]381 square feet and not more than 750 square feet in area. Type IA advertising signs shall be at least 301 square feet and not more than 380 square feet in area. Type II advertising signs shall be not more than 300 square feet in area.
 - (2) No advertising signs shall be closer than 500 feet from any part of the principal use being advertised.
 - (3) Type I signs may only be located along multilane, limited access roads including I-77, I-85, Brookshire Freeway, John Belk Freeway, [✓]I-277, the Billy Graham Parkway, and the Airport connector, in the appropriate zoning districts and in conformance with the other provisions of this section.

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- or Type IA
- (4) No Type I/advertising sign shall be allowed within 200 feet of any Residential District. No Type II advertising sign shall be allowed within 70 feet of any Residential District.
- or Type IA
- (5) No Type I/advertising sign shall exceed 55 feet in height. No Type II advertising sign shall exceed 40 feet in height when located between 70 and 200 feet of any Residential District, nor may it exceed 55 feet in height when located more than 200 feet from any Residential District. All signs shall be measured from the level of the ground on which they are supported. However, where the ground on which the signs are supported is lower than the level of the road from which the signs are intended to be viewed and where such signs are located more than 200 feet from any Residential District, signs may be taller than previously specified but may not extend more than 27 feet above the level of the road from which they are intended to be viewed. Signs which are less than 200 feet from any Residential District are not subject to this exception.
- (6) No advertising sign of any type shall be closer than 650 feet to any other advertising sign on the same side of the street, nor closer than 100 feet to any other advertising sign on the opposite side of the street. No advertising sign shall be erected along a street within 75 feet of any other advertising sign which is visible and intended to be read from any intersecting street. The distances between signs shall be measured along the centerline of the road from which they are intended to be viewed, and from the point of the perpendicular intersection of the centerline and a line projected from the center of the sign.
- (7) Flashing signs (except those giving public service information such as time and temperature, or those which change their message at intervals of once per minute or less frequently) are prohibited. Lighted signs shall be constructed so as to prevent any direct beams or direct rays of light from being detected in the area on any lot in any Residential District which remains when the required setback, side and rear yards are subtracted. Lighted signs shall not interfere with the effectiveness of or obscure any official traffic sign, device or signal. Lighted signs shall be constructed so as to prevent beams or rays of light, of such intensity or brilliance as to cause glare or to impair the vision of drivers, from being detected on any street. No advertising sign shall remain lighted between the hours of 12:00 midnight and 5:00 A. M., except for signs located along the ~~freeways~~/designated in Section (c) (3) above. roads
- (8) Where an advertising sign has two or more faces, the combined area of all faces shall be included in determining the area of the advertising sign with respect to the maximum size limitations; provided, that where sign faces are placed back-to-back or in a v-shape, the area of the sign shall be the combined area of the faces on one side only. The greatest distance separating the faces of a back-to-back sign shall not exceed 10 feet. The faces of a v-shaped sign shall not form an angle which exceeds 90 degrees. An advertising sign may not display advertising on more than two sides and may not have more than two sign faces on a side.

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- (9) The area of signs composed in whole or in part of freestanding letters, devices or sculptured matter not mounted on a measurable surface shall be construed to be the area of the smallest single regular plane figure that will enclose all of the letters, devices and/or sculptured matter. This area shall also include any ornamental base, apron, support or other structural members if they contain any writing, numbers, symbols or lights other than for identification of the owner of the sign and/or illumination on them which in any way augment or attract attention to the message on the sign. However portions of the sign, not to exceed 5 feet in height or a width equal to 30% of the length of the top edge of the sign, may extend above the top edge of the sign and need not be included in calculations of sign area. The name of the sign company is not subject to this limitation unless the smallest single regular plane figure which will enclose it exceeds 6 square feet in area. Each sign face may contain not more than 2 message boards.
- (10) All advertising signs shall observe the same setback and side yard requirements imposed on other structures by other sections of this chapter, except that on corner lots no part of any advertising structure shall be located closer than 20 feet to the point of intersection of the rights-of-way of the two streets forming the corner. If such signs are located within 15 feet of a street right-of-way, they shall be at least 10 feet above the level of the right-of-way.
- (11) No permit shall be issued for an advertising sign to be erected within 20 feet of an existing principal building, provided that the foregoing restriction shall apply only to the initial erection of advertising signs; shall not make any advertising signs non-conforming; shall not restrict the construction, alteration or maintenance of a principal building within 20 feet of an advertising sign; and, shall not restrict the maintenance or alteration of an advertising sign within 20 feet of a principal building.
- (12) Any permit for an advertising sign which has been issued prior to the effective date of these provisions, but pursuant to which no advertising sign has been erected, shall be considered null and void 30 days after the date of adoption of these provisions.
2. Amend Article VII, Division 1, Section 23-88.1, Sign Permits by adding the following as the last sentence to subsection "(b)" and as a new subsection "(e)" respectively:
- A request for a sign permit shall be considered only if the applicant has the consent of the owner of the property or such other person or entity as has the right to grant such consent, or their respective authorized agents.
- (e) Permits for advertising signs, which have not been erected within 6 months of the issuance of the permit, may be extended for a period not to exceed 3 months upon the written request of the holder of the

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permit to the Zoning Administrator. At the end of the 3 month extension period, the permit shall be null and void if the sign has not been erected. If there is no written request received by the Zoning Administrator from the holder of the permit within 6 months of the issuance of the permit to extend the permit, the permit shall be null and void.

3. Amend Section 23-102, Nonconforming Signs as follows:

(a) In subsection 23-102(d) delete the words "structural repairs or" in the third line; and ^{add} "(except for the messages on advertising signs)" after the word "message" in the fourth line; and add the following sentence at the end of the subsection:

"Maintenance and repairs necessary to keep a nonconforming sign in sound condition shall be permitted."

(b) Add a new subsection 23-102(f) as follows:

"When a nonconforming advertising sign is damaged by fire, flood, wind, act of God or casualty, such sign may be reconstructed and used as before any such calamity, provided such reconstruction takes place within one year of the calamity."

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 26th day of September 19 83, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, Page 175-178.

Pat Sharkey,
City Clerk