

September 16, 1985
Ordinance Book 34 - Page 99

Petition No. 85-41
Cardinal Industries
Development Corp.

ORDINANCE NO. 1789-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 3.88 acre site at the northeast corner of Mulberry Church Road and I-85 from R-9MF to B-1(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, and was recommended for denial by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on June 17, 1985; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9MF to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a right-of-way monument located at the intersection of the westerly margin of Tacoma Avenue and the northerly margin of an I-85 Service Road, and running thence with said northerly margin N.89-33-34W. 388.11 feet to a right-of-way monument; thence N.43-12-55W. 56.45 feet to a right-of-way monument in the easterly margin of Mulberry Church Road; thence with said easterly margin the following three (3) courses and distances: 1) N.00-56-44E. 159.91 feet to an iron pin set; 2) N.15-59-00W. 104.09 feet to a right-of-way monument; 3) N.00-22-36E. 82.76 feet to an iron pin set; thence S.89-34-58E. 470.36 feet to an iron pin set; thence S.00-25-09W. 132.46 feet to an iron pin set in the westerly margin of

September 16, 1985
Ordinance Book 34 - Page 100

Tacoma Avenue; thence with said westerly margin in the following three (3) courses and distances: 1) with the arc of a circular curve to the left having a radius of 289.33 feet an arc distance of 51.63 feet to an iron pin set, said arc being subtended by a chord measurement of S.13-49-55W. 51.56 feet; 2) with the arc of a circular curve to the left having a radius of 289.33 feet an arc distance of 41.33 feet to an iron pin set, said arc being subtended by a chord measurement of S.04-37-40W. 41.30 feet; 3) S.00-32-06W. 159.73 feet to the point or place of BEGINNING, and being a 3.881 acre tract as shown on the survey of all or part of lots 32, 33, 34, 35, 42, 43, 44, 45 (Block 1); 7, 8, 9, 10, 15, 16, 17, 18 (Block 3) of Tacoma Park, drawn by Kosanchick & Associates, Ltd., P.C., Consulting Engineers & Surveyors, dated January 20, 1985; also being parts of Lots 32 through 35 and parts of Lots 42 through 45 of the Tacoma Park Subdivision, as shown in Map Book 4, Page 163 in the Mecklenburg County Registry and in Map Book 1166, Page 115 in the Mecklenburg County Registry.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

APPROVED AS TO FORM:

Henry W. Underhill Jr.
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of September, 1985, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, beginning on Page 99.

Pat Sharkey
City Clerk

September 16, 1985
Ordinance Book 34 - Page 101

Petition No. 85-42
Concerned Homeowners of
Parkview East

ORDINANCE NO. 1790-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a .37 acre site along Wallace Road off East Independence Boulevard and adjacent to the Parkview East neighborhood from 0-6 to 0-6(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on July 15, 1985; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from 0-6 to 0-6(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

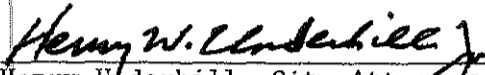
BEGINNING at a point, said point being a northwesterly corner where the subject property, Parkview East property, and the LHB Associates property intersect at an iron pin; 1) thence N.49-13-31E. 40.40 feet to a point; 2) thence S.48-53-08E. 411.42 feet to a point; 3) thence S.64-23-36W. 43.55 feet to a point; 4) thence N.48-53-08W. 399.91 feet to the point or place of BEGINNING.

September 16, 1985
Ordinance Book 34 - Page 102

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

APPROVED AS TO FORM:


Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of September, 1985, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, beginning on Page 101.

Pat Sharkey
City Clerk

September 16, 1985
Ordinance Book 34 - Page 103

Petition No. 85-50
Village Oaks Properties

ORDINANCE NO. 1791-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 4.26 acre site along the east side of Little Rock Road south of Tuckaseegee Road from R-12 to B-1(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on July 15, 1985; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-12 to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at an old iron located in the eastern edge of the old right-of-way line of Little Rock Road, said point being in the line of the property of L. R. Associates (now or formerly), as described in Book 4500, Page 811 of the Mecklenburg Public Registry; and running thence with said old right-of-way line of Little Rock Road N.22-01-59E. 53.90 feet to the point or place of BEGINNING and running thence S.67-58-01E. 234.00 feet to a point; thence S.22-01-59W. 22.00 feet to a point; thence S.67-58-01E. 301.81 feet to a point; thence S.29-12-07W. 110.81 feet to a point; thence S.67-41-43E. 75.23 feet to a point; thence S.22-18-17W. 339.63 feet to a point in the northern edge of a proposed 60 foot right-of-way to the North Carolina Department of Transportation; thence with the northern edge of

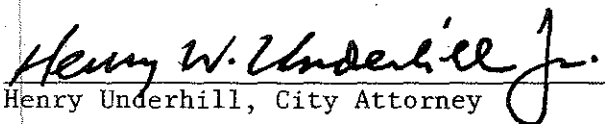
September 16, 1985
Ordinance Book 34 - Page 104

said proposed 60 foot right-of-way, six (6) courses and distances as follows: (1) N.64-27-43W. 54.88 feet to a point; thence (2) with the arc of a circular curve to the right, having a radius of 328.10 feet, an arc distance of 177.91 feet to a point; thence (3) N.33-23-34W. 203.95 feet to a point; thence (4) with the arc of a circular curve to the left, having a radius of 220.98 feet, an arc distance of 133.77 feet to a point; thence (5) N.22-26-37W. 115.53 feet to a point in the eastern edge of the old right-of-way line of Little Rock Road; thence (6) with said right-of-way line of Little Rock Road, N.22-01-59E. 130.00 feet to the point or place of BEGINNING.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

APPROVED AS TO FORM:


Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of September, 19 85, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, beginning on Page 103

Pat Sharkey
City Clerk

September 16, 1985
Ordinance Book 34 - Page 105

Petition No. 85-53
Samuel Lerner

ORDINANCE NO. 1792-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 3.02 acre site located at 5007 Monroe Road from R-9MF to O-6(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on August 19, 1985; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9MF to O-6(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point, said point being the most northerly corner 1) thence N.60-21-55W. 240.66 feet to a point; 2) thence N.62-45-08W. 60.35 feet to a point; 3) thence N.30-53-10E. 197.57 feet to a point; 4) thence N.57-02-16W. 91.84 feet to a point; 5) thence N.33-15-45E. 119.55 feet to a point; 6) thence S.49-26-26E. 70.13 feet to a point; 7) thence S.88-32-36E. 75.38 feet to a point; 8) thence N.27-27-24E. 45.12 feet to a point; 9) thence S.62-32-36E. 235.76 feet to a point; 10) thence S.27-27-24W. 431.5 feet to the point or place of BEGINNING.

September 16, 1985
Ordinance Book 34 - Page 106

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

APPROVED AS TO FORM:

Henry W. Underhill Jr.
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of September, 1985, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, beginning on Page 105.

Pat Sharkey
City Clerk

September 16, 1985
Ordinance Book 34 - Page 107

Petition No. 85-55
H. D. Purser

ORDINANCE NO. 1793-Z

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from O-6 to B-2 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEGINNING at a point, said point being the northerly most corner of the H. D. Purser property, tax parcel 129-041-40; running 1) thence S.65-57-00E. 178.03 feet to a point; 2) thence S.25-53-45W. 227.12 feet to a point; 3) thence N.69-31-00W. 156.26 feet to a point; 4) thence N.20-29E. 237.10 feet to the point or place of BEGINNING.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. 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 16th day of September, 19 85, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34, at page 107.

Pat Sharkey
City Clerk

September 16, 1985
Ordinance Book 34 - Page 108

Petition No. 85-56
Kinder Care Learning
Center, Inc.

ORDINANCE NO. 1794-Z

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from I-1 to B-1 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEGINNING at the northeasterly corner of Lot 11, "Sardis Executive Park" as recorded in Map Book 20, Page 548 of the Mecklenburg County Register of Deeds; thence along the northerly line of said lot N.71-45-06E. 221.60 feet to a point in the westerly line of a 20 foot wide easement in said "Sardis Executive Park". Thence along said westerly easement line and an extension thereof N.18-14-53W. 149.98 feet; thence N.71-45-06E. 219.20 feet to the westerly right-of-way line S.19-09-55E. 150.00 feet to the point or place of BEGINNING, containing 0.759 acres.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

APPROVED AS TO FORM:

Henry W. Chandler Jr.

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of September, 19 85, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34, at page 108.

Pat Sharkey
City Clerk

September 16, 1985
Ordinance Book 34 - Page 109

ORDINANCE NO. 1795

AN ORDINANCE AMENDING APPENDIX A
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. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Add a new Section 3402 as follows:

3402. Business Park District (BP)

3402.1. Purpose. The Business Park district is intended to provide for a mixture of employment uses of varying types in a single coordinated development. The district might include mixtures of office, retail, distribution, warehouse, manufacturing, and related service uses. It is not intended that this district be used to accommodate single use developments which can be located in other zoning classifications. Development within the district is expected to be of high quality design for buildings, site arrangement, and site amenities. Development will be expected to conform to higher levels of performance standards which are designed to protect adjacent areas, especially residential areas, as well as enhance development within the district. Further, this district provides for substantial flexibility in the internal arrangement of uses on the site while assuring a satisfactory integration of the district into the surrounding area. Emphasis will be placed on the project's relationship to existing and future public facilities such as roads and greenways. In order to assure that any proposal for a BP district can fulfill the objectives of this ordinance and to encourage well planned, mix use developments, the minimum area necessary to be considered for the BP district is 20 acres.

3402.2. Applicability. The BP district is intended for application in select locations throughout the urban and urbanizing area. It's principal use will be for new development on previously undeveloped land, but it may also be applied to areas which are appropriate for redevelopment or conversion and in which all of the ordinance standards may be fulfilled. By virtue of the nature of the district and the high level of performance expected within the district, it is expected that application of the district will be based on a petition of the property owner or agent for the owner. However, to aid in the implementation of a specific public policy, area plan, or other detailed publically initiated proposal, the district may be applied to areas in furthurance of those public

6/17/85

September 16, 1985
Ordinance Book 34 - Page 110

policies or plans without a petition from the property owner. In those circumstances, the area in question must be carefully evaluated to assure that the standards of the ordinance could be fulfilled and the proposal must include justification for the need for this particular district rather than other appropriate districts.

In order to assure that areas to be considered for a BP district can accommodate the increased activity which can be expected, the following general criteria will be used to review the proposal.

- .1 Direct access to at least one major thoroughfare (Class III or above). Access to a second major thoroughfare is highly desirable. Direct access includes connections directly to the thoroughfare along the boundary of the project, and location along limited access thoroughfares with access provided by intersecting thoroughfares.
- .2 Availability of adequate water and sewer service, or executed contracts to provide such services to the site. The provision of water and sewer may be by any means which are permitted or accepted by the Charlotte Mecklenburg Utility Department.
- .3 Conformity with the publically adopted plans, policies, and programs for the area in which the site is located.

3402.3.

Application Requirements and Review

Zoning petitions to establish a BP district must be submitted to the Charlotte-Mecklenburg Planning Commission and will be processed in accordance with the provisions of Section 1300 for zoning amendments as well as the standards of this section.

The following information must be submitted as part of the rezoning application.

- .1 A boundary survey showing total acreage, present zoning, date, north arrow, and vicinity map.
- .2 The tax parcel number and the names and addresses of all adjoining properties.
- .3 All existing easements, reservations for rights-of-way, greenways, or other facilities, regulatory floodplain information, and any other limitations on the property.
- .4 All proposed public facilities such as roads, parks, or greenways.
- .5 Access points to all public streets and the internal arrangement of private streets as they relate to public streets.

6/17/85

- .6 The areas of the site to be designated to fulfill the project edge requirement and detailed cross sections illustrating the edge area and any special treatments proposed in the area as required in Section 3402.7.5.
- .7 If residentially zoned land exists adjacent to the project edge, the 200' height separation line from any residentially zoned land must be shown as required in Section 3402.6.
- .8 A statement acknowledging that the detailed development standards for the district will be met.

In order to allow for a flexible mixed use environment which is responsive to changing technology, market forces, and community growth patterns, detailed information regarding individual development sites, building placement, arrangement of parking and loading areas, and similar information is not required at the time of zoning review and approval. However, this does not relieve the applicant from compliance with all other applicable codes and ordinances dealing with the development of land such as the Subdivision Ordinance. Further, inasmuch as detailed information regarding uses and internal site arrangement is not required as part of the approval of the application, the BP district is not eligible to be considered or treated as a parallel conditional use district.

3402.4.

Administrative Site Plan Approval Required. Once the BP district has been established all development in the Business Park district must be built in accordance with an administratively approved site plan. Site planning in proposed developments must provide protection of the development from adverse surrounding influences and protection of surrounding areas from adverse influences within the development. The site plan must be designed giving adequate consideration to the minimum standards of this ordinance and to the following factors: the size and shape of the tract; the topography and necessary grading, the reasonable preservation of the natural features of the land and vegetation; the size and relationship of buildings; and the character of relationship to adjoining properties. Consideration should be given to the location and arrangement of parking areas, the nature and extent of screening, the design of and utilization of streets and open spaces. The site plan must be prepared by a registered professional land planner licensed to practice in North Carolina. This registration could include land planners with designations as AICP, ASLA, AIA, PE, or others so long as the designer of records specialize in site design.

- .1 Purpose. In order to assure compliance with minimum ordinance standards and to aid in the review and approval of development proposals, this section establishes a Site Plan Review Process. This process is an administrative process conducted by the Director of the Charlotte-Mecklenburg Planning Commission on behalf of the Director of the Charlotte-Mecklenburg Building Standards Department. It is intended

that this process occur early in the planning of a proposed development in order to streamline the approval process, to assure that ordinance standards will be met, to address any specific hardships which could warrant a variance from specific provisions, to assure that the proposal complies with adopted public policies regarding the area of the proposal, and to promote and protect the public health, safety, and welfare.

- .2 Preliminary Site Plan. At any time after the approval of the BP district a preliminary site plan may be submitted to the Planning Director. It is intended that the preliminary plan not be detailed or engineered to the level necessary for the issuance of construction permits. Rather, the applicant should submit the preliminary plan at that point in his/her design process at which fundamental decisions regarding the site layout, arrangement of buildings, parking areas and streets, access points, extent of grading, and yards and open spaces are necessary to proceed. Sufficient information should be included to allow evaluation of the proposal against the standards of this ordinance and to identify potential problem areas when other ordinance regulations may apply. The plan need not cover the entire project area, but must cover the area for which building permits will be requested. Additional site plans may be filed as additional areas are developed. The minimum information required to be included with the preliminary plan is listed below.

- .1 developer's name, address and phone number
- .2 designer's name, address, phone number, and registration number
- .3 project name, address, present zoning, and the label "Preliminary Site Plan"
- .4 a vicinity map showing the location of the development site, including a north arrow for site orientation
- .5 a plat of the development site including existing and tentatively proposed topography at 2 foot contour intervals
- .6 area of the proposed development site
- .7 the vehicular access point(s) from adjacent public streets
- .8 the location of all existing principal structures on the development site and whether they are to be retained or removed under the proposed development plan
- .9 the location of all existing utility right-of-way(s) on the site and the location of all existing and proposed rights-of-way for public streets and proposed location of private streets
- .10 the location of any existing surface waters and the elevation of the 100 year regulatory floodway and floodway fringe if applicable
- .11 the required setbacks and yards for the district

- .12 the approximate building locations as well as information regarding the bulk and height of the buildings
- .13 the proposed vehicular and pedestrian circulation as well as the proposed parking layout including numbers of required spaces
- .14 existing vegetation and that vegetation which is to remain after clearing and grading is completed and protection measures to be used for existing vegetation
- .15 the location of service areas for uses such as trash disposal and loading/delivery areas
- .16 a conceptual landscaping plan indicating typical building, parking, entrance treatments, as well as screening and street planting plans
- .17 preliminary subdivision plan

The applicant may put the information dealing with the existing condition of the site, surrounding land owners, and existing vegetation on a separate sheet from the proposed development layout for ease of display and review.

- .3 Review and Approval. Within 20 business days of the receipt of a complete preliminary site plan, the Planning Director will review the proposal against the standards of this ordinance. In addition, the Planning Director may consult with other governmental agencies regarding the proposal as it relates to the standards of other ordinances in order to avoid unnecessary delays in the approval process.

If the preliminary plan meets the standards of this ordinance and is in general conformity with other applicable regulations, the Planning Director will mark the plan as "Approved for Final Plans" and return the approved plan to the applicant. The applicant is then free to develop any final site plans that may be necessary or required for the issuance of construction permits. In addition, the approval of the preliminary plan is necessary for the applicant to secure the necessary grading permits to begin work on the site.

All final site plans must be submitted to the Charlotte-Mecklenburg Building Standards Department for approval. One copy of the proposed final site plan will be reviewed by the Planning Director to assure compliance with the approved preliminary site plan.

3402.5.

Permitted Uses. The following uses are specifically permitted in the BP district. Further, uses which are similar in nature, activity, and impact to the uses listed but which are not specifically permitted are also allowed. Determination of any such use will be made by the Charlotte-Mecklenburg Planning Commission during its review of the petition, guided by the Purpose of the district as stated above.

1. business, professional, corporate, or government offices
2. merchandise showrooms including warehousing within a single building
3. distributive businesses including warehousing within a single building
4. cafeterias and restaurants as separate uses or in conjunction with other principal uses
5. banks and similar financial institutions
6. personal services
7. business offices with retail sales
8. laboratories and other facilities for research in enclosed buildings
9. printing and photoprocessing
10. manufacture's representatives including offices and repair and service facilities
11. wholesale sales including warehousing within a single building
12. public service and utility buildings, lines, and structures
13. health spa or fitness center, as a separate use or in conjunction with other uses
14. light manufacturing or assembly uses which do not create any more danger to health and safety in surrounding areas and which do not create any more offensive noise, vibration, smoke, dust, lint, odor, heat or glare, than that which is generally associated with light industries of the types found in the I-1 district and/or those specifically permitted below:
 - Component parts of aircraft
 - Medical and dental equipment
 - Drafting, optical, and musical instruments
 - Watches
 - Clocks
 - Toys
 - Mechanical devices
 - Machines and parts
 - Meters
 - Wire products
 - Pumps
 - Vending machines and office machines
 - Electrical devices
 - Appliances
 - Electronic equipment, but not including heavy equipment such as used on electrical power generation
 - Firearms
 - Photographic and metering equipment
 - Tools, dies, machinery, and hardware products
 - Furniture, cabinets, baskets, and other light wood products assembly
 - Cosmetics, drugs, and pharmaceutical products
15. graphics research and production facilities
16. day care centers operated by an employer or as separate principal use subject to the standards for business districts in Section 3119

- 17. golf courses in conjunction with a unified development, but not as a separate use
- 18. drive-in windows accessory to principal uses subject to the standards in Section 3116
- 19. hotels, motels, and related facilities subject to the standards in Section 3111
- 20. heliport or helistop in accordance with applicable FAA regulations and standards
- 21. buildings for dramatic, cultural, musical activities with over 1,000 seats and stadiums and coliseums with over 5,000 seats with a Major Special Use Permit
- 22. Accessory uses clearly incidental to principal permitted uses, except that the storage and/or treatment of hazardous waste by products except for necessary accumulation for shipping or reprocessing for reuse on the site is not permitted.
- 23. Warehousing as a principal use, but not including "mini warehouses".
- 24. Radio, TV, satellite, CATV, and other similar communication facilities are permitted as accessory uses.

3402.6.

Area, Yard, and Height Regulations

Minimum project area	20 acres
Minimum lot or building site area	1 acre
Minimum edge	100' at project edge, except as provided in Section 3402.7.5 below
Minimum side & rear yard on each separate lot or building site	20'
Minimum setback on each separate lot or building site	40' from public street
Maximum height	None except that no structure may exceed 40' if located within 200' of any residential district.
Minimum project public street frontage	100'

3402.7.

Development Requirements. The development requirements for the BP district are specified below.

- .1 Minimum Required Open Space. At least 20% of every project in the Business Park district must be devoted to permanent open space. This area must be used for landscaping, lawns, screening, or buffer areas. It may not contain any parking or loading areas, outdoor storage, trash handling, or utility or service areas. The area devoted to the minimum project edge requirement may be counted toward this requirement.

- .2 Utility Lines Underground. All utility lines such as electric, telephone, CATV, or other similar lines must be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the project. However, distribution lines which serve the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.

- .3 Outdoor Storage is Permitted. Outdoor storage is permitted as an accessory use on any individual lot. Any such storage must be completely screened from adjoining development within and without the site as well as from the general public. The screening must be effective at the time that it is installed, even if plant materials are used for all or part of the screening. Access through the screening for vehicles is permitted, but is limited to one 30' wide location per street frontage. All setbacks and yards must be observed for outside storage areas. In no case may the amount of land area devoted to outside storage exceed 20% of the lot area.

- .4 Covenants Required. The developer of any Business Park project must establish restrictive covenants for the entire project area. The restrictive covenants must be submitted to show compliance, but will not be reviewed as to form, legality, or methods of enforcement. Those covenants must, at a minimum, accomplish the following objectives:
 - 1. Create a property owners association
 - 2. Provide for maintenance of individual sites, common areas, open spaces, and private streets.
 - 3. Provide for minimum development and operational standards for each site which require adherence to local ordinances and establish uniform landscaping, signage, site design, parking, and loading standards. The covenants may include additional restrictions or requirements at the discretion of the developer. However, the minimum standards of this ordinance must always be met.

- .5 Project edge. The protection of the project edge is essential to the proper integration of a business park development into the community, especially when adjoining residential areas. The objective of the standards for the project edge is to provide the appropriate separation, screening, landscaping and transition between the development and the adjoining properties.

The minimum project edge required around the perimeter of the site is 100'. However, if the adjoining land is zoned and used for business, business park, or industrial purposes, or if the project adjoins the right-of-way of a railroad, Class I, or Class II thoroughfare, the minimum edge for that part of the project boundary may be reduced to 50'.

- .6 Street Trees. Street trees must be planted along all public and private streets within and adjoining any business park development in accordance with the standards and specifications of the Charlotte Street Tree Planting program and the Charlotte Tree Ordinance (City Code Chapter 21), which are adopted herein by reference.
- .7 Project Entrance. The entrance or entrances to the project should receive special emphasis in design and construction. It should set the tone for the development within and should create a identity for the project at the public street frontage. Special attention should be paid to signage, landscaping, street configuration, future transit potential, and traffic circulation. At a minimum, a divided street entrance must be used at the principal entrance to the site.

3402.8.

Signs.

The number, location, and type of signs permitted in the Business Park district will be the same as those allowed in the Research districts subject to the following exceptions.

- .1 The maximum area for a sign which identifies the development name is 200 square feet, and 1 such sign is permitted for each public street frontage. Such a sign may be placed in the required edge area or located on the median in the entrance road.
- .2 The maximum area for a sign which identifies individual uses in the development is 50 square feet.
- .3 A uniform signage design and color arrangement must be established as part of the covenants required in Section 3402.7.6 above.
- .4 The general signs regulations of Section 2100 apply in BP districts, except that Section 2104.7 does not apply.
- .5 Directional signs may be located within the required edge area, are limited to 20 square feet in area, and not placed on any public right-of-way.

3402.9.

Parking and Loading Standards.

Development of any use in the Business Park district must conform to the parking and loading standards of Section 2200 and with the following additional requirements.

- .1 Parking in the setback is permitted if located at least 20' from the curb line and is visually separated from the street with landscaping and tree plantings.

- .2 An area equal to at least 10% of the paved surface of any parking area containing more than 20 spaces must be landscaped with plantings and trees. This requirement is in addition to any perimeter and/or screening requirements for the parking areas and must be placed in the interior of the lot.
- .3 The minimum width of landscaped islands or planting strips where provided is 8'. If a sidewalk is included in the planting strip, the landscaped area may be reduced to 6'. Landscaped islands or planting strips may be used to fulfill the 10% landscaping requirement in .2 above. Tree planting and necessary plant areas must be in accordance with the standards and specifications of the Charlotte Tree Planting Program and the Charlotte Tree Ordinance (City Code Chapter 21), which are adopted herein by reference.
- .4 All sidewalks, where provided, must be at least 4' wide. Where head in parking adjoins a sidewalk, either bumper curbs placed at least 2' from the nearest edge of the sidewalk, or an extra 2' of sidewalk width must be provided so that automobile overhang will not intrude on the pedestrian space.

2. Amend Section 1308 by adding the following statement after the list.

The UDC-V district and the BP district are not classified in the hierarchy of districts due to their mixed use potential and special review and approval procedures.

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 16th day of September, 19 85, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, at page 109-118

Pat Sharkey, City Clerk