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APPROVED BY CITY COUNCIL
DATE 7/18/88

ORDINANCE NO. 2465

AMENDING CHAPTER 20

AN ORDINANCE AMENDING CHAPTER 20, (SUBDIVISION REGULATIONS) OF THE CODE OF THE CITY OF CHARLOTTE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA:

Section 1. Chapter 20, is hereby amended as follows:

1. Amend Section 2.100. Definitions., SUBDIVISION., as follows:

a. Delete numbered paragraph 1. in its entirety and replace it as follows:

1. The combination or recombination of portions of parcels created and recorded prior to January 1, 1988, or portions of lots platted in compliance with this ordinance after January 1, 1988, where the total number of parcels or lots is not increased and the resultant parcels or lots are equal to the standards of this ordinance.

b. Delete numbered paragraph 6. in its entirety and replace it as follows:

6. Creation of a separate lot or building site by a less than fee simple instrument, such as a ground lease, when the property interest created is divided from the original parcel for ten years or less, including options to renew.

c. Add a new paragraph 7. to read as follows:

7. The lease of space or other area within a building owned by the landlord.

d. Add a new paragraph 8. to read as follows:

8. Easements for the purposes of utilities, driveways, parking, footpaths, trails or other similar purposes.

e. Add a new paragraph 9. to read as follows:

9. The division of a tract or parcel into separate tracts or parcels, or the creation of interests in lots or parcels, by means of (a) a deed of trust, mortgage, or similar security interest solely for the purpose of securing any bona fide obligation (including transfers of such parcels or tracts pursuant to foreclosure or deeds in lieu of foreclosure) and (b) releases from the liens and operation of such deeds of trust, mortgages, or similar security interests.

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f. Add a new paragraph 10. to read as follows:

10. Proceedings to partition interests in lots or parcels pursuant to Chapter 46 of the North Carolina General Statutes (or any successor statute) resulting in the division of a lot or parcel into two or more lots or parcels except where the partition proceeding is brought to circumvent the provisions of this Ordinance.

g. Add a new paragraph 11. to read as follows:

11. Transfers of tracts or parcels by inheritance or bonafide gift.

h. Add a new paragraph 12. to read as follows:

12. Condemnation or deed in lieu of condemnation, by either a public or private condemnor; provided, however, that the condemnor must comply with the requirements of this ordinance as to the property acquired, either prior to the commencement of any development of the property acquired, or prior to the issuance of any building permit on the property acquired, or within six months following the date of acquisition, whichever date first occurs.

2. Amend Section 2.100. Definitions., by adding a new definition in proper alphabetical order as follows:

SUBDIVISION, LIMITED. A subdivision that is not otherwise exempt from the provisions of this ordinance and where the tract or parcel of land retained by the owner submitting the land for subdivision approval is in excess of ten (10) acres. For such subdivisions the owner shall be required to plat only the parcel to be transferred or leased and only that parcel shall be subject to the requirements of this ordinance.

3. Amend Section 2.100. Definitions., by capitalizing the heading "SUBDIVISION, MINOR", and adjusting the margin of the entire paragraph to be in proper format as other definitions.
4. Amend Section 4.106. Standards for Granting a Variance., by adding the word "or" to the end of Items 1. and 2. and adding a "semicolon" and the word "or" to the end of Item 4.
5. Amend Section 6.100. Compliance Required., by deleting the entire wording and replacing it as follows:

6.100. Compliance Required.

After the effective date of this Ordinance, no plat of a subdivision of land subject to the jurisdiction of this Ordinance will be filed or recorded by the County Register of Deeds until it has been submitted to and approved by the Charlotte-Mecklenburg Planning Commission Staff. This includes all divisions of land as defined in 2.100 and includes the development of any multiple building site or multi-site project even if there is no division

