

*Approved by City Council 3/15/93*

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ORDINANCE NO. 3523

*Det. 92-74*

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

EDITOR'S NOTE: Words that are through thusly, WØRDS, are deletions.

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. Amend Section 1.101. Title as follows:

These regulations shall be known and may be cited as the Zoning Ordinance of the City of Charlotte, North Carolina.

2. Amend Section 1.104. Zoning Maps as follows:

The City Council, upon the recommendation of the Planning Commission, may adopt a series of Zoning Maps which shall set out and delineate the zoning districts established in Chapters 9, 10, and 11 for all land within the jurisdiction of these regulations. The Zoning Maps are hereby designated, established, and incorporated as a part of these regulations and the originals thereof which are on file at the offices of the Planning Commission shall be as much a part of these regulations as if they were fully described in these regulations. The Zoning Maps shall be reviewed and may be amended from time to time through the amendment process, as provided in Chapter 6 of these regulations, to be consistent with the objectives and policies of the "Generalized Land Plan", district plans, area plans, and other public policies related to land development adopted by the City Council provided, however, that nothing herein shall limit the authority of the City Council to approve any petition for reclassification of property in accordance with the procedures set out in the "District Plan General Policies", as the same may be amended from time to time.

3. Amend Section 1.105. Exceptions to applicability, number (3) as follows:

(3) These regulations shall not be applicable or enforced without the consent of the owner with regard to uses previously approved under a parallel conditional district, conditional district or special use permit. Development of these uses will be governed by the previously approved site plans and the accompanying regulations in effect prior to January 1, 1992. Any amendments to these approved uses which cannot be approved administratively will be subject to the requirements of these regulations.

4. Amend Section 2.103. Fractional requirements as follows:

When any requirement of these regulations results in a fraction of a dwelling unit or other measurement, that fraction will be disregarded and the nearest lower whole number shall apply. Whenever a density calculation for a lot of record existing prior to January 1, 1992, results in less than one dwelling unit being permitted, the fractional requirement will be disregarded and one dwelling unit will be permitted subject to Section 7.105.

5. Section 2.201. Definitions.

Delete all alphanumerical references in the definition section such as (A1), (A2)...etc. and delete any item shown as [RESERVED].

Abutting.

Having common property boundaries or lot lines which are not separated by a street or alley. For purposes of this ordinance adjoining shall have the same meaning as abutting.

Adjacent.

Having common property boundaries or lot lines or being directly across a street, alley or body of water none of which exceeds 100 feet in width.

Airport.

A facility intended and used as the place where one or more fixed-wing or rotary-wing aircraft are regularly stored, maintained, or repaired while not in flight with an area that the aircraft may use to take off and land, and including the sale of goods or materials to users of such aircraft.

Alley.

A private or public right-of-way or easement which is less than 30 feet in width and runs between two or more lots or located on a single lot, affording primary or secondary vehicular access to the properties which abut it, but not including a street, utility easement, or railroad right-of-way.

Automotive repair. (Also, see Automobile service station.)

A building or area designed and used for the storage, care, and repair of motor vehicles including both minor and major mechanical overhauling, paint and body work.

Buffer. (Also, see Screening.)

A strip of land with natural or planted vegetation located between a use or structure and a side or rear property line intended to separate and partially obstruct the view of two abutting land uses or properties from one another. A buffer area may include any required screening for the site.

Clinic, veterinary.

A use or structure intended or used primarily for the testing and treatment of the physical disorders of animals or their grooming and indoor boarding, but not including the training of animals or outdoor cages, pens, or runs for animals.

Development.

- (ii) A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land, but only so long as the increase in the number of such establishments materially increases the number of persons occupying or employed on the premises.

Dwelling, multi-family.

More than four dwelling units, including modular homes, placed one on top of another or side by side and sharing common walls or common floors and ceilings.

Dwelling, quadraplex.

Four dwelling units, including modular homes, attached side by side or one on top of another and sharing common walls or common floors and ceilings.

Dwelling, triplex.

Three dwelling units, including modular homes, placed on top of one another or attached side by side and sharing common walls or common floors and ceilings.

Farm.

Any tract of land containing at least three acres which is used for dairying or for the raising of agricultural products, forest products, livestock or poultry, and which may include facilities for the sale of such products from the premises where produced. The definition of "farm" shall not include agricultural industries.

-----Floor.

-----The top surface of an enclosed area in a building (including the basement); such as the top of the slab in concrete slab construction or the top of the wood flooring in wood frame construction.

Government building.

A building, use, or facility owned or operated by a government agency and serving as an agency office, police station, fire station, library, community center, or similar facility, and a building, use or facility serving as a volunteer fire station, but not including a vehicle storage yard, jail, prison, sanitary landfill, solid waste transfer or disposal facility, wastewater treatment facility, educational or health institution, university, group home, or housing for persons who are participating in work release programs or who have previously served and completed terms of imprisonment for violations of criminal laws.

Health Institution.

A hospital, clinic (not including veterinary), health maintenance organization, or similar use or building, not including a group home, which routinely provides for the care of, treatment of, and testing for physical, emotional, or mental injury, illness, or disability, and for the overnight boarding of patients, either on a for-profit or not-for-profit basis.

Hotel or motel.

A building containing more than four individual rooms for the purpose of providing overnight lodging facilities to the general public for compensation with or without meals, and which has common facilities for reservations, cleaning services, combined utilities, and on-site management and reception.

Junkyard.

A parcel of land on which waste material (not including medical or hazardous waste) or inoperative vehicles or other machinery are collected, stored, salvaged or sold.

Kennel, commercial.

A use or structure intended and used for the breeding or storage of animals for sale or for the training or overnight boarding of animals for persons other than the occupant of the lot.

Large maturing tree.

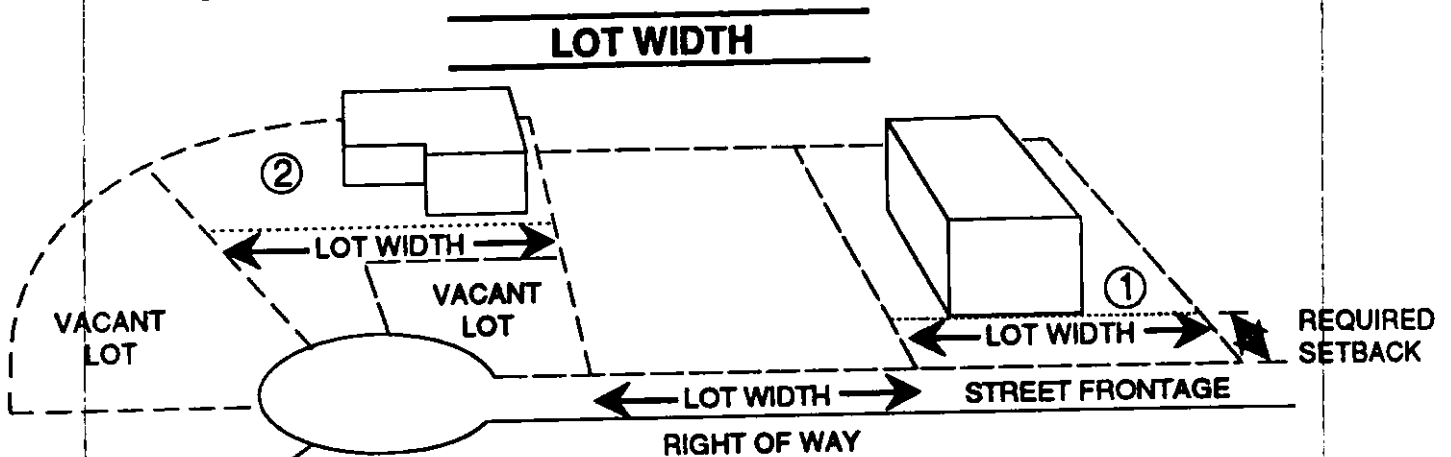
A tree whose height is greater than 35 feet at maturity and has a minimum caliper of 2½ inches at the time of planting and meets the specifications of "American Standards for Nursery Stock" published by the American Association of Nurseryman. (See Appendix 1)

Lot, types.

The diagram below illustrates terminology used in these regulations with reference to corner lots, interior lots and through lots. In the diagram a corner lot (A) is defined as a lot located at the intersection of two (2) or more streets. A lot shall also be considered a corner lot, if it occupies the interior angle at the intersection of two streets, and such angle is less than 135 degrees. See lot marked A in the diagram. An interior lot (B) is defined as a lot other than a corner lot with only one frontage on a street. A through lot (C) is defined as a lot other than a corner lot with a frontage on more than one street. Through lots may be referred to as double frontage lots.

Lot width.

- .1 The continuous distance between the side lot lines measured along the setback line as established by these regulations; or
- .2 The continuous distance between the side lot lines measured along a setback line shown on a duly recorded plat when that line is greater than the setback required by these regulations along the turnaround portion of a cul-de-sac street.

Marina, commercial.

A commercial facility for 10 or more boats with wet or dry storage (or combination thereof), launching and mooring of boats, together with all accessory structures and uses.

Marine railway.

A line of track running from the shoreline into a body of water to provide a runway for a wheeled or other apparatus to lower a boat into the water.

Mean sea level.

The National Geodetic Vertical Datum (NGVD) of 1929, or other datum, to which base flood elevations shown on the Flood Insurance Rate Maps for Mecklenburg County are referenced.

Outdoor recreation.

Public or private golf courses, swimming pools, tennis courts, ball fields, ball courts, and similar uses which are not enclosed in buildings and are operated on a commercial or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. "Outdoor recreation" shall include any accessory uses, such as snack bars, pro shops, club houses, country clubs or similar uses which are designed and intended primarily for the use of patrons of the principal recreational use. Outdoor recreation shall not include commercial outdoor amusement or open space recreational uses.

Parking deck.

A multi-level building designed and used for the parking or storage of motor vehicles.

Planned multi-family development.

A group of two or more attached, duplex, triplex, quadraplex, or multi-family buildings, or a single building of more than 12 units constructed on the same lot or parcel of land under single ownership, and planned and developed with a unified design of buildings and coordinated common open space and service areas in accordance with the requirements of Chapter 9 for the zoning district in which it is located.

Restaurant.

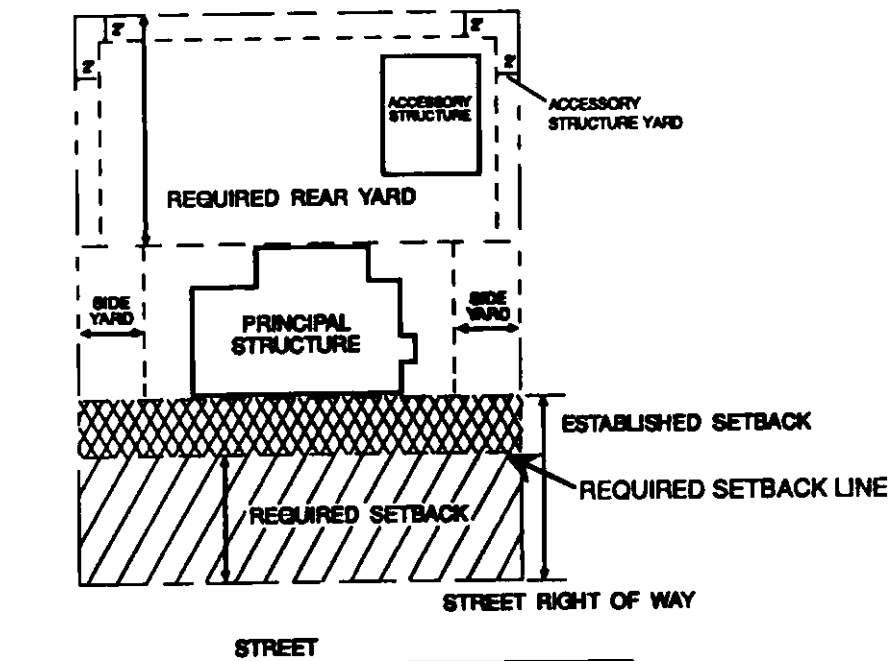
An establishment designed, in whole or in part, to accommodate the consumption of food and/or beverages.

Restaurant, drive-in.

An establishment designed, in whole or part, to accommodate the consumption of food and/or beverages in motor vehicles on the premises of such establishment, or a restaurant with a drive-in service window and/or outdoor service window having indoor seating accommodation for fewer than 50 patrons.

Setback, required.

The minimum distance required by these regulations between the street right-of-way line and the front building line of a principal building or structure as measured parallel from the street right-of-way line, projected to the side lines of the lot. In the case of a through lot, a required setback also will be measured from the right-of-way line at the rear of the lot to the rear building line. In the Neighborhood Service district, the setback is measured from the back of the curb to the building line.

SETBACK, Established and RequiredShopping center.

A group of two or more retail establishments or restaurants constructed and planned and developed with a unified design of buildings with associated out parcels and coordinated parking and service areas.

Shrubs.

Woody branching plants of relatively low height. (See Appendix 1)

Street.

A public right-of-way or fee simple tract of land not less than 30 feet in width, set aside for public travel, which has been accepted by or offered for maintenance to the City of Charlotte or the State of North Carolina, has been established as a public street prior to the effective date of these regulations, or has been dedicated or offered for dedication to the City of Charlotte or the State of North Carolina for public travel by the recording of a subdivision plat.

Street line.

The boundary of a street right-of-way.

Street, private.

An interior circulation road designed and constructed to carry vehicular traffic from public streets within or adjoining a site to private buildings or land uses, to parking and service areas and which is not maintained by the public.

Thoroughfare.

Any street designated on the adopted Charlotte-Mecklenburg Thoroughfare Plan, or any street which is an extension of any street on the adopted Thoroughfare Plan. The words thoroughfare and arterial are used synonymously and indicate streets which are designed as Class I, II, III, III-C, or IV.

Thoroughfare Plan.

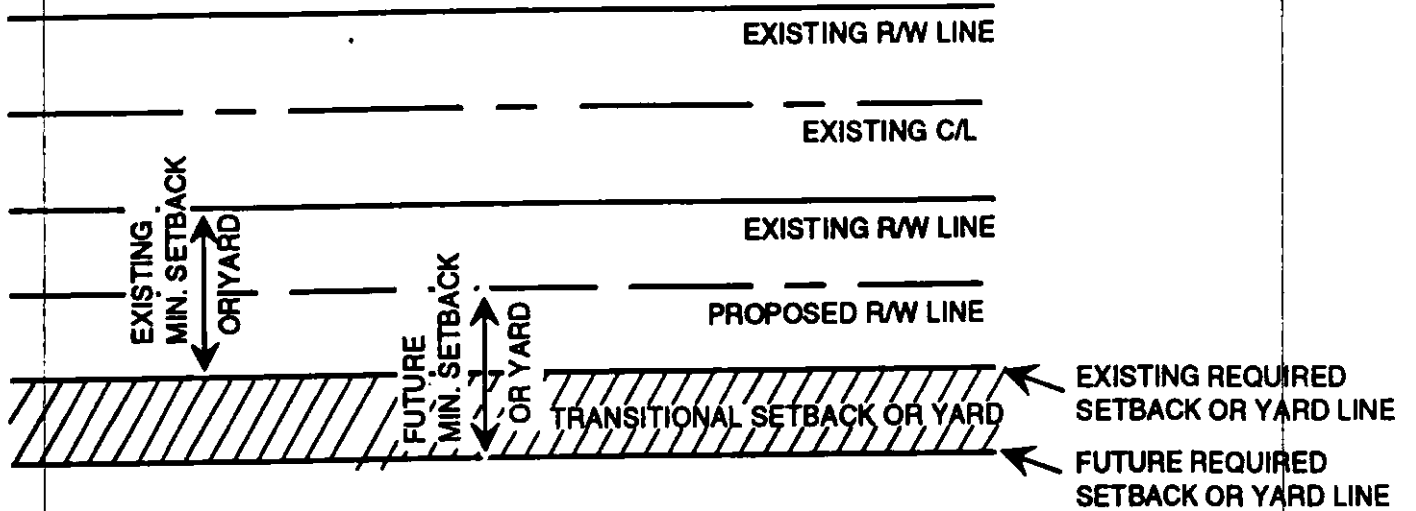
The most recent map approved by the local Metropolitan Planning Organization which indicates the system of roads expected to serve major access and travel needs with regard to auto, truck and transit transportation. The words thoroughfare plan and arterial street plan are used interchangeably.



Transitional setback or yard.

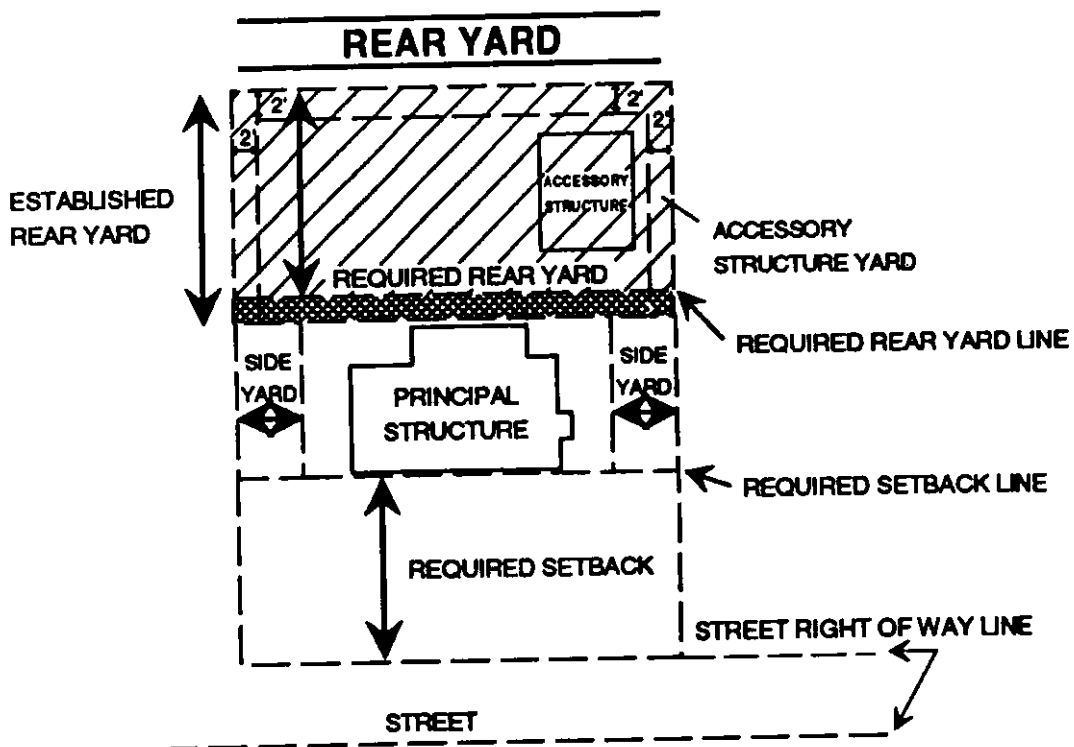
That area, if any, along a thoroughfare which lies between the existing required setback line or yard line and the future required setback or yard line. The future setback or yard is measured from the proposed right-of-way. There will be no transitional setback or yard when the existing street right-of-way line and the proposed right-of-way line are the same or when the existing right-of-way width exceeds the proposed right-of-way width.

TRANSITIONAL SETBACK OR YARD



Yard, rear, established.

The distance between the rear of a principal building or structure and the lot line farthest from the street fronting the lot as measured parallel to the rear lot line, projected to the side lines of the lot on which the building or structure is located.

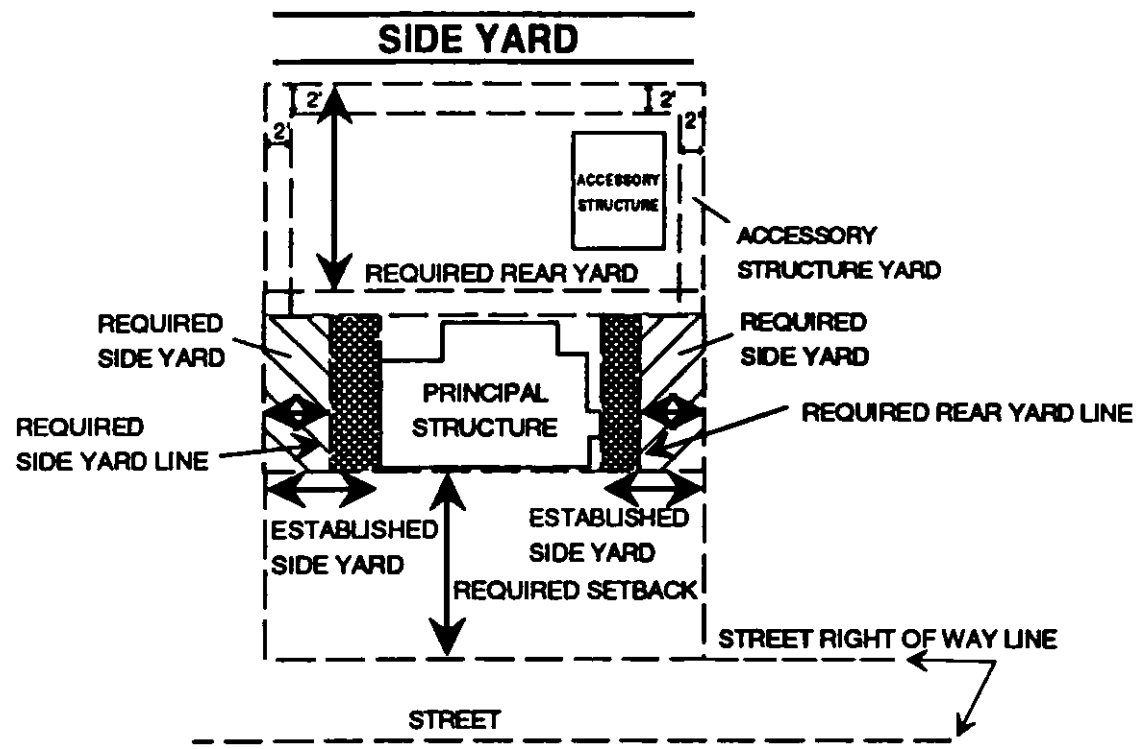


Yard, rear, required.

The minimum distance required by this ordinance between the rear of a principal building or structure and the lot line farthest from the street fronting the lot as measured parallel to the rear lot line, projected to the side lines of the lot on which the building or structure is located.

Yard, side, required.

The minimum distance required by this ordinance between the side lot line and the side building line, extending from the established setback to the established rear yard. If no setback is required, the side yard shall be defined as extending from the street line to the rear yard.



Zero lot line.

The location of a building on a lot in such a manner that one or more of the building's sides rests directly on a side lot line.

Zoning Administrator.

The employee of the Mecklenburg County Building Standards Department charged with the administration and enforcement of these regulations or his or her designee.

6. Amend Section 3.301. Powers and Duties as follows:

(5) The Board of Adjustment shall not have jurisdiction with respect to Section 6.201 Conditional Districts except as provided in this section. The Board of Adjustment shall have jurisdiction with respect to conditional districts if the request pertains to a variance from specified minimum requirements of the zoning ordinance and is filed with the Board prior to the approval of a conditional district. In addition the Board of Adjustment may also hear and decide on various petitions for approved conditional district plans on matters related to ordinance provisions which are not associated with specifically approved conditions of the plan that are more restrictive than minimum ordinance requirements. At no time shall the Board of Adjustment have authority to consider a variance relating to the number of or size of permissible signs in a conditional district.

7. Amend Section 3.501. Planning Commission Staff; powers and duties by adding a new number (7) as follows:

(7) To determine street classifications not otherwise specified on the adopted Charlotte-Mecklenburg Thoroughfare Plan.

8. Amend Section 3.503. Engineering Department; powers and duties (3) by deleting the following wording:

(3) To determine street classifications not otherwise provided for in the Subdivision Ordinance in conjunction with the Planning Director and the North Carolina Department of Transportation.

9. Amend Section 3.510. Department of Transportation: powers and duties (3) by deleting the following wording:

(3) To determine street classifications not otherwise provided for in the Subdivision Ordinance in conjunction with the Engineering Department and Planning Director.

10. Amend Section 5.101. Authority of City of Charlotte Board of Adjustment as follows:

(4) The Board of Adjustment shall not have jurisdiction with respect to Section 6.201 Conditional Districts except as provided in this section. The Board of Adjustment shall have jurisdiction with respect to conditional districts if the request pertains to a variance from specified minimum requirements of the zoning ordinance and is filed with the Board prior to the approval of a conditional district. In addition the Board of Adjustment may also hear and decide on various petitions for approved conditional district plans on matters related to ordinance provisions which are not associated with specifically approved conditions of the plan that are more restrictive than minimum ordinance requirements. At no time shall the Board of Adjustment have authority to consider a variance relating to the number of or size of permissible signs in a conditional district.

11. Amend Section 5.103. Filing of notice of appeal, (3) by deleting the following wording:

(3) Except as provided below, the filing of such notice shall stay all proceedings in furtherance of the action being appealed. The Zoning Administrator may certify in writing to the Board of Adjustment that due to facts stated in the certificate, a stay imposes an imminent peril to life or property or that because the violation charged is transitory in nature, a stay would seriously interfere with the enforcement of these regulations. The Board of Adjustment shall then review such certificate and may override the stay of further proceedings. A court of record may also issue a restraining order staying proceedings.

and replacing it with the following:

(3) An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Adjustment, after notice of appeal has been filed, that because of facts stated in the certificate a stay would cause imminent peril to life or property or that because the violation charged is transitory in nature a stay would seriously interfere with enforcement of these regulations. In that case proceedings shall not be stayed except by a restraining order, which may be granted by the Board of Adjustment or by a court of record on application, on notice to the officer from which the appeal is taken and on due cause shown.

12. Amend Section 5.111. Effect of grant of variance or reversal or modification of administrative decision as follows:

After the Board of Adjustment approves a variance, or reverses or modifies an order, requirement, decision, or determination, of the Zoning Administrator, the appellant or petitioner shall be required to follow the applicable procedures of Chapter 4 for the approval of a building permit and certificate of occupancy in order to proceed with development of the

subject property. Unless otherwise specified by the Board, any decision of the Board granting a variance shall automatically expire if a building permit or a certificate of occupancy pertaining to the need for the variance is not obtained within one year from the date of the meeting of the Board at which the Board rendered its decision.

13. Amend Section 6.108. Withdrawal and amendment of petition as follows:

(3) The petitioner shall not be allowed to amend the petition after a public hearing has been scheduled for the petition unless such an amendment to the petition is submitted to the Planning Director no later than four weeks prior to the scheduled public hearing. No changes to the petition shall be accepted in the intervening weeks prior to the hearing. Also, no changes to the petition shall be made at the hearing, although potential changes proposed by the petitioner, Planning Commission, Board of Commissioners, and other interested parties may be considered by the Board of Commissioners at the time of their hearing, if any changes are offered.

14. Amend Section 7.105. Nonconforming vacant lots as follows:

(1) Except as provided below in subsection (2), a nonconforming vacant lot may be used for any of the uses permitted by these regulations in the zoning district in which it is located, provided that the use meets all limitations and minimum requirements for setback and yards, height, open space, buffers, screening, parking, and floor area required in these regulations for the zoning district in which the lot is located.

15. Amend Section 9.101. Table of Uses, TABLE 9.101, PERMITTED USES, BY DISTRICT as follows:

INSTITUTIONAL USES:

Add the symbol X (Uses permitted by right), to the RE-1 and RE-2 districts for the category, Civic/social/fraternal facilities.

INDUSTRIAL USES:

Add a category entitled, Automotive sales and repair, including tractor-trucks and accompanying trailer units, in proper alphabetical order and place the symbol X (Uses permitted by right), only under the I-1 district.

Add a category entitled, Plastic products, fabricated from previously prepared plastic materials, in proper alphabetical order and place the symbol X (Uses permitted by right), under the I-1 and I-2 districts.

Section 9.101 Continued....

OTHER USES:

Change the symbol PC (Uses permitted under prescribed conditions), to the symbol X (Uses permitted by right), to the INST, RE-1, RE-2, O-1, O-2, O-3 districts for the category, Indoor recreation.

16. Amend Section 9.102. Hierarchy of districts by moving INST from it's present position to between RE-2 and O-1 as follows:

("highest")	R-3	R-22MF	B-1	
	R-4	R-43MF	MX-2	
	R-5	-----INST	CC	
	R-6	RE-1	MX-3	
	R-8	RE-2	B-2	
	MX-1	INST	B-D	
	R-MH	O-1	BP	
	R-8MF	O-2	I-1	
	R-12MF	O-3	I-2	("lowest")
	R-17MF	NS		

17. Amend Section 9.203. Uses permitted under prescribed conditions, (6)(c) by deleting the following wording:

(c) The dwelling must meet the minimum setback for both streets.

and replacing it with the following:

(c) The minimum setback requirement must be applied to each of the two different streets.

18. Amend Section 9.205. Development standards for single family districts  
as follows:

(1) Area, yard and bulk regulations shall be as follows:

	R-3	R-4	R-5	R-6	R-8
(a) Maximum Residential Density ( Dwelling (units per acre) 1	3.0	4.0	5.0	6.0	8.0
(b) Maximum floor area ratio for nonresidential buildings	.50	.50	.50	.50	.50
(c) Minimum lot area (square feet) 2					
- Detached dwellings	10,000*	8,000*	6,000	4,500	3,500
- Duplex dwellings	16,000	13,000	10,000	8,000	6,500
- Triplex dwellings					9,500
- Quadraplex dwellings					11,500
- Nonresidential buildings	12,000	12,000	12,000	12,000	12,000
(d) Minimum lot width (feet)					
- Residential dwellings	70	60	50	40	40
- Nonresidential buildings	70	70	70	70	70
(e) Minimum setback (feet) 3	30	30	20	20	20
(f) Minimum side yard (feet) 4	6	6	6	5	5
(g) Minimum rear yard (feet)	45	40	35	30	20
(h) Minimum open space (%) 5	65	65	65	60	50
(i) Maximum height (feet) 6	40	40	40	40	40

\* Also, see Section 9.205(2)



Amend Section 9.205. FOOTNOTES TO CHART 9.205(1) as follows:

5. Religious institutions may have a minimum open space of 25%.

Amend Table 9.205(5) as follows:

Zoning Districts	Maximum Dwelling Units Per Acre	Minimum Lot Area (Square feet)	Minimum Lot Width (Feet)	Minimum Rear Yard (Pt.) Interior Lots*
R-3	3.0	8,000	60	30
R-4	4.0	6,000	60	30
R-5	5.0	4,500	40	20
R-6	6.0	3,500	40	20

\* Minimum rear yards forming the outer boundary of a cluster must conform to the minimums of subsection 9.205(1)(g) for the district in which the development is located.

19. Amend Section 9.303. Uses permitted under prescribed conditions, (19)(c)(i) as follows:

(i) Adopted thoroughfare plan;

20. Amend Section 9.305. Development standards for multi-family districts.

(1) Area, yard and bulk regulations shall be as follows:

	R-8MF	R-12MF	R-17MF	R-22MF	R-43MF
(a) Maximum Residential Density (Dwelling units per acre) 1	8.0	12.0	17.0	22.0	43.0
(b) Maximum floor area ratio for nonresidential buildings	.50	.50	.50	.50	.50
(c) Minimum lot area (square feet) 2					
- Detached dwellings	3,500	3,500	3,500	3,500	3,500
- Duplex dwellings*	6,500	6,500	6,500	6,500	6,500
- Triplex dwellings*	9,500	9,500	9,500	9,500	9,500
- Quadraplex dwellings*	11,500	11,500	11,500	11,500	11,500
- Multi-family dwellings*	11,500	11,500	11,500	11,500	11,500
- All other buildings	12,000	12,000	12,000	12,000	12,000

	R-8MF	R-12MF	R-17MF	R-22MF	R-43MF
(d) Minimum lot width (feet)					
- Detached dwellings	40	40	40	40	40
- Duplex, triplex and quadraplex dwellings	55	55	55	55	55
- Multi-family dwellings	55	55	55	55	55
- All other buildings	80	80	80	80	80
(e) Minimum setback (feet) 3	30	30	30	30	30
(f) Minimum side yard (feet) 4					
- Detached, duplex, triplex and quadraplex dwellings	5	5	5	5	5
- All other buildings, including planned multi-family developments (except as required below)	10	10	10	5	5
- Planned multi-family developments adjoining single family developed or zoned land 5	20	20	10	10	10
(g) Minimum rear yard (feet)					
- Detached, duplex, triplex and quadraplex dwellings	20	20	20	20	20
- All other buildings, including planned multi-family developments (except as required below)	40	40	40	40	40
- Planned multi-family developments adjoining single family developed or zoned land 5	50	50	50	40	40
(h) Minimum open space (%) 6	50	50	45	40	30
(i) Maximum height (feet) 7	40	40	40	40	40

\*If land is sold with an attached unit, the minimum subplot size must be sufficient to accommodate the dwelling unit and 400 feet of private open space.

5. Side and rear yards determinations in planned multi-family developments will be based on the orientation of each proposed building to the adjoining project property line. If the angle formed by the property line and the front or rear facade of the building is greater than 45 degrees, the area between the building and the property line will be treated as a side yard.
6. Religious institutions may have a minimum open space of 25%.

21. Amend Section 9.502. Uses permitted by right as follows:

- (1) Clinics and offices, medical, dental, and optical.
- (2) Clinics, veterinary.
- (3) Civic, social service and fraternal facilities.
- (4) Cultural facilities.
- (5) Elementary and secondary schools.
- (6) Farms, including retail sale of produce grown on the premises.
- (7) Government buildings.
- (8) [RESERVED]
- (9) Indoor recreation.
- (10) Highway and railroad rights-of-way.
- (11) Parks, greenways and arboretums.
- (12) Religious institutions, any size.
- (13) Universities, colleges, and junior colleges.
- (14) Vocational schools, within an enclosed building.

22. Amend Section 9.605. Development standards for research districts as follows:(1) Area, yard and bulk regulations shall be as follows:

	<u>RE-1</u>	<u>RE-2</u>
(a) Maximum floor area ratio (%) 1	.60	.60
(b) Minimum lot area (acres)	2 acres	4 acres
(c) Minimum lot width (feet)	200*	400*
(d) Minimum setbacks (feet)		
- Lots from 2 to less than 4 acres	40**	N.A.
- Lots from 4 to less than 10 acres	40**	100
- Lots 10 acres or greater	100	150

	RE-1	RE-2
(e) Minimum side and rear yards (feet)		
- Lots from 2 to less than 4 acres	25***	N.A.
- Lots from 4 to less than 10 acres	25***	35
- Lots 10 acres or greater	25***	50
(f) Minimum street side yard on corner lots		
- Lots from 2 to less than 4 acres	40	N.A.
- Lots from 4 to less than 10 acres	40	75
- Lots 10 acres or greater	40	100
(g) Maximum height (feet) 2	40	40

23. Amend Section 9.701. Office districts established; purposes as follows:

(13) Funeral homes, embalming and crematories.

24. Amend Section 9.703. Uses permitted under prescribed conditions, (17)(c)(iii) and (iv) as follows:

(17) Offices, financial institutions and government buildings, over 300,000 square feet, provided that:

(c) Submission of traffic impact analysis in accordance with the following provisions to identify any needed on-site transportation improvements.

(iii) Before beginning the traffic impact study, the engineer or planner shall meet with the appropriate staff of the Charlotte Department of Transportation to determine the acceptable area boundaries, forecast (horizon) year, background traffic percentages, approved developments in the vicinity, imminent transportation projects, data collection needs, and the format of the study report.

(iv) The traffic impact study shall include, but not be limited to, the following information:

25. Amend Section 9.705. Development standards for office districts as follows:(1) Areas, yard and bulk regulations shall be as follows:

	0-1	0-2	0-3
(a) Maximum Residential Density (Dwelling Units Per Acre) 1	12.0	22.0	43.0
(b) Maximum floor area ratio for nonresidential uses 2	.60	1.0	3.0
(c) Minimum lot area (square feet) 3			
- Detached dwellings	3,500	3,500	3,500
- Duplex dwellings*	6,500	6,500	6,500
- Triplex dwellings*	9,500	9,500	9,500
- Quadraplex dwellings*	11,500	11,500	11,500
- Multi-family dwellings and all other residential buildings*	11,500	11,500	11,500
- Nonresidential buildings	15,000	6,000	6,000
(d) Minimum lot width (feet)			
- Detached dwellings	40	40	40
- Duplex, triplex & quadraplex dwellings	55	55	55
- Multi-family dwellings and all other residential buildings	55	55	55
- Nonresidential buildings	80	50	50
(e) Minimum setback (feet) (See Section 12.102(1) if abutting a lot in a residential zoning district)	20	20	20
(f) Minimum side yard (feet) 4			
- Detached dwellings	5	5	5
- Other residential dwelling(s) or buildings except as provided below	10	5	5
- Planned multi-family development adjoining single family developed or zoned land 5	20	10	10
- Nonresidential development	10	5	5
(g) Minimum rear yard (feet)			
- Detached dwellings	20	20	20
- Other residential dwelling(s) or buildings (except as provided below)	30	20	20
- Planned multi-family development adjoining single family developed or zoned land 5	50	40	40
- Nonresidential development	20	20	20

	0-1	0-2	0-3
(h) Minimum open space for residential development (%)	50	40	30
(i) Maximum height (feet) 6	40	40	40

\*If land is sold with an attached unit, the minimum subplot size can be sufficient to accommodate dwelling unit and 400 square feet of private open space.

**FOOTNOTES TO CHART 9.705(1):**

5. Side and rear yards determinations in planned multi-family developments will be based on the orientation of each proposed building to the adjoining project property line. If the angle formed by the property line and the front or rear facade of the building is greater than 45 degrees, the area between the building and the property line will be treated as a side yard.

26. Amend Section 9.801. Business districts established; purposes as follows:

(4) The purpose of the BP (Business Park) district is 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, mixed use developments, the minimum area necessary to be considered for the BP district is 20 acres.

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 regulation standards may be fulfilled.

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

27. Amend Section 9.802. Uses permitted by right as follows:

- (1) Amusement, commercial, outdoor (B-2 only).  
(10) Bakeries, wholesale (BD and BP only).

28. Amend Section 9.803. Uses permitted under prescribed conditions,  
(15)(a) as follows:

- iii. Prisons - 50 acres

29. Amend Section 9.804. Permitted accessory uses and structures as follows:

- (3) Drive-in windows as an accessory to the principal use, subject to the regulations of Section 12.413 (B-1, B-2 and BP only).

30. Amend Section 9.805. Development standards for business districts as follows:

(1) Areas, yard and bulk regulations shall be as follows:

	B-1	B-2	B-D	BP
(a) Minimum project area (acres)	--	--	--	20
(b) Maximum Residential Density (Dwelling Units Per Acre) 1	22.0	22.0	--	--
(c) Maximum floor area ratio for nonresidential development 2	.50	1.0	.70	.80
(d) Minimum lot area (square feet) 3				
- Detached dwelling	3,500	3,500	--	--
- Duplex dwelling*	6,500	6,500	--	--
- Triplex dwelling*	9,500	9,500	--	--
- Quadraplex dwelling*	11,500	11,500	--	--
- Multi-family dwellings and all other residential buildings*	11,500	11,500	--	--
- Nonresidential buildings	8,000	8,000	8,000	43,560
(e) Minimum lot width (feet)				
- Detached dwellings	40	40	--	--
- Duplex, triplex & quadraplex	50	50	--	--
- Multi-family dwellings and all other residential buildings	50	50	--	--
- Nonresidential buildings	50	50	50	--
(f) Minimum project street frontage	--	--	--	100

	B-1	B-2	B-D	BP
(g) Minimum setback (feet) (See Section 12.102(1) if abutting a lot in a residential zoning district)	20	20	20	40
(h) Minimum side yard (feet) 4				
- Residential building (except as provided below)	5	5	--	--
- Planned multi-family and attached developments adjoining single family developed or zoned land 5	10	10	--	--
- Nonresidential building	None**	None**	10	20
(i) Minimum rear yard (feet)				
- Residential building (except as provided below)	20	20	--	--
- Planned multi-family developments adjoining single family developed or zoned land 5	40	40	--	--
- Nonresidential building	10	10	10	20
(j) Minimum project edge 6	--	--	--	100
(k) Minimum open space for residential development (%)	40	40	--	--
(l) Maximum height (feet) 7	40	40	40	None***

\*If land is sold with an attached unit, the minimum subplot size must be sufficient to accommodate a dwelling unit and 400 square feet of private open space for each unit.

\*\*In B-1 and B-2 districts, no side yard is required, but if provided, the first one must be a minimum of 8 feet and if a second one is provided, it must be a minimum of 4 feet. However, in any combination, these shall be a minimum of 8 feet building separation at the side yards.

FOOTNOTES TO CHART 9.805(1)

- The maximum residential density number, when multiplied by the number of acres in a lot, controls the allowable number of dwelling units permitted on a lot. Density is calculated by multiplying the gross land area, minus any existing dedicated rights-of-way incorporated within the property, times the maximum density number established for the zoning district.
- Side and rear yards determinations in planned multi-family developments will be based on the orientation of each proposed building to the adjoining project property line. If the angle formed by the property line and the front or rear facade of the building is greater than 45 degrees, the area between the building and the property line will be treated as a side yard.



- (2) Maximum floor area. In the B-1 district, no retail establishment or shopping center may exceed 70,000 square feet in floor area and no office establishment may exceed 100,000 square feet in floor area on a lot. In the B-2 and B-D districts, no retail establishment or shopping center may exceed 100,000 square feet in floor area, except in a Commercial Center district as in Chapter 11, Part 4. In the BP district, no retail establishment or shopping center may exceed 10,000 square feet on a lot.

Move existing item (8) to follow item (5) and renumber to item (6) as follows:

- (6) Outside Storage. Outdoor storage of any material, stocks or equipment, accessory to a principal use on any lot in a business district must be screened from the public right-of-way and adjoining property in accordance with Section 12.303. The street right-of-way screening requirement does not apply to the storage of new and used vehicles which are offered or intended for sale.

Renumber existing item (6) to (7) as follows:

- (7) Special Development Requirements for the BP district. Additional development requirements for the BP district are specified below:

- (e) 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 feet. However, if the abutting land is zoned and used for business, business park, research 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 feet. The minimum project edge must remain undisturbed except that utility lines streets and driveways may be installed in this area pursuant to specific site plan approval. If the project edge does not contain sufficient vegetation to adequately screen and buffer, it must be revegetated or screened according to a Class B buffer as per Table 12.302(b). Project identification signs may be permitted in the project edge pursuant to specific site plan approval.

- (g) 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 an 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. Where internal streets are provided within a BP district, individual development sites shall be accessed only from internal streets.

Renumber item (7) to (8) as follows:

- (8) Administrative site plan approval required for BP district. 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 these regulations 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 record specializes in site design.

31. Amend Section 9.1102. Uses permitted by right as follows:

- (4) Amusement, commercial outdoors.
- (10) Automotive sales and repair, including tractor-trucks and accompanying trailer units (I-1 only).
- (32) Financial institutions, up to 25,000 square feet.

## (48) Manufacture (light) of:

Bakery products  
 Batteries  
 Beverages, excluding alcoholic beverages  
 Boat and ship building  
 Brooms and brushes  
 Burial caskets  
 Candy and confectionary products  
 Cigarettes, cigars and chewing tobacco  
 Communications equipment  
 Computer and office equipment  
 Costume jewelry and notions  
 Dairy products  
 Electrical lighting and wiring equipment  
 Electric components and accessories  
 Electronic equipment  
 Fabricated metal products, excluding use of blast furnaces or drop forges  
 Grain mill products  
 Household audio and visual equipment  
 Household appliances  
 Ice  
 Jewelry, silverware, and plated ware  
 Measuring and controlling devices  
 Meat products, excluding slaughtering and dressing  
 Medical instruments and supplies  
 Musical instruments  
 Ophthalmic goods  
 Pens, pencils, office and art supplies  
 Pharmaceuticals  
 Plastic products, fabricated from previously prepared plastic materials  
 Preserved fruits and vegetables  
 Pumps  
 Search and navigation equipment  
 Signs  
 Toys and sporting goods  
 Watches, clocks, watch cases and parts  
 Other similar uses

32. Amend Section 9.1103(13)(c). Offices, and government buildings, over 400,000 square feet (I-1 only), as follows:

- (c) Submission of traffic impact analysis in accordance with provisions of subsection 9.703(17)(c) to identify any needed on-site transportation improvements.

33. Amend Section 9.1105. Development standards for industrial districts as follows:

All uses and structures permitted in the I-1 and I-2 districts shall meet the applicable development standards established in this Section and all other requirements of these regulations:

(1) Area, yard and bulk regulations shall be as follows:

	<u>I-1</u>	<u>I-2</u>
(a) Maximum Floor Area Ratio 1	.80	1.00
(b) Minimum lot area (square feet)	8,000	8,000
(c) Minimum lot width (feet)	50	50
(d) Minimum setback (feet) (See Section 12.102(1) if abutting a lot in a residential zoning district)	20	20
(e) Minimum side yard (feet)	0 or 4*	0 or 4*
(f) Minimum rear yard (feet)	10	10
(g) Maximum height (feet) 2	40	40

34. Amend Section 10.101. Purpose as follows:

Overlay Districts are zoning districts, which are applied only in conjunction with other zoning districts, and may grant additional use or development requirements upon the underlying zoning districts. The effect is to have both the overlay district and the underlying zoning controlling the use and development of a lot. Overlay Districts are applicable on an area wide basis to support specific public policy objectives and should be consistent with the Generalized Land Plan, District Plans and Area Plans. Overlay districts may be applied to general and conditional districts. An overlay district may be initiated as an amendment by the City Council, Planning Commission or property owner.

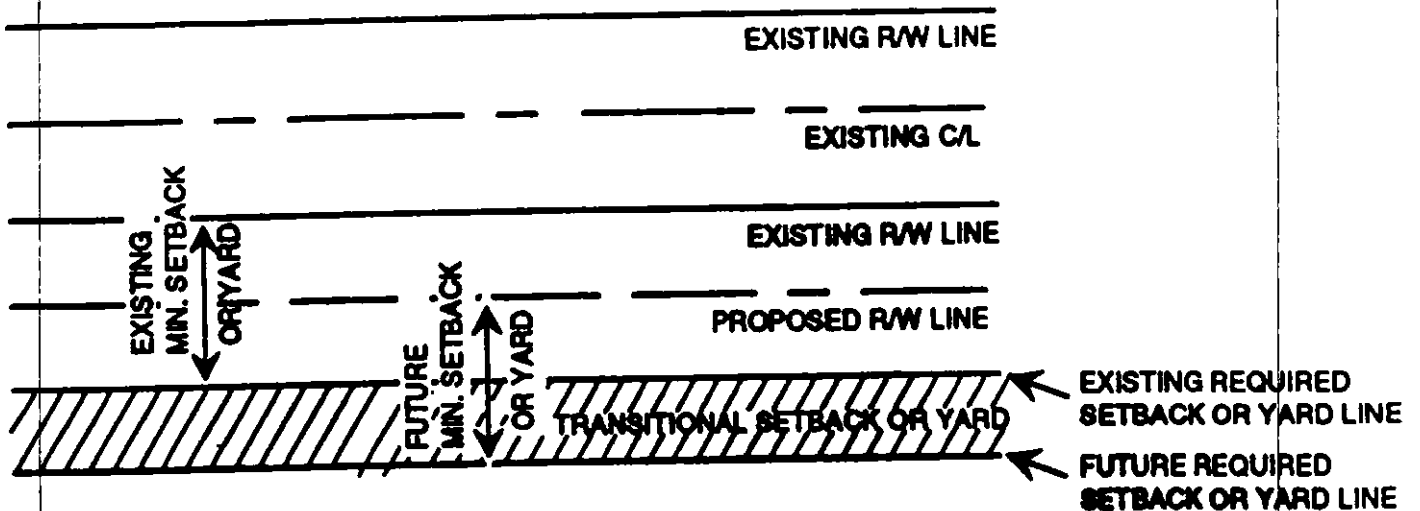
35. Amend Section 11.205. Development standards for MX-1, MX-2 and MX-3 districts as follows:
- (2) Residential development within the MX districts shall meet the minimum lot area, lot width, and yard requirements established in Section 9.205 for the R-6 district for single family development and in Section 9.305 for the R-22MF district for attached and multi-family development. Single family dwellings may have a minimum rear yard of twenty feet if the rear yard does not form the outer boundary of an MX district. Residential development within an MX district need not comply with these requirements if it complies with the provisions of subsection 9.205(4).
36. Amend Section 11.306. Foundations, patios and walkways as follows:
- (5) The area beneath a home must be fully enclosed with durable skirting within 60 days of placement in the park or subdivision. As a minimum, such skirting must be a product designed and sold for use as skirting or as approved by the Zoning Administrator.
37. Amend Section 11.505. Development standards as follows:
- (1) The minimum setback shall be 12 feet from the back of the existing or future curb as established by the "Charlotte-Mecklenburg Thoroughfare Plan" or as prescribed within an approved streetscape plan governing the site, whichever is greater.
38. Amend Section 11.506. Parking requirements as follows:
- (1) The minimum parking requirements for the Neighborhood Services District are as follows:
- Residential - 1 space per dwelling unit
- All other uses- 1 space per 600 square feet
39. Amend Section 12.101. Every lot must abut a street as follows:
- (3) Driveways in a research, institutional, office, business or industrial zoning district may be used to provide access to uses in any of these districts which are located on lots which do not abut a street. Any such lot, which existed prior to May 20, 1985, may be used as if it abutted a street, provided that it is served with a driveway built to appropriate standards located on a permanent, recorded easement.

40. Amend Section 12.102. Special lot, setback or yard requirements as follows:

- (1) Any use, building, or structure in a research, office, business, industrial or institutional zoning district located on a lot abutting a lot in a residential zoning district with setbacks off the same street shall meet the minimum setback requirement for uses permitted by right in the abutting residential zoning district.
- (5) Elevated pedestrian walkways, including those over public rights-of-way, may be located in any required yard or setback area provided they do not create a visual obstruction for motor vehicle traffic and have all other governmental approvals for its location over the public right-of-way. It is the intent of this provision that these walkways be as nearly perpendicular to the required setback or yard as possible.
- (8) If a lot is fronted on three sides by streets, the setback requirement for the zoning district shall be applied only on the two opposing street fronts. The required side yard on the third street front must be at least one-half the required setback in that zoning district. The yard opposite the third street front must be at least the minimum side yard requirement for the zoning district. If the lot is fronted on four sides by streets, two opposing streets shall have the minimum required setbacks and the other two streets must have side yards of one-half the required setback.

41. Amend Section 12.103. Requirements for lots along thoroughfares as follows:

- (2) A transitional setback or yard shall also be established for each zoning district which abuts a thoroughfare that has an existing right-of-way which is not as wide as the right-of-way established for that thoroughfare as illustrated in Figure 12.103. The transitional setback or yard area established for lots abutting thoroughfares can be used for any purpose allowed by the particular zoning district, except for (a) those uses which are prohibited in the required setbacks or yards as established by this ordinance, or (b) to satisfy any minimum parking requirements if parking is not allowed in the setback or yard by the particular zoning district. However, the transitional setback or yard may be used for parking which exceeds the minimum ordinance parking requirements. The area between the existing right-of-way line and the proposed right-of-way line may not be used to satisfy any minimum parking requirement, any minimum open space requirements, any minimum lot size requirements or any other minimum requirements, imposed by this ordinance. At the time that the proposed right-of-way is dedicated or otherwise acquired for roadway purposes, the property owner shall be responsible for the removal of any uses constructed after May 1, 1989, which are within the transitional setback or yard that are not otherwise permitted in the setback or yard by the zoning district regulations. The property owner shall have one (1) year from the date of right-of-way acquisition to remove any such uses.

TRANSITIONAL SETBACK OR YARD

42. Amend Section 12.105. Effect of certain street and public land dedications on computation of density as follows:

Land dedicated for future streets or thoroughfares may be used to compute the number of lots or dwelling units allowed on an entire site. This does not apply to any right-of-way for existing streets, but only to the dedication of additional or new right-of-way.

Land dedicated to the public for any community service facility including but not limited to public schools, parks, greenways, open space, police and fire stations, libraries, public housing, or other public use sites may be used to compute the number of lots or dwelling units allowed on the entire site. However, in the Mixed Use Districts and Cluster developments any land so dedicated may count towards the total site area in computation of the total number of lots or dwelling units, but it shall not be credited towards any additional lots, dwelling units, or further reductions in lot sizes other than those already permitted by the regulations specifically applying to them. To compute the number of lots or dwelling units that could have been built in the qualifying right-of-way or dedicated area, the following method will be used:

- (1) For single family districts: Total right-of-way area and dedicated area (in acres) multiplied by the maximum permitted density.
- (2) For multi-family districts: Total right-of-way area and dedicated area (in acres) multiplied by the maximum permitted density.

43. Section 12.106(2) Uses and structures prohibited and allowed in required setbacks and yards as follows:

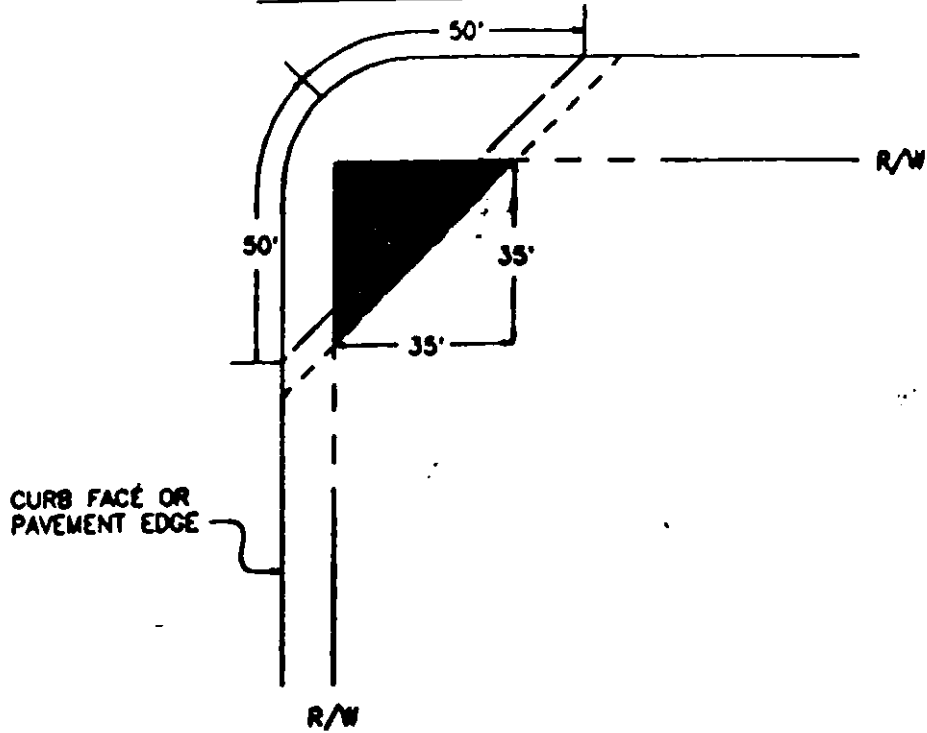
(2) Except as otherwise provided in this subsection, no accessory structure shall be located within any setback or side yard required by these regulations, or within 2 feet of a lot line in the established rear yard. This section notwithstanding, no elderly or disabled housing, guest houses, or employee quarters shall be located within 15 feet of a rear property line or along any side property line within the required side yard dimension. In the RE-1, RE-2 and BP districts, a security gate or guard station may be located within the required setback. Piers, docks, and other water-dependent accessory structures may be located in any required setback or yard on lots which abut a body of water. A fence, wall, mailbox, powerpole, light-pole, patio at grade, paths, walkways, or berm may be located in any required setback or yard. Signs may be located in a required setback or yard provided that they are in accordance with Chapter 13 of these regulations. Bus stop shelters may be located in any setback or yard which abuts a street in accordance with Section 12.513.

44. Section 12.109. Clear sight triangles at street intersections as follows:

- (1) The minimum development standards set forth in this Section shall apply to land abutting street intersections delineated as follows:
- (a) The triangle bounded on two sides by the curb (or pavement edge where there is no curb), measured in each direction along the curb or pavement edge for 50 feet from the midpoint of the radius of the curb or pavement edge, and on the third side by the diagonal line connecting the ends of the 50-foot sides as illustrated in Figure 12.109; and
  - (b) The triangle bounded on two sides by the intersecting right-of-way lines, measured 35 feet in each direction from their point of intersection, and on the third side by the diagonal line connecting the ends of the 35-foot sides, as illustrated in Figure 12.109; and



Figure 12.109



(c) On streets maintained by the City of Charlotte or the State of North Carolina, additional sight distance requirements may apply.

45. Amend Section 12.202. Required number of off-street parking spaces, TABLE 12.202, MINIMUM REQUIRED OFF-STREET PARKING SPACES BY USE by adding an item (b) between the existing items (a) and (c) as follows:

**OFFICE AND BUSINESS USES:**

**Hotels/Hotels**

- |                                       |                                 |
|---------------------------------------|---------------------------------|
| (a) Per room for rent                 | 1 space per room or suite, plus |
| (b) Per meeting room capacity         | 1 space per 4 seats, plus       |
| (c) Restaurant/entertainment facility | 1 space per 250 square feet     |

46. Amend Section 12.203. Shared parking as follows:

- (1) Joint use of up to 50 percent of required parking spaces may be permitted for two or more uses located on the same parcel or adjacent parcels, provided that the developer can demonstrate that the uses will not substantially overlap in hours of operation or in demand for the shared spaces (See Section 12.206(1)).

47. Section 12.204. Size of required parking spaces and aisles as follows:

- (1) Each required parking space shall meet the minimum dimensional requirements as set out in the "Charlotte-Mecklenburg Land Development Standards Manual".

48. Amend Section 12.206. Location of required parking as follows:

- (2) No off-street parking or driveways are permitted in the required setback or within any required side or rear yard which abuts a street in any district nor within 5 feet of any exterior lot line on a lot, except for single family detached, duplex and attached triplex and quadraplex dwellings with individual driveways providing access across the setback, street side yard or perimeter strip except as provided below. The space within the required setback, side or rear yard abutting a street may not be used as maneuvering space for parking or unparking of vehicles, except that driveways providing access to the parking area may be installed across these setback and yard areas. It is the intent of this provision that these driveways be as nearly perpendicular to the street right-of-way as possible.

49. Amend Section 12.214. Number, size, and location of loading spaces, TABLE 12.214, REQUIRED LOADING SPACES BY USE as follows:

Under the category of Office, Restaurant, or Hotel or Motel of gross floor area of 150,000 and over, change the required loading and unloading spaces required for the 10 x 50 feet spaces from 1 to 2.

Under the category of retail establishment, Shopping center, or any industrial use of gross floor area fo 150,000 and over, change the required loading and unloading spaces required for the 10 x 50 feet spaces from 5 to 6. Delete the gross floor area "for each 50,000 over 150,000" and delete the accompanying required spaces of 0 and 1.

50. Section 12.216. Configuration of off-street parking and loading ingress and egress as follows:

- (1) Access to and from off-street parking and loading spaces shall be provided by means of clearly limited and defined entrance and exit drives from public rights-of-way or private streets to clearly limited and defined maneuvering lanes which, in turn, provide access to individual off-street parking or loading spaces. Off-street parking and loading spaces must be designed so as not to interfere with the normal movement of vehicles and pedestrians on the public right-of-way.

51. Amend Section 12.217. Driveways and street access as follows:

No commercial driveway or street connection to a public street shall be constructed, relocated or altered unless a driveway permit, is obtained from the Charlotte Department of Transportation and the North Carolina Department of Transportation (State System Street).

52. Amend Section 12.302. Buffer requirements as follows:

(8) The width of any required buffer may be reduced by 25% if a wall, fence, or berm is provided that meets the following standards:

(a) Any fence or wall shall be constructed in a durable fashion of brick, stone, other masonry materials, wood posts and planks, or metal or other materials specifically designed as fencing materials, or any combination thereof as may be approved by the Zoning Administrator. Other materials may also be considered through the alternate buffer and screening process as detailed in Section 12.304. No more than 25 percent of the fence surface shall be left open and the finished side of the fence shall face the abutting property. A chain link fence with plastic, metal or wooden slats may not be used to satisfy the requirements of this section when abutting residential uses and districts;

(e) Shrubs are not required if a fence or wall is built. If a berm is constructed, shrubs are required but the number may be reduced by 25%. However, the number of trees is not modified by the reduction of buffer width.

53. Amend Section 12.303. Screening requirements, number (2) as follows:

(a) Any fence or wall used for screening shall be constructed in a durable fashion of brick, stone, other masonry materials, wood posts and planks or metal or other materials specifically designed as fencing materials or any combination thereof as may be approved by the Zoning Administrator. Other materials may also be considered through the alternate buffer and screening process as detailed in Section 12.304. No more than 25 percent of the fence surface shall be left open and the finished side of the fence shall face the abutting property. A chain link fence with plastic, metal or wooden slats may not be used to satisfy the requirements of this section when abutting residential uses and districts;

(g) Shrubs used in any screening or landscaping must be evergreen, at least 2½ feet tall when planted and no further apart than 5 feet. They must be of a variety and adequately maintained so that an average height of 5 to 6 feet could be expected as normal growth within 4 years of planting. Shrubs and trees shall be on the approved plant list in Appendix 1; and

54. Amend Section 12.406. Fences and walls in residential districts Editor Note: as follows:

[Editor Note: Any fence or wall constructed within the sight distance triangle at an intersection must conform to the cross visibility requirement regulated in City Code, Section 14-16 and Section 12.109 of these regulations. A fence or wall constructed along the border or bounding on any streets or sidewalks of the City, shall require certification by the Charlotte Department of Transportation (City Code, Section 19-4)]

55. Amend Section 12.407. Elderly and disabled housing as follows:

(7) Detached elderly and disabled housing shall be located in the rear yard and not be any closer than 15 feet to a rear property line or along any side property line within the required side yard dimension.

56. Amend Section 12.412(7). Guest houses and employee quarters as follows:

(7) Guest houses or employee quarters shall be located in the rear yard and not be any closer than 15 feet to a rear property line or along any side property line within the required side yard dimension.

57. Amend Section 12.413. Drive-in service windows as follows:

Section 12.413. Drive-in service windows and other drive-through uses.

(4) Menu boards and other signage associated with drive-in service windows will be governed by Chapter 13.

Table 12.413  
MINIMUM VEHICLE STORAGE REQUIREMENTS\*

<u>TYPE OF FACILITY</u>	<u>VEHICLE STORAGE</u>
Bank	6 spaces per window (1)
Restaurant	8 spaces per window (2)
Automatic Car Wash	10 spaces per wash line
Self-service Car Wash	3 spaces per wash line
Drive-in Theater	15% of the total parking capacity
Service Stations	4 spaces per service pump island
Dry Cleaners	3 spaces per window (2)
Other Uses	5 spaces per window

\*(1 vehicle space equals 20 feet)

FOOTNOTES TO TABLE 12.413:

-----~~(2)~~---At the main entrance to the hospital---

58. Amend Section 12.506. Religious Institutions in residential zoning districts as follows:

Churches, synagogues, temples, mosques and other places of religious worship, along with their accessory uses, are permitted in residential zoning districts subject to the following development approvals based upon size limitations:

	<u>Permitted Districts</u>
Religious Institutions, less than 750 seats in the largest place of assembly	All residential zoning districts
Religious Institutions, 750 to 1200 seats in the largest place of assembly	Multi-family and MX zoning districts

(8) [RESERVED]

59. Amend Section 12.516. Open space recreational uses as follows:

- (1) Such uses shall not involve the use of motorized vehicles, such as dirt bikes, go carts, motorcycles, and similar uses.

60. Amend Section 13.108. Specifications for permanent signs requiring a permit number (4)(c) as follows:

- (c) No ground mounted or monument sign greater than 2½ feet in height as measured from the grade of the road or pole sign having a vertical clearance less than 10 feet between grade and the bottom of the sign face shall be located in the sight distance triangle;

61. Amend Section 13.109. District regulations for permanent on-premises signs as follows:

(1) Residential Districts

- (a) Signs on the premises of single family, detached duplex, group homes, and on the premises of mobile homes shall conform to subsection 13.106(4) of these regulations.

(4) Business Districts

- (d) Detached signs on the premises of business parks shall be regulated in accordance with subsection 13.109(2)(b) and business park development signs shall be regulated in accordance with subsection 13.109(2)(d).

(5) Industrial Districts

- (a) Detached signs in industrial districts shall be regulated in accordance with subsection 13.109(4).
- (b) Detached signs on the premises of industrial parks shall be regulated in accordance with subsection 13.109(2)(b) and industrial park development signs shall be regulated in accordance with subsection 13.109(2)d.

52. Amend Appendix 1: List of Acceptable Plant Species by moving from Small Maturing Trees, Botanical Name: Myrica cerifera, Common Name: Wax myrtle and put in proper alphabetical order under Shrubs, deleting in it's entirety, Botanical Name: Photinia glabra, Common Name: Red tipped photinia from under Shrubs, and replacing the name photinia fraseri with the name photinia glabra.

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 15th day of March, 1993, the reference having been made in Minute Book 41, and recorded in full in Ordinance Book 41, at page 442-479

Brenda R. Freeze  
Brenda Freeze, City Clerk

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DATE March 15, 1993

Petition No. 93-4  
P.J.J.D. Enterprises

ORDINANCE NO. 3524-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 .64 acres located on the southeast corner of Beatties Ford Road and Gilbert Street; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on February 15, 1993; 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 the requirements in Section 6.204.

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 from B-1 to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at the point of intersection of the easterly right-of-way line of Beatties Ford Road and the southerly right-of-way line of Gilbert Street and running thence with said right-of-way of Gilbert Street S.88-33-00E. 200.00 feet; thence S.00-34-57E. 150.00 feet; thence N.88-33-45W. 199.77 feet to the easterly right-of-way line of Beatties Ford Road; thence with said right-of-way line N.00-31-00W. 150.00 feet to the BEGINNING and containing .64 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. 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 15th day of March, 19 93, the reference having been made in Minute Book 101, and is recorded in full in Ordinance Book 41 at page 486-487.

Brenda R. Frege  
City Clerk

PAGE NOT USED

Petition No. 93-5  
Kenneth F. and Jeanne B. England

ORDINANCE NO. 3525-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 .48 acres located on the northwest corner of Providence Road and Edgemont Road; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on February 15, 1993; 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 the requirements in Section 6.204.

**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 from R-3 to R-8MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

**SEE ATTACHED**

**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.

March 15, 1993  
Ordinance Book 41, Page 490

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 15th day of March, 19 93, the reference having been made in Minute Book 101, and is recorded in full in Ordinance Book 41 at page 489-49(1).

Brenda L. Frezza  
City Clerk

70UTENELLE

ENGLAND PROPERTY  
PROPERTY DESCRIPTION  
PETITION # 93-5

*McLaren*  
OK  
1/8

BEING the major portion of Lot 14 in EDGEMONT SUBDIVISION, as same is recorded in Map Book 18 at Page 226 of the Mecklenburg County Public Registry, and more particularly described as follows:

BEGINNING at a point on the westerly margin of Providence Road (60 ft right of way), said point also being the point of intersection with the northerly margin of Edgemont Road (50 ft right of way); thence with the northerly margin of Edgemont Road with a circular curve to the right having a radius of 328.30 ft and an arc length of 214.99 ft, having a chord of S 83-36-30 W - 211.05 ft; thence, continuing with said margin, N 77-38-30 W - 8.99 ft to an new Iron Pipe; thence leaving said margin, with a new line, N 9-30-00 E - 68.76 ft to a new Iron Pipe in the line between Lots 14 and 15; thence with said lot line N 64-50-15 E - 167.84 ft to an existing Iron Pin in the westerly margin of Providence Road; thence with said margin, S 25-09-45 E - ~~120.55~~ ft to the POINT OF BEGINNING.

10726

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Co.	PLANNING COMMISSION	Co. DPR
Dept.		Phone 332-1204
Fax	336-3477	Fax 332-1210

APPROVED BY CITY COUNCIL

DATE March 15, 1993

Petition No. 93-6  
City of Charlotte

ORDINANCE NO. 3526-Z  
~~3562-Z~~

ZONING REGULATIONS

MAP AMENDMENT NO. \_\_\_\_\_

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 change from R-17MF to I-1 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED

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

APPROVED AS TO FORM:

Henry W. Zundorff Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of March, 19 93, the reference having been made in Minute Book 101, at page \_\_\_\_\_. and is recorded in full in Ordinance Book 41, Page(s) 492-493

Brenda R. Freeze  
City Clerk

PETITIONER: Charlotte-Mecklenburg Planning Commission

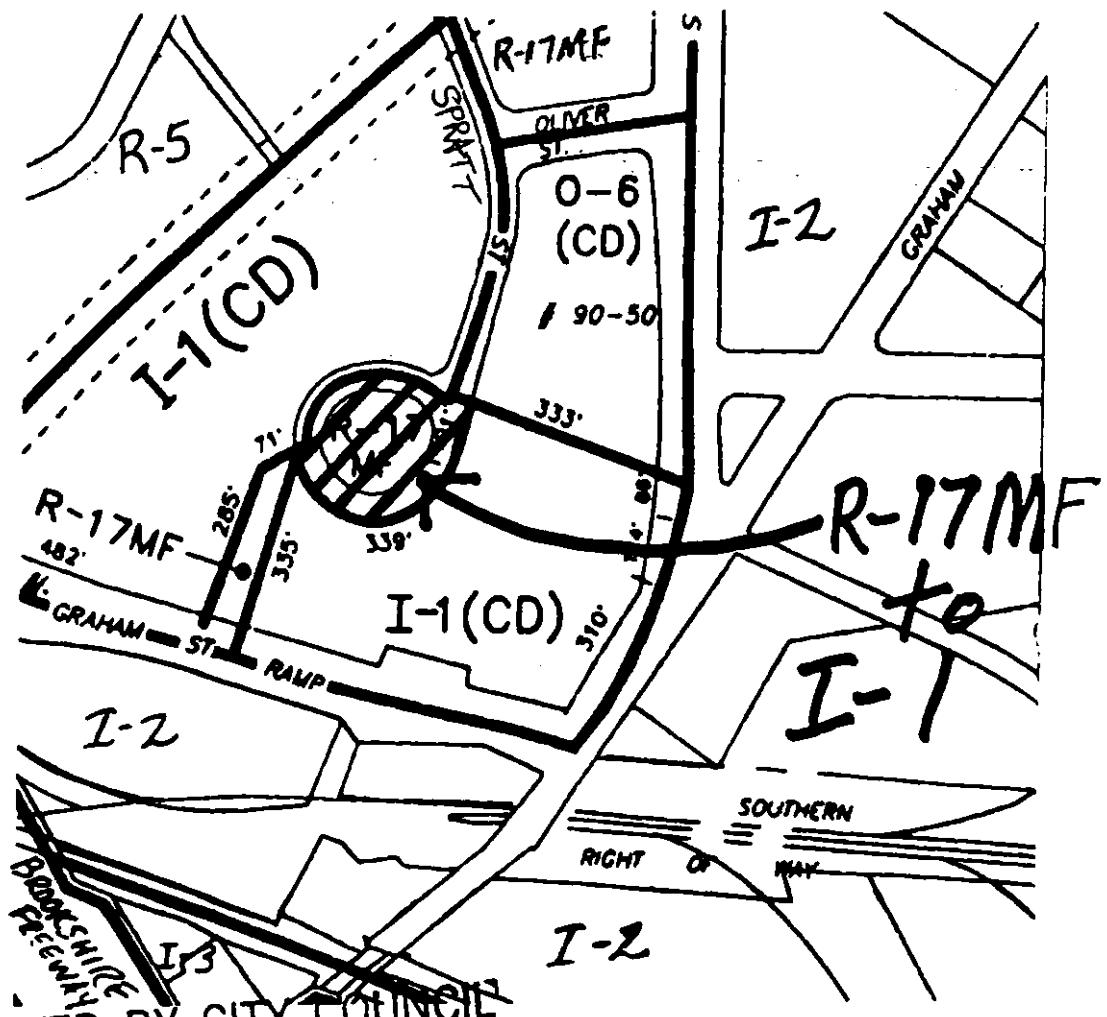
PETITION NO.: 93-6 HEARING DATE: February 15, 1993

ZONING CLASSIFICATION, EXISTING: R-17MF

ZONING CLASSIFICATION, REQUESTED: I-1

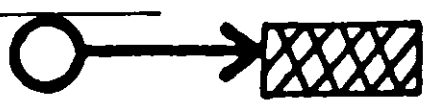
LOCATION: A doughnut shaped lot of approximately .43 acres located at the end of Spratt Street.

March 15, 1993  
Ordinance Book 41, Page 493



APPROVED BY CITY COUNCIL  
DATE March 15, 1993

ZONING MAP NO(s): 88 SCALE 1" = 400'



PROPERTY PROPOSED FOR CHANGE



PAGE NOT USED

PAGE NOT USED

ORDINANCE NO. 3527-X

AN ORDINANCE TO AMEND ORDINANCE NO. 3348-X, THE 1992-93 BUDGET ORDINANCE, APPROPRIATING FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND TO APPROPRIATE FUNDS FOR SETTLEMENT OF LONON V. CITY OF CHARLOTTE.

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

Section 1. That the sum of \$4,500,000 is hereby estimated to be available from the unappropriated balance of the General Fund.

Section 2. That the sum of \$4,500,000 is hereby appropriated to Division of Insurance and Risk Management 6303;070.00 - Tier 1 Reserves.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. 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 15th day of March, 1993, the reference having been made in Minute Book 100, and is recorded in full in Ordinance Book 41, at page(s) 496.

Brenda R. Freeze  
City Clerk