

APPROVED BY CITY COUNCIL

DATE APRIL 18, 2005

Petition # 2004-137  
Petitioner: Charlotte Mecklenburg Planning Commission

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

ORDINANCE NO. 2937A

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:

A. CHAPTER 2: DEFINITIONS

1. Section 2.201., "Definitions"

Amend Section 2.201 by adding the following definitions in alphabetical order. These definitions will apply to the terms used in other portions of the Zoning Ordinance, including Chapter 13. The new definitions shall read as follows:

Banner

A sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to plastic or fabric of any kind, excluding flags and emblems of political, professional, religious, educational, or corporate organizations.

Decorative Sign

A pictorial representation, including illustrations, words, numbers, or decorations, or emblems on a flag, banner, or pennant.

Pennant

Any lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to flutter or swing in the wind.

Flag, Public

A piece of durable fabric or other flexible material solely containing distinctive colors, patterns, standards, words, or emblems of any nation, organization of nations, state, or city including but not limited to political jurisdictions such as the United States, or any fraternal, religious or civic organizations, which in no way identify a product,

service or company. A flag is designed to attach to or to be flown from a permanent flagpole. Flags displaying a logo, message, statement, or expression relating to commercial interests are not considered public flags and must conform with the sign regulations of Chapter 13.

Flagpole

A permanent, free-standing structure or a structure attached to a building and used for the sole purpose of displaying public flags. Free-standing flagpoles or flags displayed on mast arms typically have a halyard system of rope used to hoist the flag. A "flag staff" is not considered a flagpole.

Halyard

A rope, usually made of nylon, wire core nylon, or polypropylene, or similar material specifically manufactured for use on flagpoles, that hoists a flag on a flagpole. The rope may be external, internal, or concealed within the flagpole.

B. CHAPTER 13: SIGNS

1. Section 13.102. "Definitions"

Amend Section 13.102 by deleting the definition of "flag" from Chapter 13, "Signs". The old definition reads:

Flag

A piece of durable fabric or distinctive design attached to a permanent pole that is used as a symbol or decorative feature.

2. Section 13.106. Signs not requiring a permit.

a. Delete Section 13.106(7), "Flags on permanent poles" in its entirety. This section will be revised, and moved into Chapter 12, Part 4 because it is an accessory use on an accessory structure (a permanent pole), not a sign. The text currently reads as follows:

(7) Flags on permanent poles.

Flags or emblems of any nation, organization of nations, state, city, or any fraternal, religious or civil organization are also exempt from permit requirements when used to adorn an entrance feature in nonresidential zoning districts and are displayed as set forth below. This provision pertaining to an entrance feature is not permitted in residential districts. (Residential districts: R-3, R-4, R-5, R-6, R-8,

MX-1, MX-2, MX-3, R-MH, R-8MF, R-12MF, R-17MF, R-22MF, R-43MF, UR-1, UR-2, UR-3, and all of their parallel conditional zoning districts plus any parallel conditional zoning residential districts approved prior to January 1, 1992)

(a) The term flag in this subsection shall mean a piece of fabric or other flexible material solely containing distinctive colors, patterns, standards, words, or emblems of any nation, organization of nations, state, or city including but not limited to political jurisdictions such as the United States, or any fraternal, religious or civic organizations, or works of art which in no way identify a product. References to flagpole height in this subsection refer to vertical flagpoles. References to the number of flags, flagpoles and flag dimensions refer to both vertical flagpoles and mast arm flagpoles (for example, staffs extending at an angle from a building).

(b) Except as otherwise provided herein, or as allowed in Chapter 13 of the Zoning Ordinance, flags shall be displayed on permanent poles. Such poles in nonresidential zoning districts shall not exceed the allowed height of the zoning district or 70 feet whichever is less.

(c) The maximum dimensions of any flag shall be proportioned to the flagpole height. The hoist side of the flag shall not exceed 20% of the vertical height of the pole. In addition, flags are subject to the following dimensional limitations:

<u>Pole Height (ft)</u>	<u>Maximum Flag Size (total sq. ft.)</u>
Up to 25 ft.	24 sq. ft.
25 to 39 ft.	40 sq. ft.
40 to 49 ft.	60 sq. ft.
50 to 59 ft.	96 sq. ft.
60 to 69 ft.	150 sq. ft.
70 ft. max.	216 sq. ft.

(d) A maximum of 2 flags shall be allowed per flagpole.

(e) The flagpoles along an entrance driveway or street shall be set back from the edge of any street right-of-way a minimum of 10 feet with a minimum spacing between flagpoles of 10 feet. There shall be a maximum of one flagpole per 50 linear feet of the development's street frontage from where the entrance is accessed. All flagpoles must be located within 200 feet from the outer edge of the street right-of-way from where the entrance is accessed.

- (f) Flags displaying a logo, message, statement, or expression relating to commercial interests and banners not meeting the definition for a flag contained in subsection (a) must conform with all sign regulations under Chapter 13 of the Zoning Ordinance.
- (g) Flags and flagpoles shall be maintained in good repair. Flagpoles with broken halyards shall not be used and flags, which are torn or frayed, shall not be displayed.
- (h) Flagpoles shall be permanently mounted to the ground with necessary structural support features or below grade footings, installed in accordance with all required state and local regulations or applicable codes.  
*(Petition No. 2000-099, § 13.106(7), 02-19-01)*

C. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 4: ACCESSORY USES AND STRUCTURES

- a. Add a new Section 12.418, titled "Public Flags on permanent flagpoles". This replaces Section 13.106(7). The new text shall read as follows:

**Section 12.418 Public flags on permanent flagpoles.**

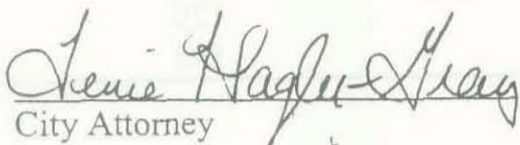
- (1) Public flags or emblems of any nation, organization of nations, state, city, or any fraternal, religious or civil organization are permitted as an accessory use in nonresidential zoning districts and shall be displayed as set forth below, except as provided for in Section 12.418(2)
  - (a) References to flagpole height in this subsection refer to vertical flagpoles. References to the number of public flags, flagpoles, and public flag dimensions refer to both vertical flagpoles and mast arm flagpoles that may extend at an angle from a building.
  - (b) Except as otherwise provided herein, public flags shall be displayed on permanent flagpoles. Flagpoles shall not exceed 60' in height.
  - (c) The maximum dimensions of any public flag shall be proportioned to the flagpole height. The hoist side of the flag shall not exceed 20% of the vertical height of the flagpole. In addition, public flags are subject to the following dimensional limitations:

Flagpole Height (ft)	Maximum Flag Size (total sq. ft. per flag)	Maximum Combined Flag Area (total sq. ft.) Per Flagpole
Up to 24 feet	24 sq. ft.	48
25 to 39 feet	40 sq. ft.	80
40 to 49 feet	60 sq. ft.	120
50 to 60 feet	96 sq. ft.	192

- (d) There shall be no more than three (3) public flags allowed per street front. These flags may be flown on one flagpole, or flown on separate flagpoles.
  - (e) Flagpoles along an entrance driveway or street shall not be located in any street right-of-way, and shall be a minimum of 10' behind the existing or proposed street right-of-way, whichever is greater.
  - (f) Flags, banners or pennants displaying a logo, message, statement, or expression relating to commercial interests are not considered to be a "public flag", and are subject to the sign regulations of Chapter 13 of the Zoning Ordinance.
  - (g) Public flags and flagpoles shall be maintained in good repair. Flagpoles with broken halyards shall not be used. Flags that are torn or frayed, shall not be displayed.
  - (h) Flagpoles shall be permanently mounted in the ground with necessary structural support features or below grade footings, installed in accordance with all required state and local regulations or applicable codes.
  - (i) Public flags shall not be draped over the hood, top, sides, or back of a vehicle, nor flown from the antennae of any parked vehicle in a non-residential zoning district.
  - (j) Public flags shall never be used for advertising purposes in any manner whatsoever.
  - (k) Advertising signs shall not be displayed or fastened to a flagpole, staff, or halyard from which a public flag is flown.
- (2) On United States and North Carolina holidays, there shall be no maximum flag size or number, or other limitations on manner of display as long as the flag(s) do not affect visibility or create any safety hazards or concerns.

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

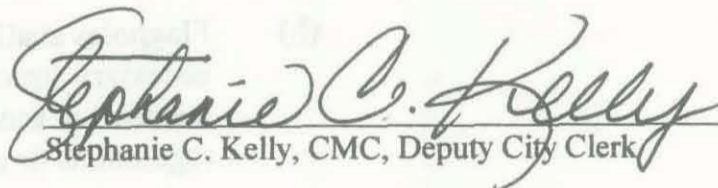
Approved as to form:

  
City Attorney

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18<sup>th</sup> day of April, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page(s) 529-529E.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of October, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

April 18, 2022  
Ordinance Book 53, Page 530

**THIS PAGE NOT USED**

Ordinance No. 2022-01  
April 18, 2022

BY ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING  
ORDINANCE

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

Section 1. That the Official Zoning Map referred to in Section 1.04 of the City of Charlotte Zoning Ordinance be hereby amended by changing the zoning of the property located on the address map from R-3 to E-1 (CD).  
Section 2. The development and use of the property hereby referred shall be governed by the provisions of the zoning ordinance applicable to such zoning category, the approved site plan for the lot, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and any building on the property as an attachment to the application and to the zoning map.  
Section 3. That this ordinance shall become effective upon its passage.

APPROVED AS TO FORM

  
City Manager

TESTIMONY

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that a true and correct copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18<sup>th</sup> day of April, 2022, the address being first made in Minute Book 133, and recorded in the Ordinance Book 53, pages 529-530.

WITNESSED my hand and the seal of the City of Charlotte, North Carolina, this 22nd day of November, 2022.

  
Stephanie C. Kelly, Deputy City Clerk

April 18, 2005  
Ordinance Book 53, Page 531

Petition No. 2005-09  
Petitioner: Don Henderson

ORDINANCE NO. 2938A-Z

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

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

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-3 to INST (CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

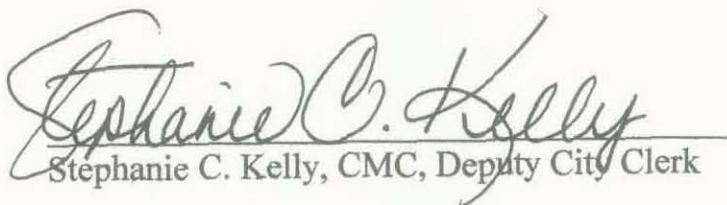
APPROVED AS TO FORM:

  
City Attorney

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18<sup>th</sup> day of April, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page(s) 531-532.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of November, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



April 18, 2005

Ordinance Book 53, Page 532

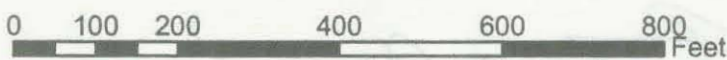
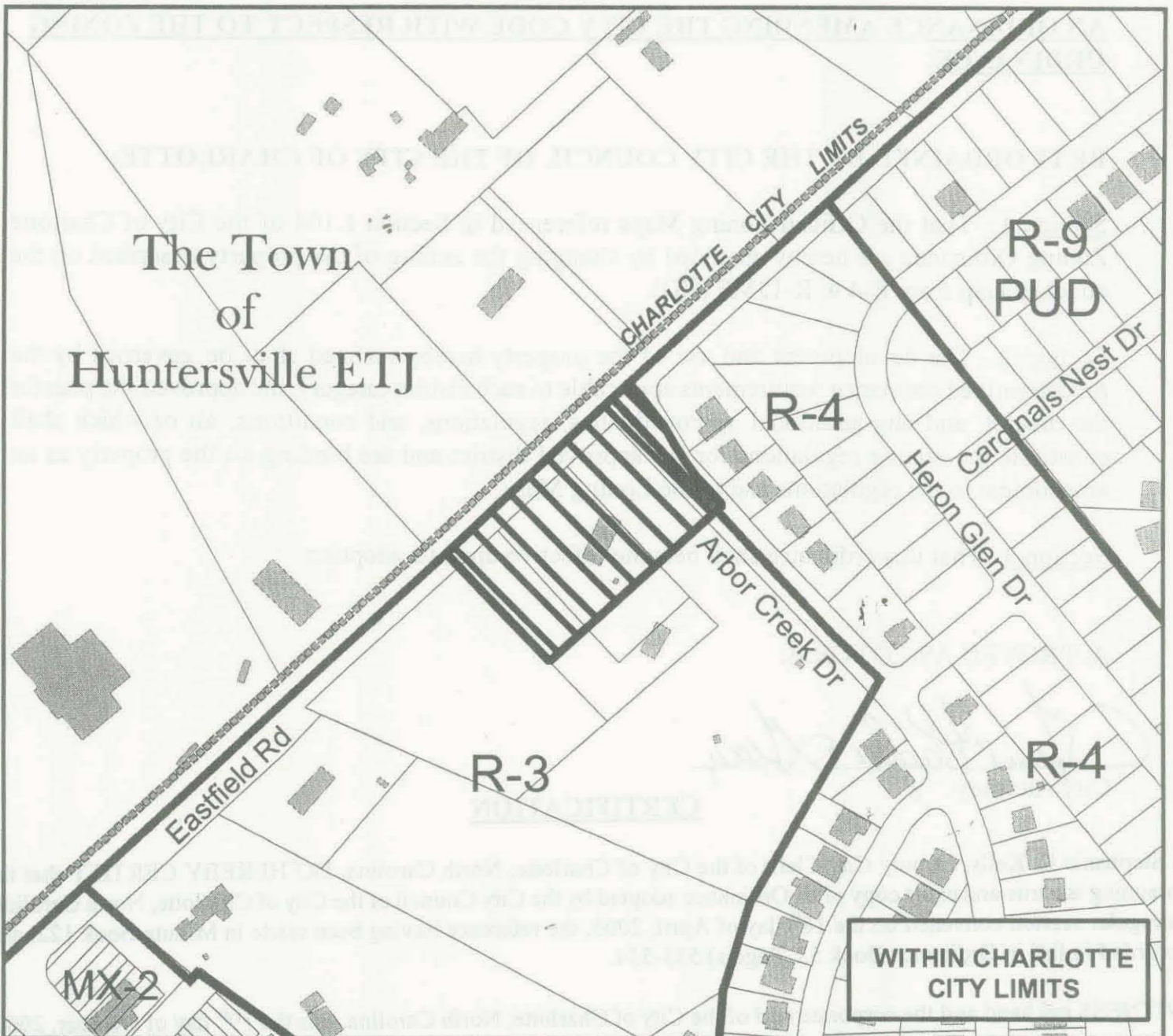
Petition #: **2005-009**

Petitioner: Don Henderson

Zoning Classification (Existing): R-3  
(Single Family Residential, up to 3 dwelling units per acre)

Zoning Classification (Requested): INST(CD)  
(Institutional, Conditional)

Acreeage & Location : Approximately 1.40 acres located on the southeast side of Eastfield Road, south of Arbor Creek Drive



Zoning Map #(s) **28,39**

Map Produced by the  
Charlotte-Mecklenburg Planning Commission  
10-28-2004



	Requested INST(CD) from R-3		Fema Flood Plain
	Existing Building Footprints		Lakes and Ponds
	Existing Zoning Boundaries		Creeks and Streams
	Charlotte City Limits		

April 18, 2005  
Ordinance Book 53, Page 533

Petition No. 2005-30  
Petitioner: 3234 Park Road LLC

ORDINANCE NO. 2939-Z

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

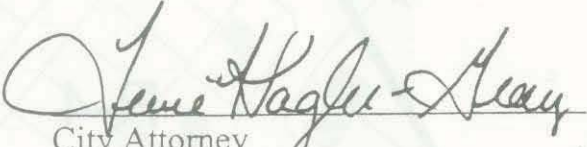
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-4 to R-12MF (CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

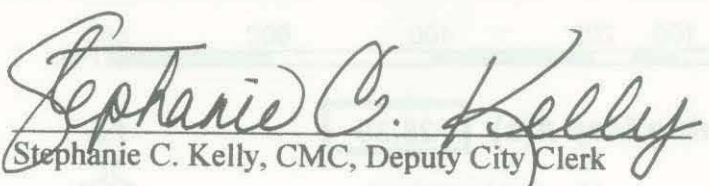
APPROVED AS TO FORM:

  
City Attorney

**CERTIFICATION**

, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 18<sup>th</sup> day of April, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page(s) 533-534.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of October, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

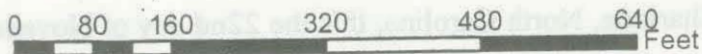
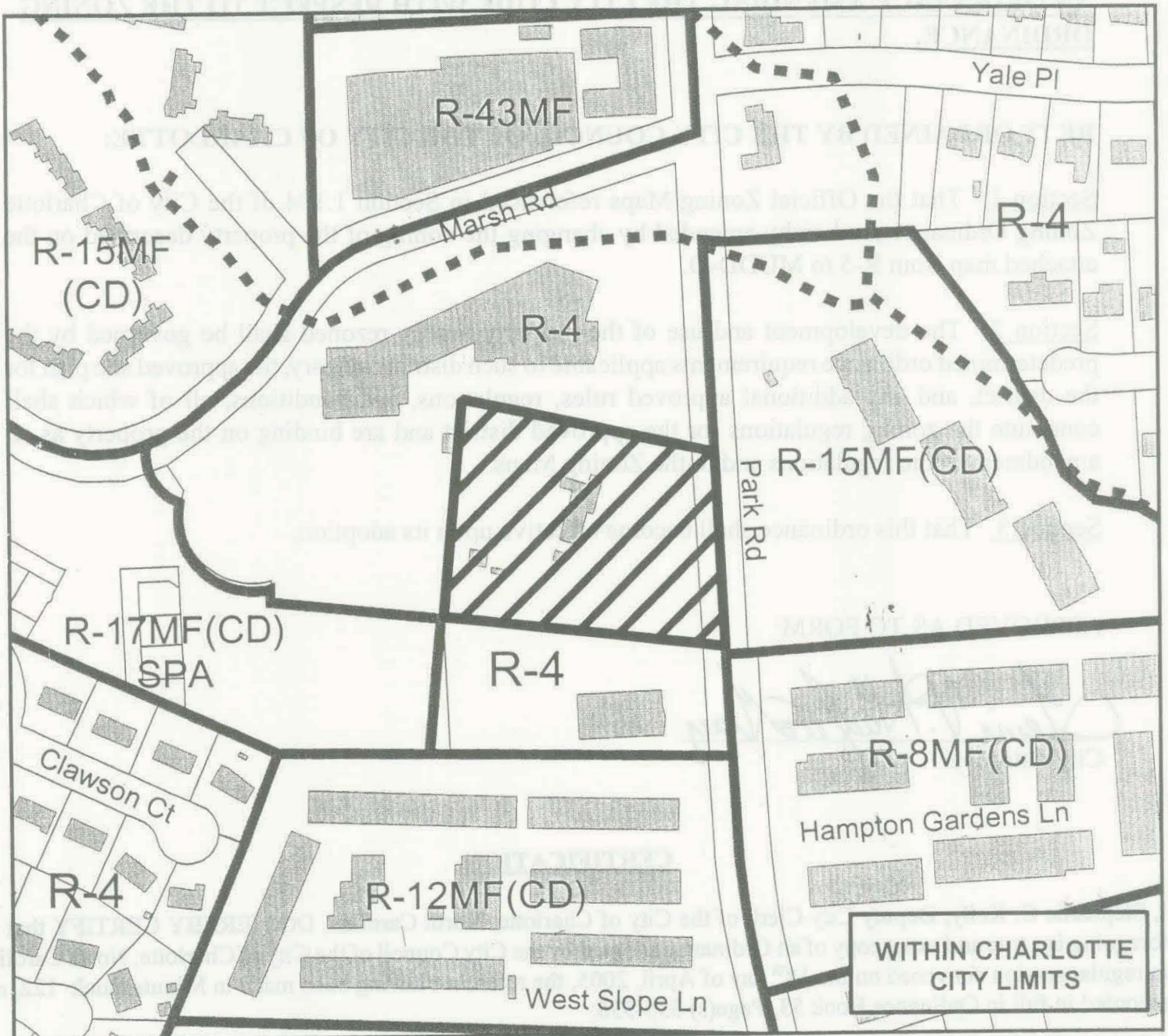
Petition #: **2005-030**

Petitioner: 3234 Park Road, LLC

Zoning Classification (Existing): R-4  
 (Single-family Residential, up to 4 dwelling units per acre)

Zoning Classification (Requested): R-12MF(CD)  
 (Multi-family Residential, up to 12 dwelling units per acre, Conditional)

Acreeage & Location : Approximately 2.02 acres located on the west side of Park Road, south of Marsh Road



Zoning Map #(s) **125**

Map Produced by the  
 Charlotte-Mecklenburg Planning Commission  
 11-30-2004



	Requested R-12MF(CD) from R-4		Fema Flood Plain
	Existing Building Footprints		Lakes and Ponds
	Existing Zoning Boundaries		Creeks and Streams
	Charlotte City Limits		

April 18, 2005  
Ordinance Book 53, Page 535

Petition No. 2005-34  
Petitioner: Cecil Stokes/Scott Galloway

ORDINANCE NO. 2940-Z

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

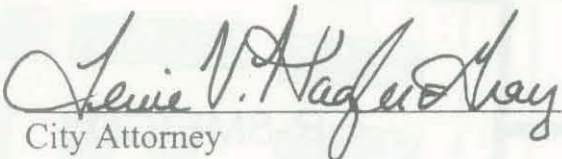
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-5 to MUDD-O.

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

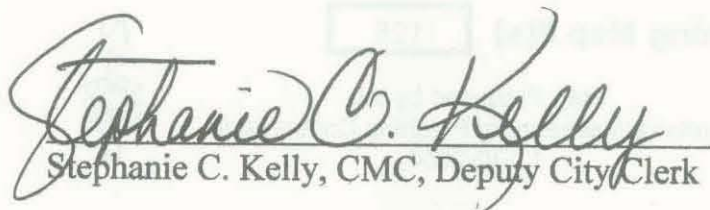
APPROVED AS TO FORM:

  
City Attorney

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18<sup>th</sup> day of April, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page(s) 535-536.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of November, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

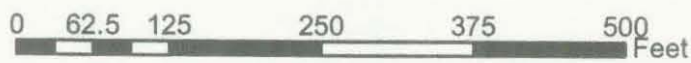
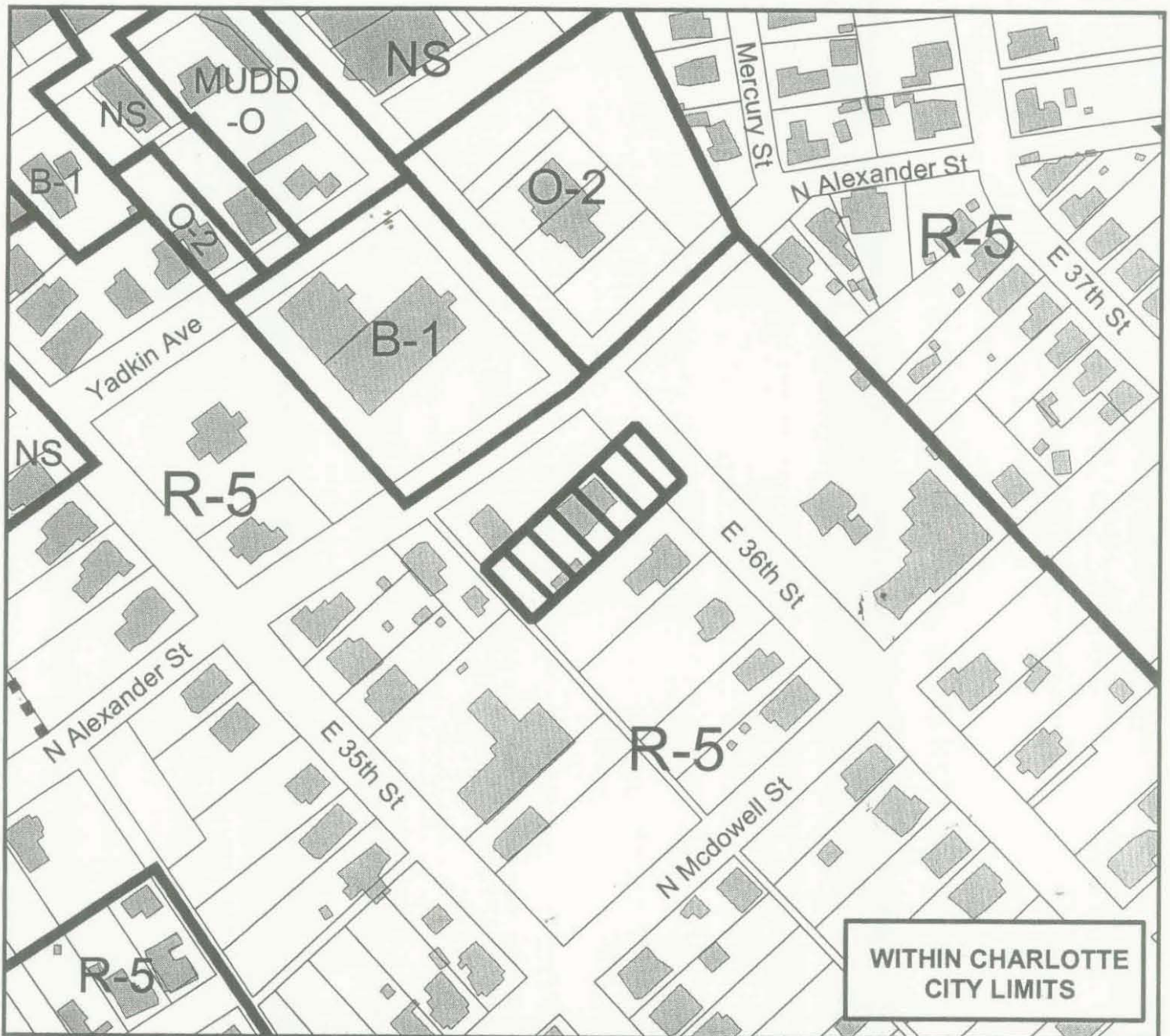
Petition #: **2005-034**

Petitioner: Cecil Stokes / Scott Galloway

Zoning Classification (Existing): R-5  
(Single-family Residential, up to 5 dwelling units per acre)

Zoning Classification (Requested): MUDD-O  
(Mixed Use Development District, Optional, Conditional)

Acreeage & Location : Approximately .33 acres located on the west side of 36th Street, south of North Alexander Street



Zoning Map #(s) **89**

Map Produced by the  
Charlotte-Mecklenburg Planning Commission  
02-18-2005



	Requested MUDD-O from R-5		Fema Flood Plain
	Existing Building Footprints		Lakes and Ponds
	Existing Zoning Boundaries		Creeks and Streams
	Charlotte City Limits		

April 18, 2012

Petition #: 2003-034

Petitioner: Oak Street Light Gallery

Zoning Classification (Existing): R-5

(Single-family residential up to 5 dwelling units per acre)

Zoning Classification (Requested): MUD-O

(Mixed Use District - General Conditional)

**THIS PAGE NOT USED**

Address & Location: Approximately 3.5 acres located on the west side of Oak Street south of North Alexander Street



WITHIN CHARLOTTE CITY LIMITS

	Zoning Map (R-5)
	Requested MUD-O from R-5
	City Limits
	Water
	Other symbols

0 10 20 30 40 50 Feet

Map Prepared by: City of Charlotte Planning Department

City of Charlotte

APPROVED BY CITY COUNCIL

DATE APRIL 18, 2005

Petition #: 2005-035  
Petitioner: Charlotte-Mecklenburg Planning Commission

**ORDINANCE NO. 2941**

**AN ORDINANCE AMENDING APPENDIX A  
OF THE CITY CODE –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. CHAPTER 2, DEFINITIONS AND RULES OF CONSTRUCTION

A. PART 2, "Definitions"

1. Amend Part 2, Section 2.201, "Definitions" by adding the following definitions.

Emergency Shelter.

A shelter or facility that provides temporary housing to people and/or families during times of severe life-threatening weather conditions (including, but not limited to hurricanes, natural disasters, extreme temperatures) or other emergency conditions.

Homeless Shelter.

A facility that provides free lodging and one or more of the following supportive services for indigent individuals and/or families with no regular home or residential address, on a non-profit basis. Supportive services include, but are not limited to: provision of meals; assistance in obtaining permanent housing; medical counseling, treatment, and/or supervision; psychological counseling, treatment, and/or supervision; assistance in recuperating from the effects of, or refraining from, the use of drugs and/or alcohol; nutritional counseling; employment counseling; job training and placement; and child care.

Accessory Shelter.

A housing shelter in an accessory building 1) located on the same site as a principal building, or 2) located on a site owned, and operated by religious, civic, fraternal, social, institutional or governmental agency providing free accessory lodging for indigent individuals and/or families with no regular home or residential address. An accessory shelter may house no more than 15

individuals at any one time, and operates up to a maximum of two (2) days/nights per week.

2. Amend Section 2.201, "Definitions" by adding text to the definitions of "commercial rooming house" and "single room occupancy residence" that differentiate them from emergency shelters, homeless shelters, and accessory shelters. The revised definitions shall read as follows:

Commercial Rooming House.

A building containing up to ten (10) rooming units that is available for rental occupancy for periods of seven (7) days or longer. This definition does not include boarding houses, motels, hotels, private dormitories, congregate care facilities, nursing homes, family care homes, group homes, single room occupancy residents, **emergency shelters, homeless shelters, and accessory shelters.**

Single Room Occupancy (SRO) residence.

A building containing at least eleven (11), but not more than one hundred and twenty (120) rooming units, which are available for rental occupancy for periods of seven (7) days or longer. This does not include boarding houses, motels, hotels, private dormitories, congregate care facilities, nursing homes, family care homes, group homes, **emergency shelters, homeless shelters, and accessory shelters.**

2. CHAPTER 9, GENERAL DISTRICTS

A. PART 2, "Single Family Districts"

1. Section 9.203, "Uses permitted under Prescribed conditions" by adding "accessory shelter" to the list of uses permitted under prescribed conditions. The added use shall read as follows:

Accessory Shelter, subject to the regulations of 12.535.

B. PART 3, "Multi-family Districts"

1. Section 9.303, "Uses permitted under Prescribed conditions" by adding "accessory shelter" to the list of uses permitted under prescribed conditions. The added use shall read as follows:

Accessory Shelter, subject to the regulations of 12.535.

C. PART 4, "Urban Residential Districts"

1. Section 9.403, "Uses permitted under Prescribed conditions" by adding "accessory shelter" to the list of uses permitted under prescribed conditions. The added use shall read as follows:



Accessory Shelter, subject to the regulations of 12.535.

D. PART 5, "Institutional Districts"

1. Section 9.503, "Uses permitted under Prescribed conditions" by adding "emergency shelter", "accessory shelter", and "homeless shelter" to the list of uses permitted under prescribed conditions. The added uses shall read as follows:

Emergency Shelter, subject to the regulations of 12.534.

Accessory Shelter, subject to the regulations of 12.535.

Homeless Shelter, subject to the regulations of 12.532.

E. PART 6, "Research Districts"

1. Section 9.603, "Uses permitted under Prescribed conditions" by adding "emergency shelter", "accessory shelter", and "homeless shelter" to the list of uses permitted under prescribed conditions in RE1, RE-2, and RE-3 zoning districts. The added uses shall read as follows:

Emergency Shelter, subject to the regulations of 12.534 (RE1, RE-2, RE-3).

Accessory Shelter, subject to the regulations of 12.535 (RE-1, RE-2, R-3).

Homeless Shelter, subject to the regulations of 12.532 (RE-1, RE-2, RE-3)

F. PART 7, "Office Districts"

1. Section 9.703, "Uses permitted under Prescribed conditions" by adding "emergency shelter" and "accessory shelter" to the list of uses permitted under prescribed conditions. The added uses shall read as follows:

Emergency Shelter, subject to the regulations of 12.534.

Accessory Shelter, subject to the regulations of 12.535.

G. PART 8, "Business Districts"

1. Section 9.803, "Uses permitted under Prescribed conditions" by adding "emergency shelter", "accessory shelter", and "homeless shelter" to the list of uses permitted under prescribed conditions. The added uses shall read as follows:

Emergency Shelter, subject to the regulations of 12.534.

Accessory Shelter, subject to the regulations of 12.535.

Homeless Shelter (B-2, B-D, and BP only) subject to the regulations of 12.532.

H. PART 8.5, "Mixed-Use Development Districts"

1. Section 9.8503, "Uses permitted under Prescribed conditions" by adding "emergency shelter", "accessory shelter", and "homeless shelter" to the list of uses permitted under prescribed conditions. The added uses shall read as follows:

Emergency Shelter, subject to the regulations of 12.534.

Accessory Shelter, subject to the regulations of 12.535.

Homeless Shelter, subject to the regulations of 12.532.

I. PART 9, "Uptown Mixed-Use District"

1. Section 9.903, "Uses permitted under Prescribed conditions" by adding "emergency shelter", "accessory shelter", and "homeless shelter" to the list of uses permitted under prescribed conditions. The added uses shall read as follows:

Emergency Shelter, subject to the regulations of 12.534.

Accessory Shelter, subject to the regulations of 12.535.

Homeless Shelter, subject to the regulations of 12.532.

J. PART 10, "Urban Industrial District"

1. Section 9.1003, "Uses permitted under Prescribed conditions" by adding "emergency shelter", "accessory shelter", and "homeless shelter" to the list of uses permitted under prescribed conditions. The added uses shall read as follows:

Emergency Shelter, subject to the regulations of 12.534.

Accessory Shelter, subject to the regulations of 12.535.

Homeless Shelter, subject to the regulations of 12.532.

K. PART 11, "Industrial Districts"

1. Section 9.1103, "Uses permitted under prescribed conditions" by adding "emergency shelter", "accessory shelter", and "homeless shelter" to the list of uses permitted under prescribed conditions. The added uses shall read as follows:

Emergency Shelter, subject to the regulations of 12.534

Accessory Shelter, subject to the regulations of 12.535.

Homeless Shelter (I-1 only), subject to the regulations of 12.532.

L. PART 12, "Transit Oriented Development Districts"

Section 9.1206, "Uses permitted under Prescribed Conditions" " by adding "emergency shelter" to the list of uses permitted under prescribed conditions. The added use shall read as follows:

Emergency Shelter, subject to the regulations of 12.534

3. CHAPTER 12, DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

A. PART 5, "Special Requirements for Certain Uses"

1. Add a new Section 12.532 titled "Homeless Shelters" to read as follows:

**Section 12.532. Homeless Shelters.**

This ordinance provides for the location of homeless shelters in a wide variety of non-residential zoning districts: INST, RE-1, RE-2, RE-3, B-2, B-D, B-P, UMUD, MUDD, U-I, and I-1. However, the public has an interest in assuring that a concentration of homeless shelters be minimized. Accordingly, homeless shelters are subject to the following additional requirements:

- (a) Location: New homeless shelters must be separated from existing homeless shelters by a distance of 800' measured in a straight line from the closest edges of the buildings occupied by homeless shelters from the closest property lines of the homeless shelters.
- (b) Buffers: A Class B buffer shall be provided along all property lines abutting residentially zoned and/or used property.
- (c) The property shall have a minimum size of two (acres).

2. Add a new Section 12.534 titled, "Emergency Shelters" to read as follows:

**Section 12.534. Emergency Shelters.**

Emergency shelters are permitted in all Business districts ( B-1, B-2, B-3, BP, and B-D), all Institutional zoning districts (INST), all Research districts (RE-1, RE-2, RE-3), all Office districts (O-1, O-2, and O-3), MUDD, UMUD, all Industrial districts (U-I, I-1, I-2), and all TOD districts (TOD-R, TOD-E and TOD-M) subject to the following requirements:

- (a) The facility operator shall provide continuous on-site supervision by

an employee(s) and/or volunteer(s) during hours of operation.

- (b) The shelter shall be accessed by a major thoroughfare.
- (c) The shelter may only provide temporary housing to people and/or families during times of severe life-threatening weather conditions (including, but not limited to hurricanes, natural disasters, extreme temperatures) or other emergency conditions.

3. Add a new Section 12.535 titled, "Emergency Shelters and Accessory Shelters" to read as follows:

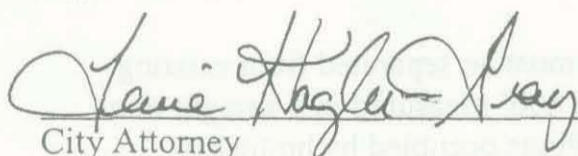
**Section 12.535. Accessory Shelters.**

Accessory shelters are permitted in all zoning districts subject to the following requirements:

- (a) The facility operator shall provide continuous on-site supervision by an employee(s) and/or volunteer(s) during hours of operation.
- (b) The shelter shall be accessed by a major thoroughfare.

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

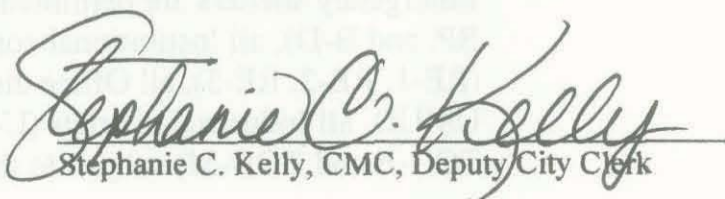
Approved as to form:

  
City Attorney

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18<sup>th</sup> day of April, 2005, the reference having been made in Minute Book 122, an recorded in full in Ordinance Book 53, Page(s) 537-542.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of October, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

APPROVED BY CITY COUNCIL

Petition #: 2005-036

Petitioner: Charlotte-Mecklenburg Planning Commission

DATE APRIL 18, 2005

ORDINANCE NO. 2942

AN ORDINANCE AMENDING APPENDIX A  
OF THE CITY CODE -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:

A. CHAPTER 11: CONDITIONAL ZONING DISTRICTS

1. PART 4: COMMERCIAL CENTER DISTRICT

a. Amend Section 11.405, "Development Standards", subsection (2) by adding a new paragraph at the end of the text that allows the setback for accessory parking to decrease if the setback of the principal building is decreased, as is discussed in subsection (7). Also include a reference to the innovative development option discussed in subsection (3)(b). The current subsection reads as follows:

(2) All principal buildings and structures located within the project area shall meet a minimum setback of 35 feet, a minimum side yard, and a minimum rear yard of 25 feet from any exterior property line. This minimum setback may be decreased under the prescribed conditions enumerated in subsection (7) below and approved by the Charlotte-Mecklenburg Planning Commission staff.

The new subsection shall read as follows:

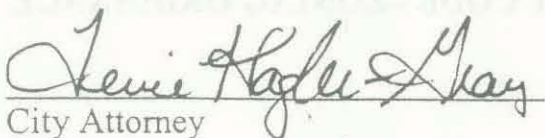
(2) All principal buildings and structures located within the project area shall meet a minimum setback of 35 feet, a minimum side yard, and a minimum rear yard of 25 feet from any exterior property line. This minimum setback may be decreased under the prescribed conditions enumerated in subsection (7) below and approved by the Charlotte-Mecklenburg Planning Commission staff.

**As long as the setbacks for principal buildings and structures are decreased as described in subsection (7), the setback for accessory parking may also be decreased accordingly. However, the accessory parking must remain behind the established building setback. All uses and structures may be considered by the Planning Commission for the innovative development**

options of subsection (3)(b) below.

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

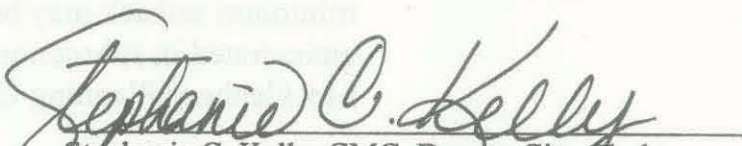
Approved as to form:

  
City Attorney

**CERTIFICATION**

, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18<sup>th</sup> day of April, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page(s) 543-544.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of October, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

APPROVED BY CITY COUNCIL  
DATE APRIL 18, 2005

CITY ZONE CHANGE

Petition No. 2005-37  
Petitioner: Royal Court, LLC

ORDINANCE NO. 2943-Z

**ZONING REGULATIONS**

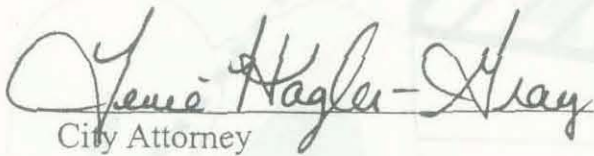
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified on the attached map from B-1 & B-2 to MUDD on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

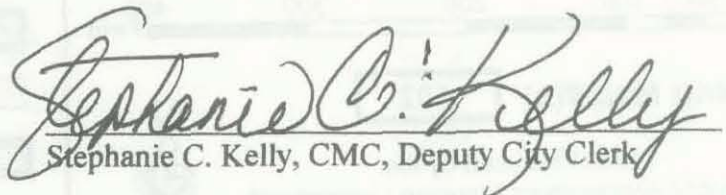
APPROVED AS TO FORM:

  
City Attorney

**CERTIFICATION**

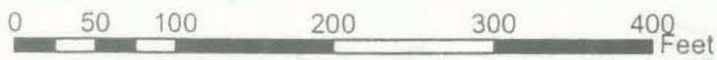
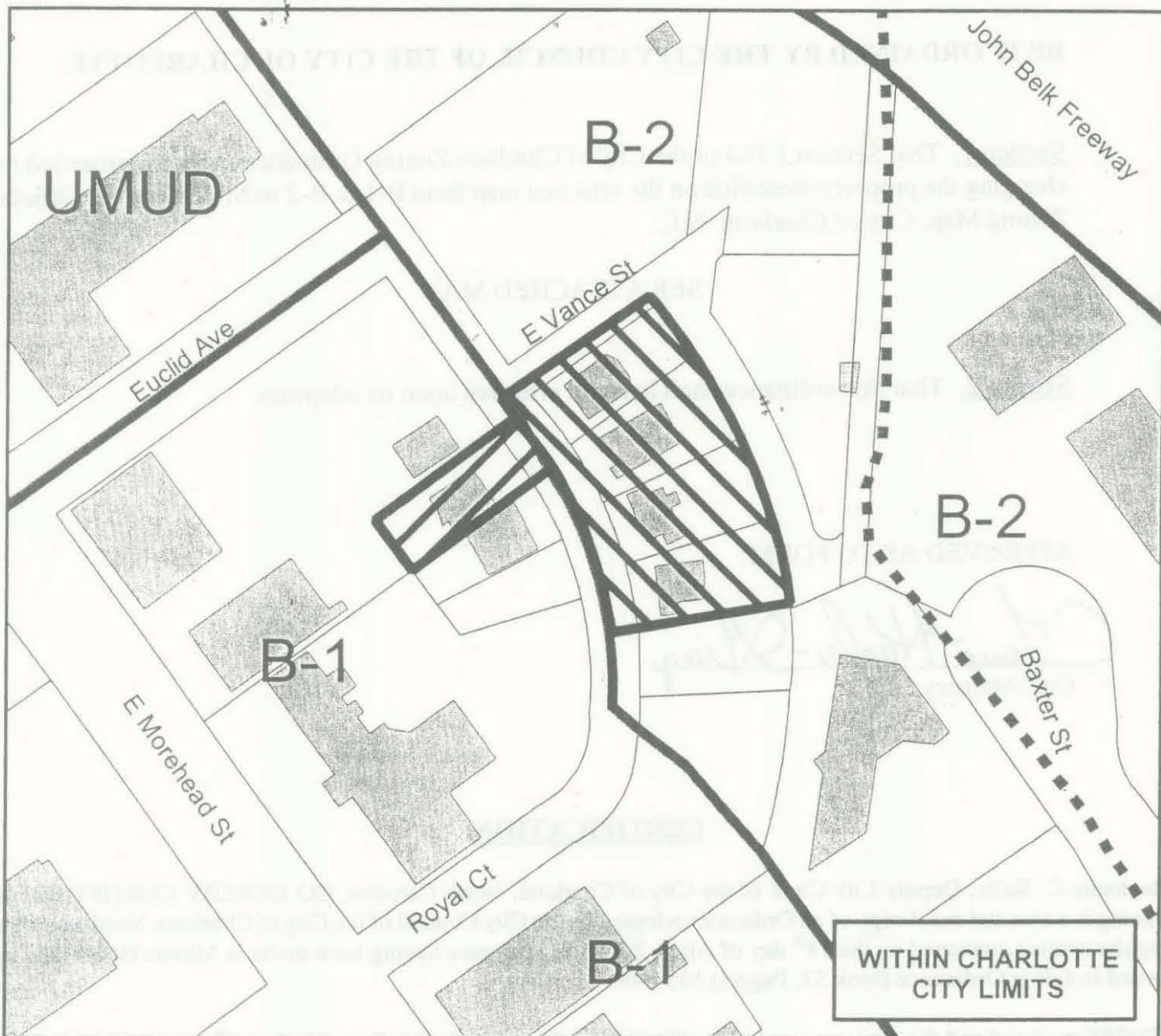
I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, regular session convened on the 18<sup>th</sup> day of April, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page(s) 545-546.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of October, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

Petition #: **2005-037**  
Petitioner: Royal Court, LLC  
Zoning Classification (Existing): B-1 (Neighborhood Business)  
and B-2 (General Business)  
Zoning Classification (Requested): MUDD  
(Mixed-Use Development District)

Acres & Location : Approximately .787 acres located along both sides of Royal Court, east of Morehead Street



Zoning Map #(s) **102**

Map Produced by the  
Charlotte-Mecklenburg Planning Commission  
03-01-2005



	Requested MUDD from B-1		Requested MUDD from B-2
	Existing Building Footprints		Fema Flood Plain
	Existing Zoning Boundaries		Lakes and Ponds
	Charlotte City Limits		Creeks and Streams



Petition No. 2005-39  
Petitioner: Southminister, Inc

ORDINANCE NO. 2944-Z

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

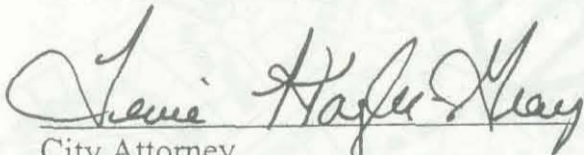
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from INST (CD) to INST (CD)

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

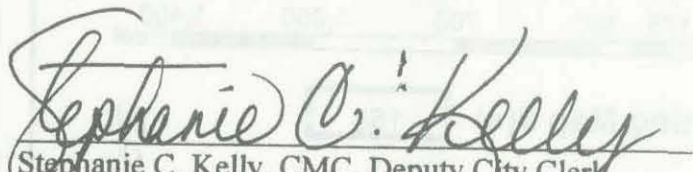
APPROVED AS TO FORM:

  
City Attorney

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, regular session convened on the 18<sup>th</sup> day of April, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page(s) 547-548.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of October, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

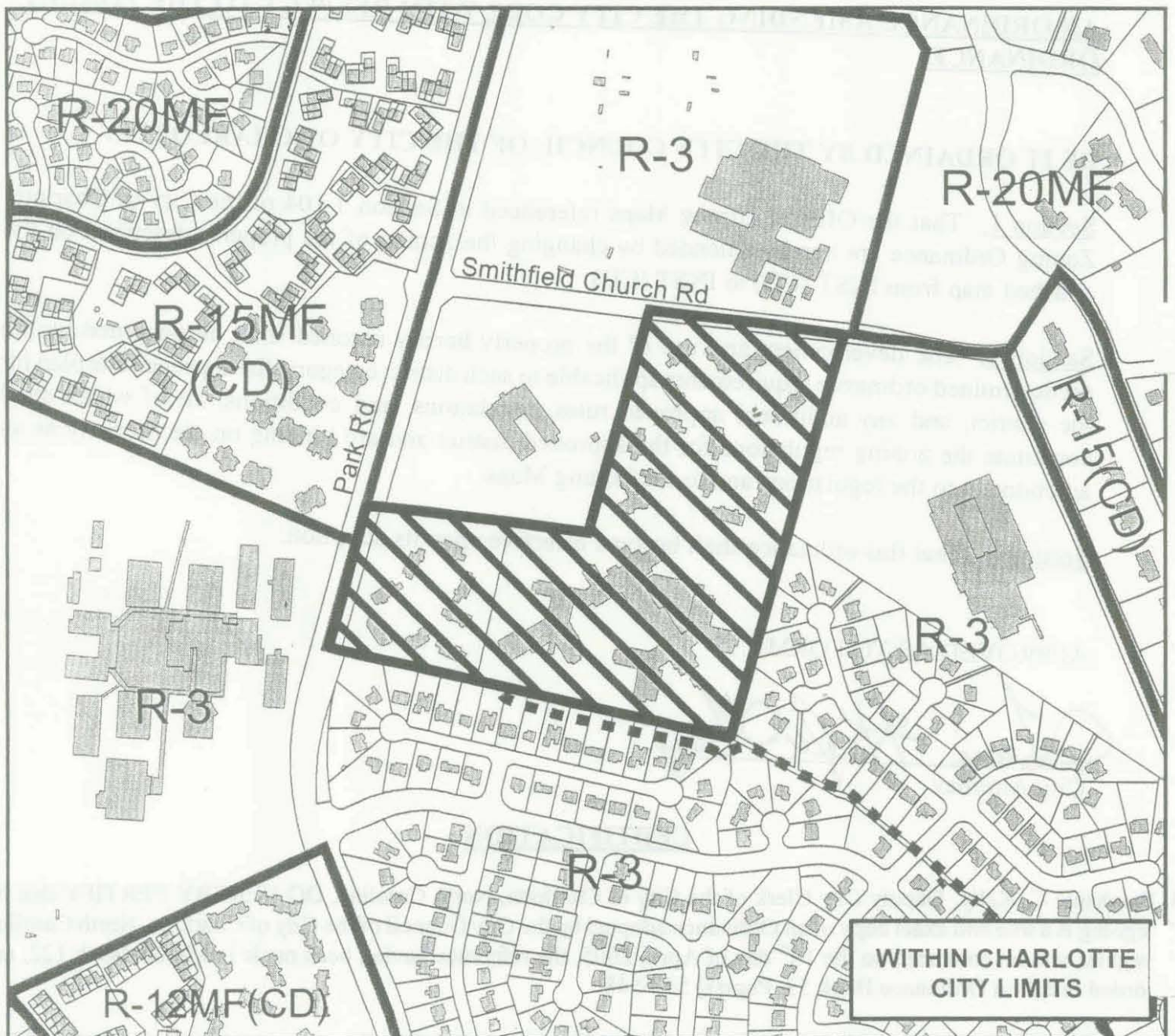
Petition #: **2005-039**

Petitioner: Southminster, Inc.

Zoning Classification (Existing): INST(CD)  
(Institutional, Conditional)

Zoning Classification (Requested): INST(CD) S.P.A.  
(Institutional, Conditional, Site Plan Amendment)

Acreage & Location : Approximately 26 acres located on the east side of Park Road,  
south of Smithfield Church Road



Zoning Map #(s) **158**

Map Produced by the  
Charlotte-Mecklenburg Planning Commission  
01-03-2005



Petition No. 2005-40  
Petitioner: C.O. Ackerman, Jr.

ORDINANCE NO. 2945-Z

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

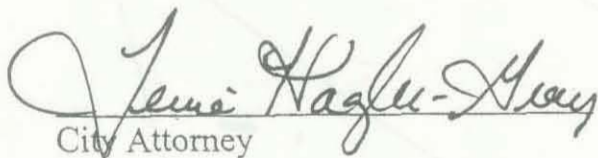
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-3 to O-1 (CD)

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

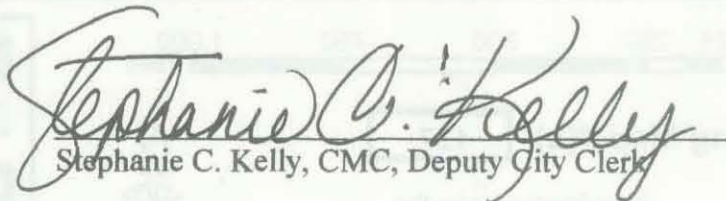
APPROVED AS TO FORM:

  
City Attorney

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, regular session convened on the 18<sup>th</sup> day of April, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page(s) 549-550.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of October, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

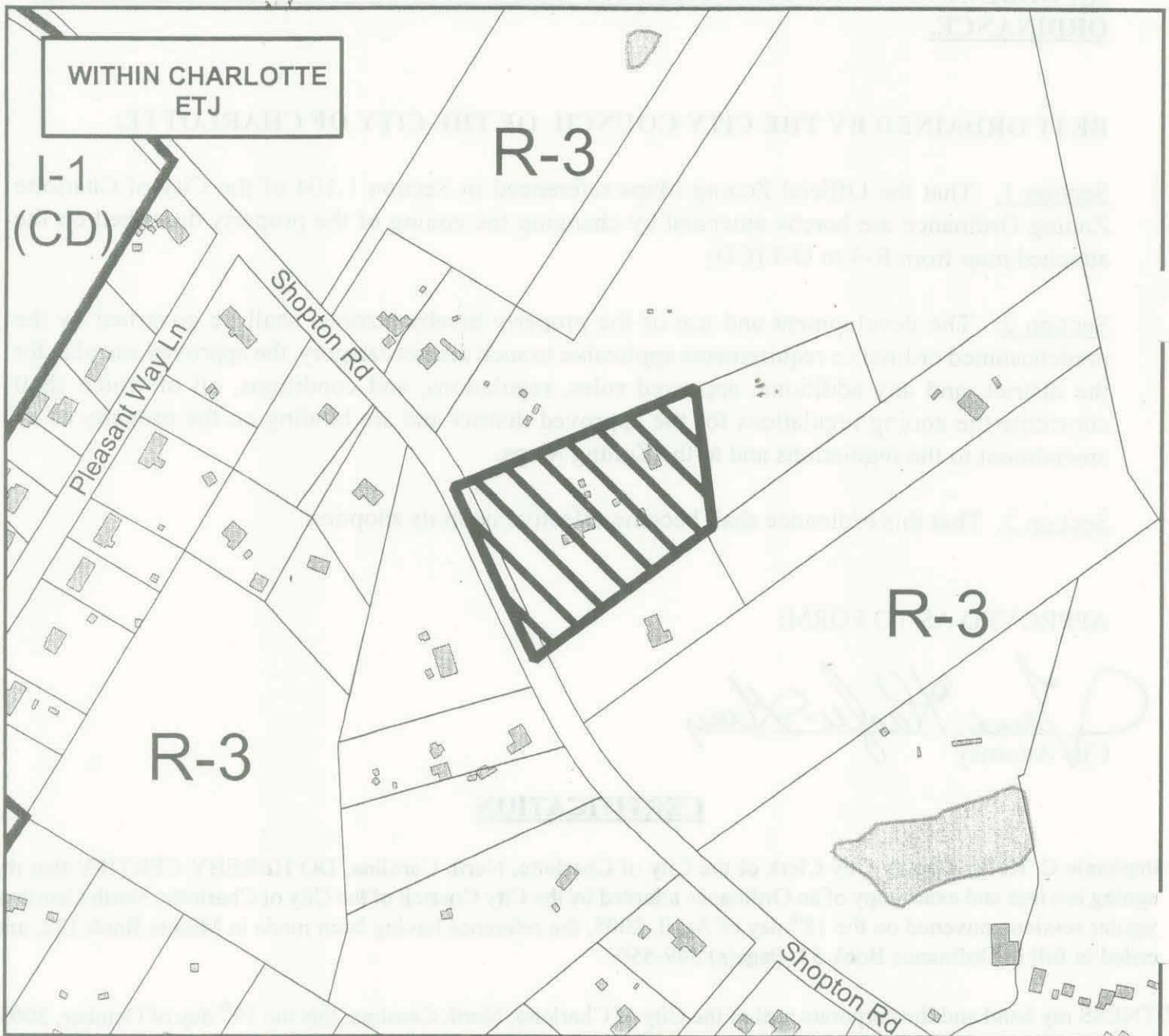
Petition #: **2005-040**

Petitioner: C.O. Ackerman, Jr.

Zoning Classification (Existing): R-3  
(Single-family Residential, up to 3 dwelling units per acre)

Zoning Classification (Requested): O-1(CD)  
(Office, Conditional)

Acreeage & Location : Approximately 3.619 acres located on the east side of Shopton Road, south of Pleasant Way Lane



Zoning Map #(s) **127**



Map Produced by the  
Charlotte-Mecklenburg Planning Commission  
01-03-2005

	Requested O-1(CD) from R-3		Fema Flood Plain
	Existing Building Footprints		Lakes and Ponds
	Existing Zoning Boundaries		Creeks and Streams
	Charlotte City Limits		

Petition No. 2005-41  
Petitioner: HD Development of Maryland, Inc.

ORDINANCE NO. 2946-Z

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

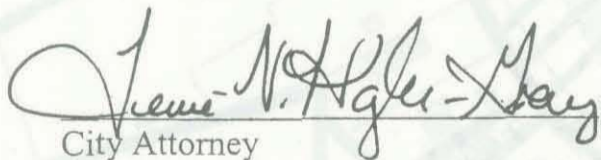
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from CC to CC

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

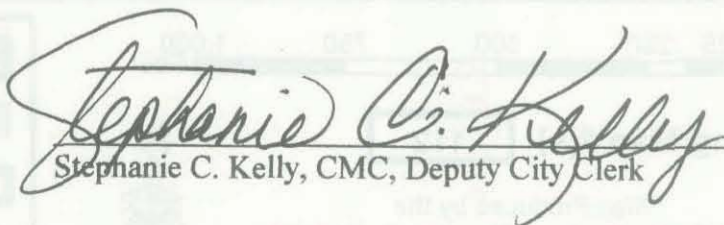
APPROVED AS TO FORM:

  
City Attorney

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, regular session convened on the 18<sup>th</sup> day of April, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page(s) 551-552.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of October, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

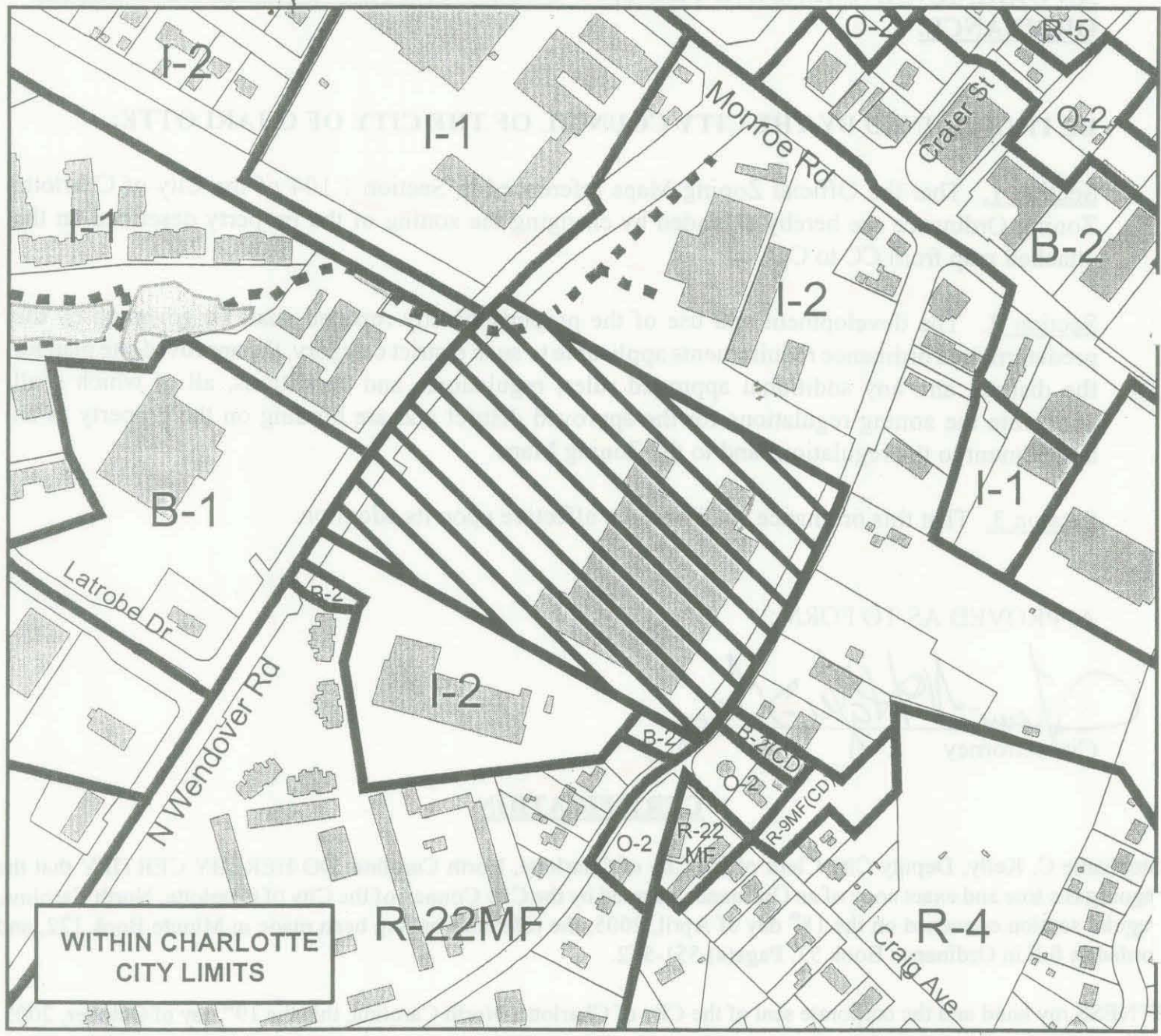
Petition #: **2005-041**

Petitioner: HD Development of Maryland, Inc.

Zoning Classification (Existing): CC  
 (Commercial Center, Conditional)

Zoning Classification (Requested): CC S.P.A.  
 (Commercial Center, Conditional, Site Plan Amendment)

Acreage & Location : Approximately 11.813 acres located on the east side of Wendover Road, south of Monroe Road



Zoning Map #(s) **112**

Map Produced by the  
 Charlotte-Mecklenburg Planning Commission  
 01-03-2005



	Requested CC S.P.A. from CC		Fema Flood Plain
	Existing Building Footprints		Lakes and Ponds
	Existing Zoning Boundaries		Creeks and Streams
	Charlotte City Limits		

April 18, 2005  
Ordinance Book 53, Page 553

Petition #: 2005-45  
Petitioner: Crosland, Inc.

APPROVED BY CITY COUNCIL  
DATE APRIL 18, 2005

ORDINANCE NO. 2947

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

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

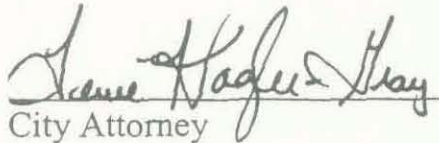
Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend CHAPTER 11: CONDITIONAL DISTRICTS, PART 2: Mixed Use Districts, by adding a new subsection 11.202(8) as follows:

(8) Indoor recreation (MX-3 only).

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

Approved as to form:

  
City Attorney

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, regular session convened on the 18<sup>th</sup> day of April, 2005, the reference having been made in Minute Book 122, and corded in full in Ordinance Book 53, Page(s) 553.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of October, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

APPROVED BY CITY COUNCIL

DATE APRIL 18, 2005

Item 5.0007-42

Partners, Coastal, Inc.

ORDINANCE NO. 2417

AN ORDINANCE AMENDING ARTICLE 2  
OF THE CITY CODE - ZONING ORDINANCE

**THIS PAGE NOT USED**

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 CHAPTER 15, CONDITIONAL DISTRICTS, PART 2, MIXED USE DISTRICT, by adding a new subsection 15.02(8) as follows:

(8) Subject to review (M.U. 1 only)

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

Approved as to form:

  
City Attorney

**CERTIFICATION**

I, Jonathan T. Kelly, Mayor, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, regular session convened on the 18<sup>th</sup> day of April, 2005, the minutes having been read in Minutes Book 132, and entered to file in Ordinance Book 53, Page(s) 553.

WITNESSED my hand and the corporate seal of the City of Charlotte, North Carolina, this 18<sup>th</sup> day of October, 2005.

  
Jonathan T. Kelly, Mayor, City Clerk



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