

CITY ZONE CHANGE

Petition No. 2003-081B-1
Petitioner: Charlotte-Mecklenburg
Planning Commission.

Ordinance No. 2429-Z

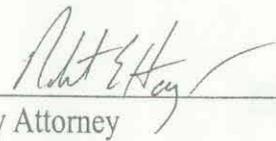
ZONING REGULATIONS

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-22MF to R-8.

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

APPROVED AS TO FORM:


SR. ASST. City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 17th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 546-547.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of January, 2004.


Brenda R. Freeze, CMC, City Clerk

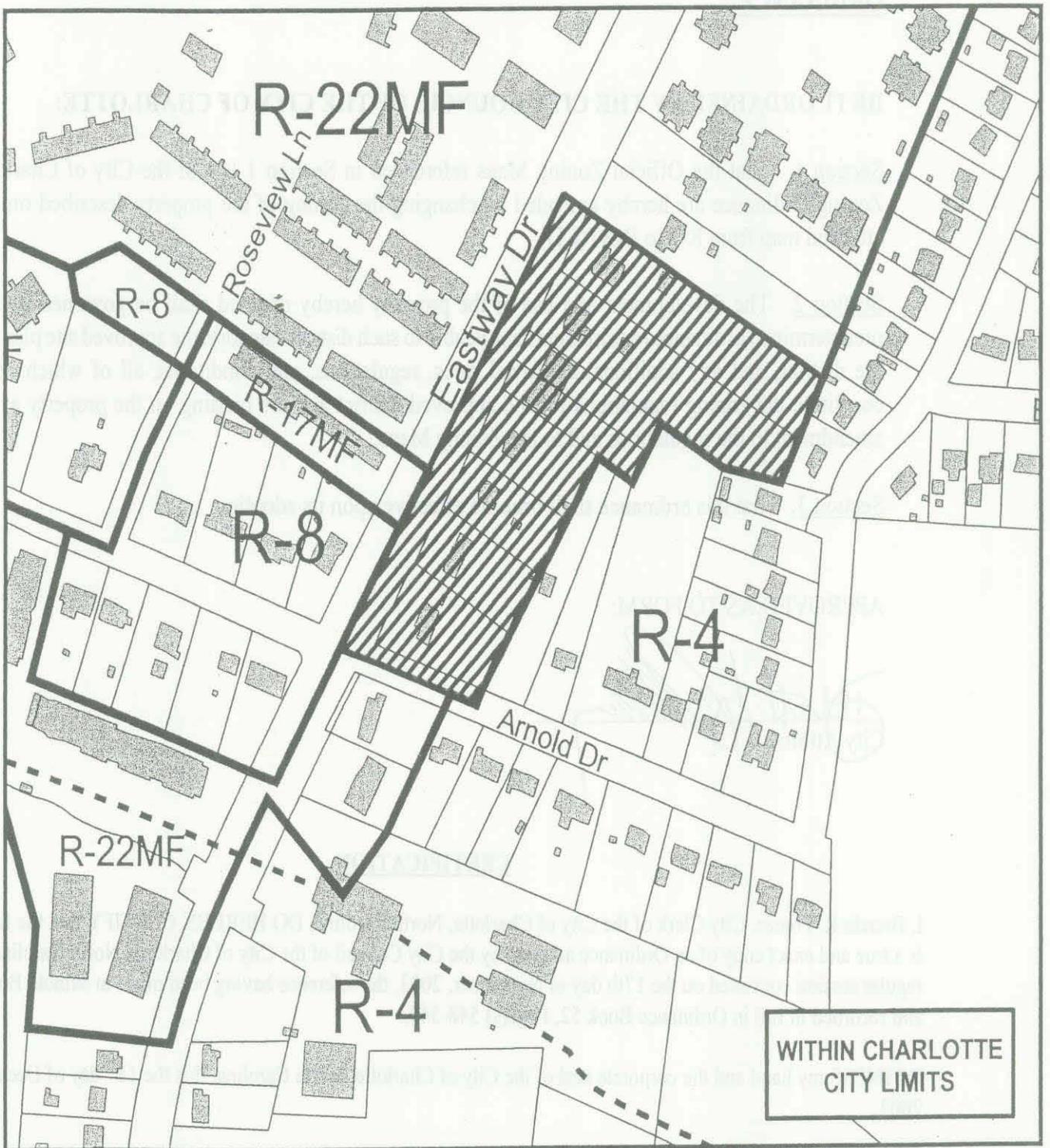
Petition #: **2003-81B1**

Petitioner: The Charlotte-Mecklenburg Planning Commission

Zoning Classification (Existing): R-22MF
(Multi-family Residential, up to 22 dwelling units per acre)

Zoning Classification (Requested): R-8
(Single-family Residential, up to 8 dwelling units per acre)

Acreeage & Location : Approximately 4.84 acres located on the east side of Eastway Drive, north of Arnold Drive



WITHIN CHARLOTTE CITY LIMITS



Zoning Map #(s) **100**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
11-28-2003



| | | | |
|--|------------------------------|--|--------------------|
| | Requested R-8 from R-22MF | | Fema Flood Plain |
| | Existing Building Footprints | | Lakes and Ponds |
| | Existing Zoning Boundaries | | Creeks and Streams |
| | Charlotte City Limits | | |

Petition No. 2003-085
Petitioner: Edna H. Vann

ORDINANCE NO. 2430-Z

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

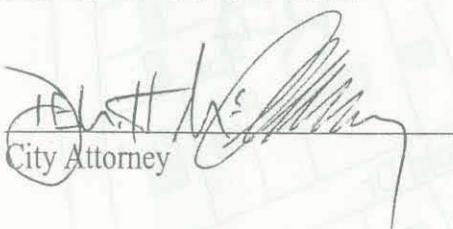
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

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.

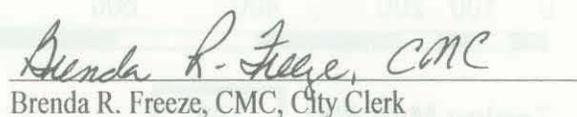
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 17th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 548-549.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of December, 2003.


Brenda R. Freeze, CMC, City Clerk

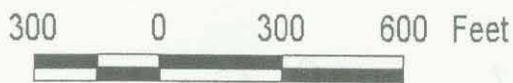
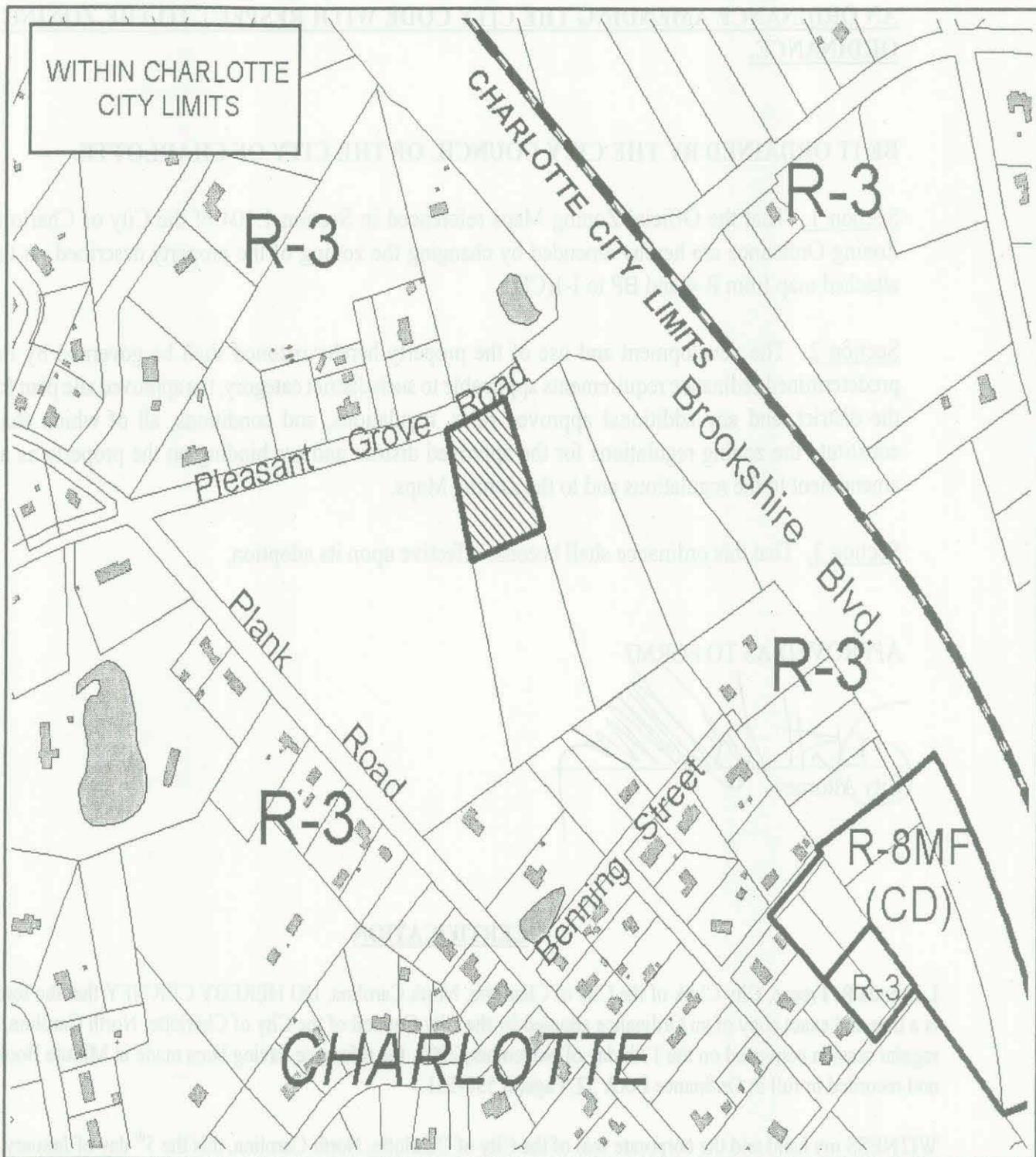
Petition #: **2003-85**

Petitioner: Edna H. Vann

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

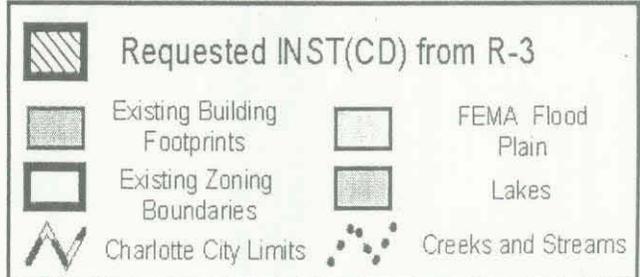
Zoning Classification (Requested): INST (CD)
(Institutional, Conditional)

Acreeage & Location: Approximately 1.75 acres located on the south side of Pleasant Grove Road, west of Brookshire Boulevard



Zoning Map #(s): **62**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
09-22-2003



Petition No. 2003-086

Petitioner: Hendrick Automotive Group

Ordinance No. 2431-Z

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

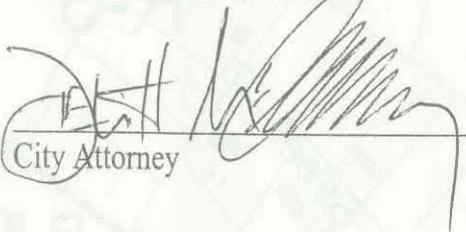
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

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 and BP to I-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.

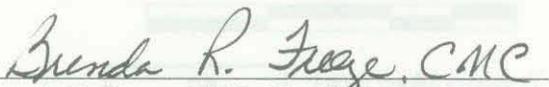
APPROVED AS TO FORM


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 17th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 550-551.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of January, 2004.


Brenda R. Freeze, CMC, City Clerk

Petition #: **2003-86**

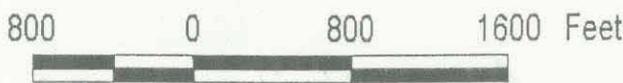
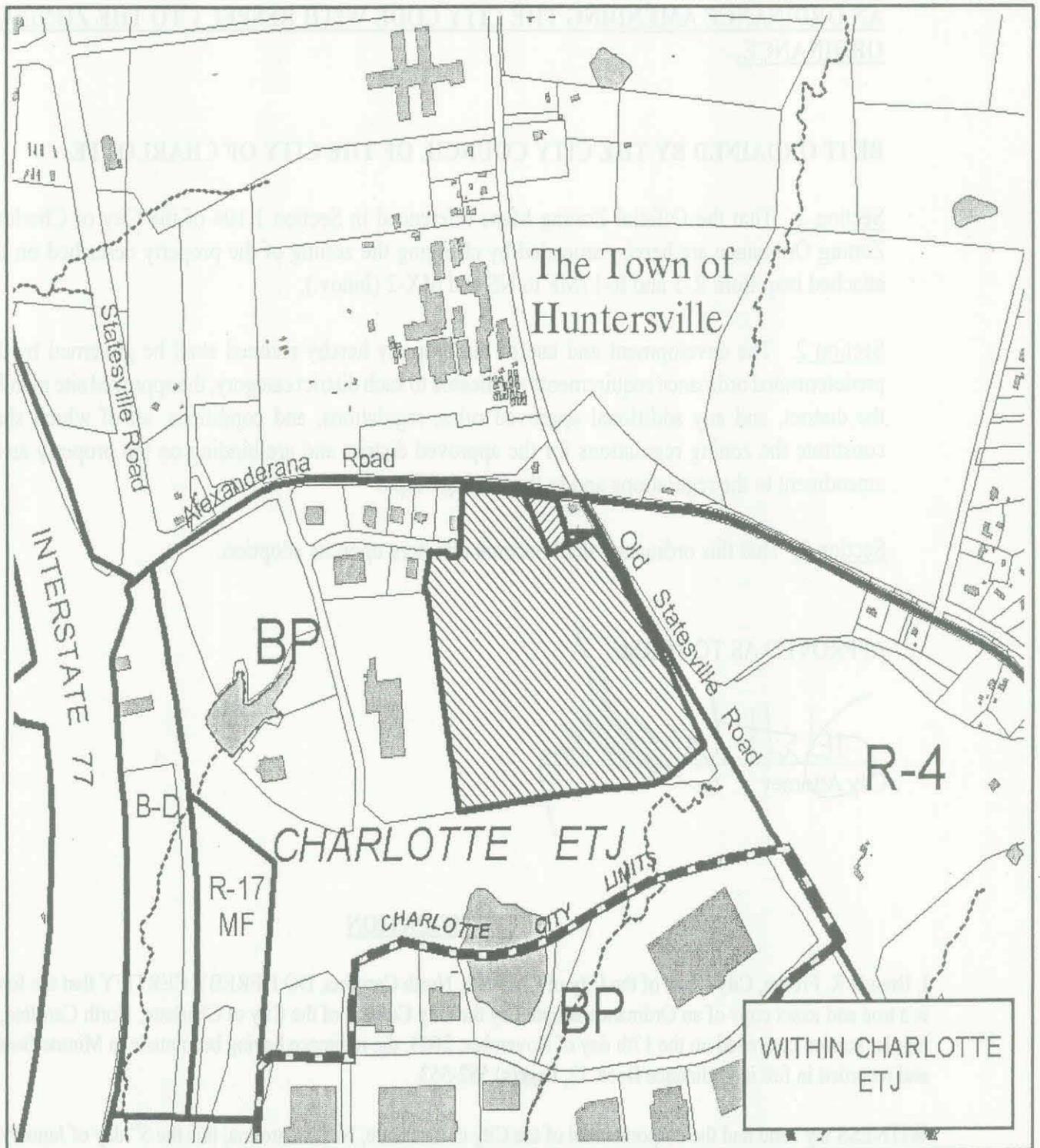
Hearing Date: September 15, 2003

Petitioner: Hendrick Automotive Group

Zoning Classification (Existing): BP (Business Park) and R-4 (Single-Family Residential, up to 4 dwelling units per acre)

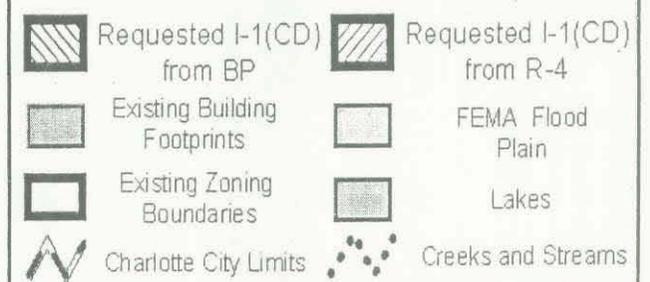
Zoning Classification (Requested): I-1(CD) (Light Industrial, Conditional)

Acreage & Location: Approximately 51.2 acres located at the southwest intersection of Old Statesville Road and Alexanderana Road



Zoning Map #(s): **37, 44**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
06-24-2003



Petition No. 2003-088

Petitioner: Crosland, Inc.

Ordinance No. 2432-Z

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

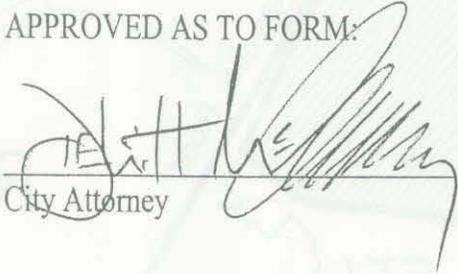
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

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 and R-17MF to NS and MX-2 (Innov.).

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.

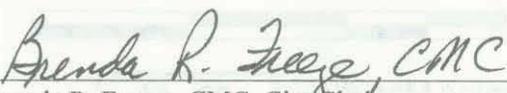
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 17th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 552-553.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of January, 2004.


Brenda R. Freeze, CMC, City Clerk

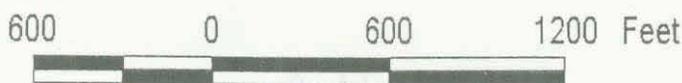
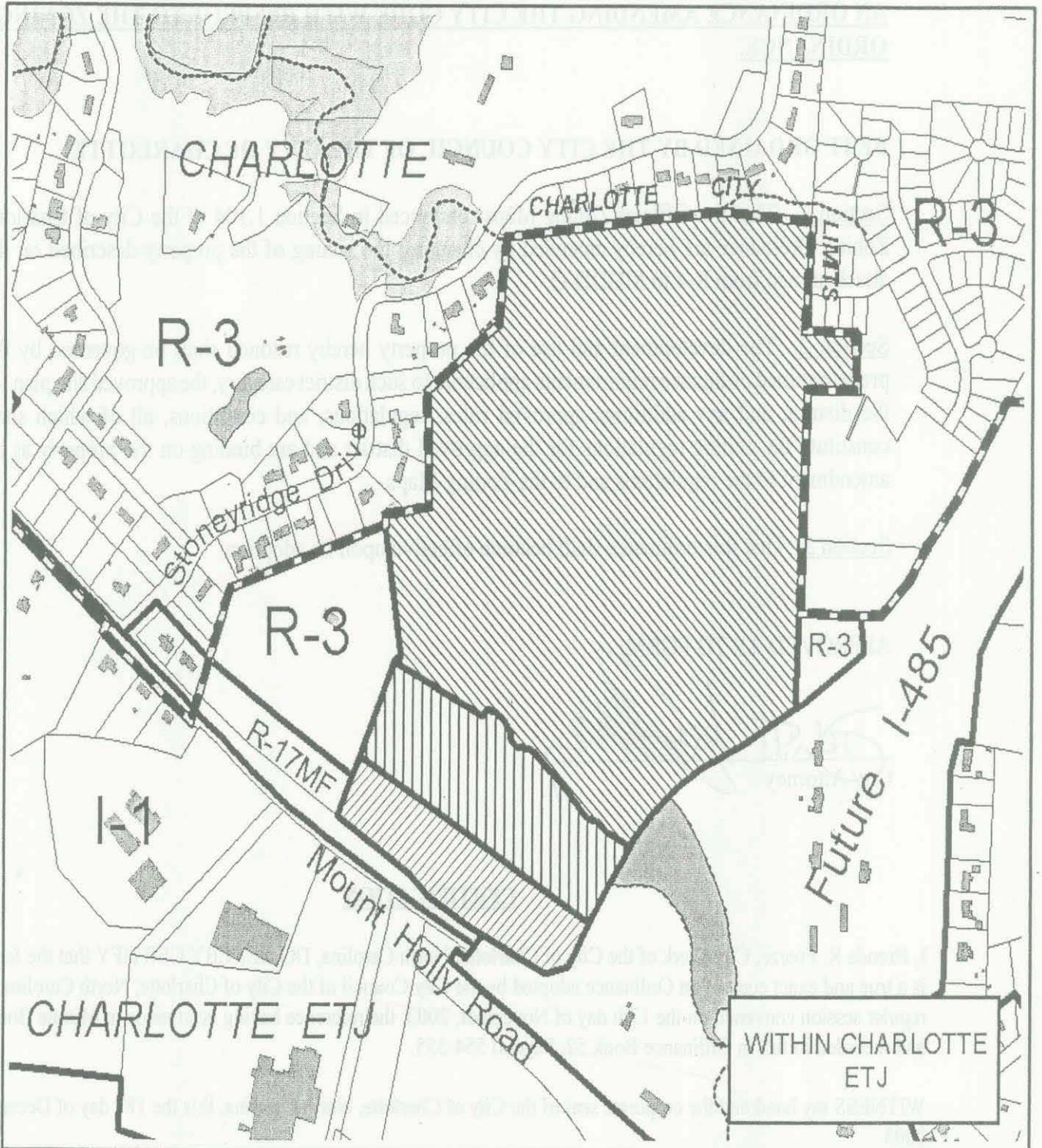
Petition #: **2003-88**

Petitioner: Crosland, Inc.

Zoning Classification (Existing): R-3 (Single-family Residential, up to 3 dwelling units per acre) and R-17MF (Multi-family Residential, up to 17 dwelling units per acre)

Zoning Classification (Requested): NS (Neighborhood Services, Conditional) and MX-2 (Innov) Mixed Use Residential, Innovative (Conditional)

Acreeage & Location: Approximately 91.2 acres located on the north side of Mount Holly Road, bounded by Stoneyridge Drive to the west and the proposed Interstate 485 to the east



Zoning Map #(s): **63, 66**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
08-26-2003



| | | | |
|--|---------------------------------|--|--------------------------|
| | Requested MX-2 (Innov) from R-3 | | Requested NS from R-3 |
| | FEMA Flood Plain | | Requested NS from R-17MF |
| | Existing Zoning Boundaries | | Lakes |
| | Charlotte City Limits | | Creeks and Streams |

Petition No. 2003-091
Petitioner: Crown Builders

ORDINANCE NO. 2433-Z

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

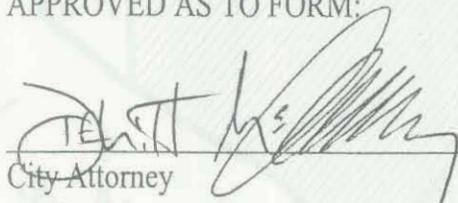
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

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 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.

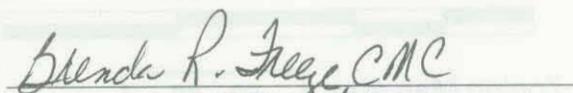
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 17th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 554-555.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of December, 2003.


Brenda R. Freeze, CMC, City Clerk

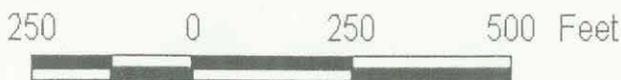
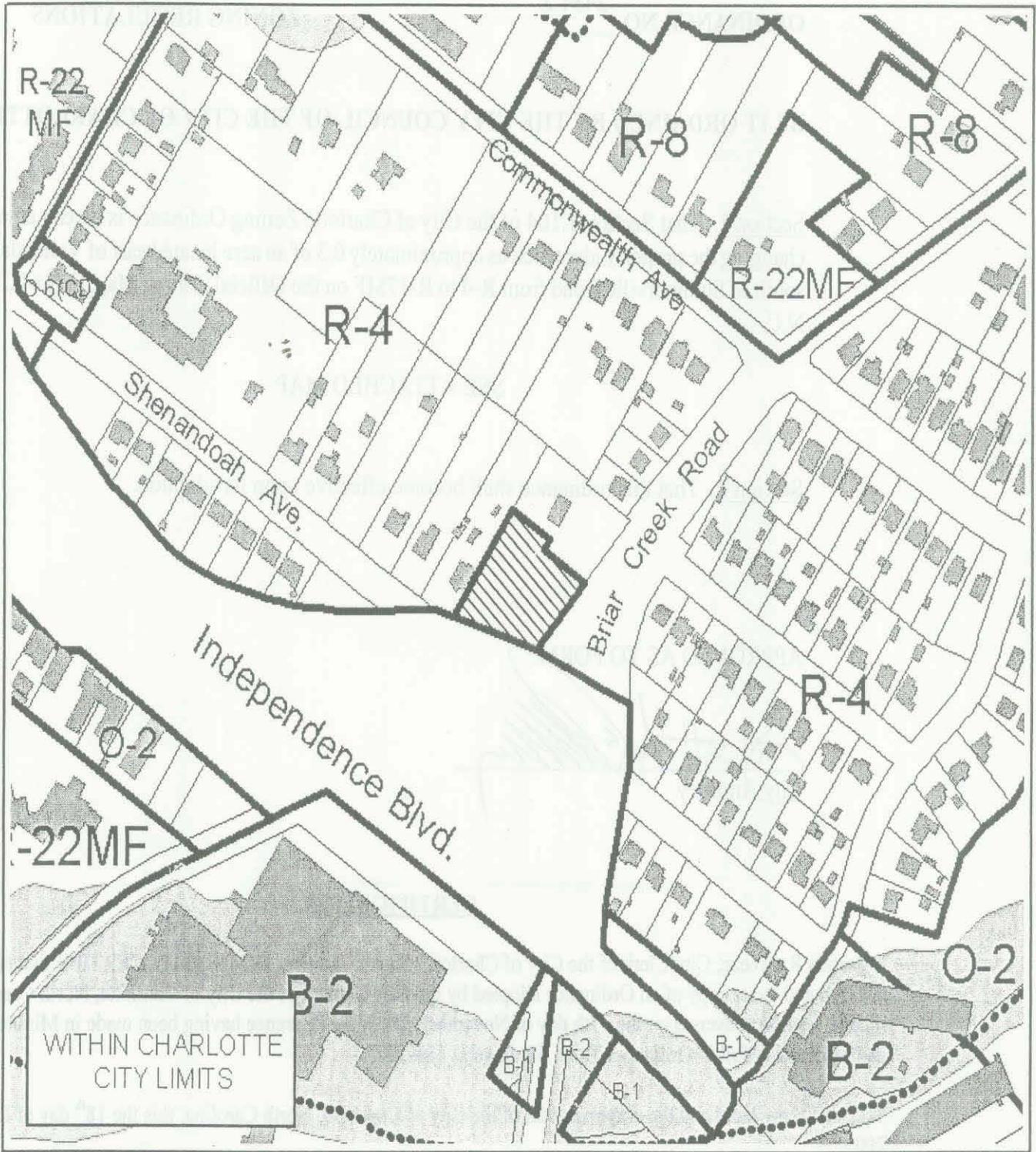
Petition #: 2003-91

Petitioner: Crown Builders

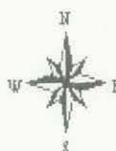
Zoning Classification (Existing): R-4
(Single-family Residential, up to 4 dwelling units per acre)

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

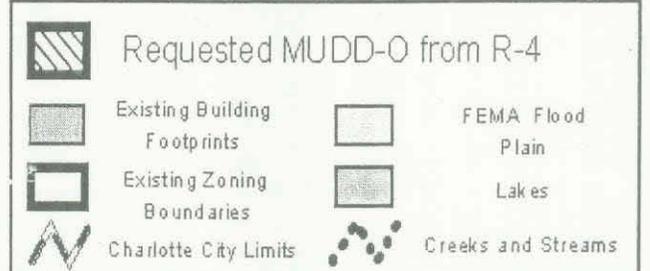
Acreage & Location: Approximately 1.3 acres located on the northwest corner of Independence Boulevard and Briar Creek Road



Zoning Map #(s): 112



Map Produced by the
Charlotte-Mecklenburg Planning Commission
10-13-2003



CITY ZONE CHANGE

Petition No. 2003-093

Petitioner: Maxwell Development Co.
and Murphy Development C

ORDINANCE NO. 2434-Z

ZONING REGULATIONS

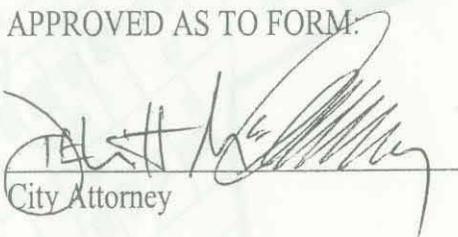
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 0.3 of an acre located east of Valleydale Road, south of Summerville Road from R-4 to R-17MF on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

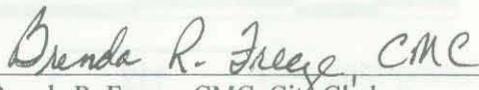
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 17th day of November, 2003, the reference having been made in Minute Book 12 and recorded in full in Ordinance Book 52, Page(s) 556-557.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of December, 2003.


Brenda R. Freeze, CMC, City Clerk

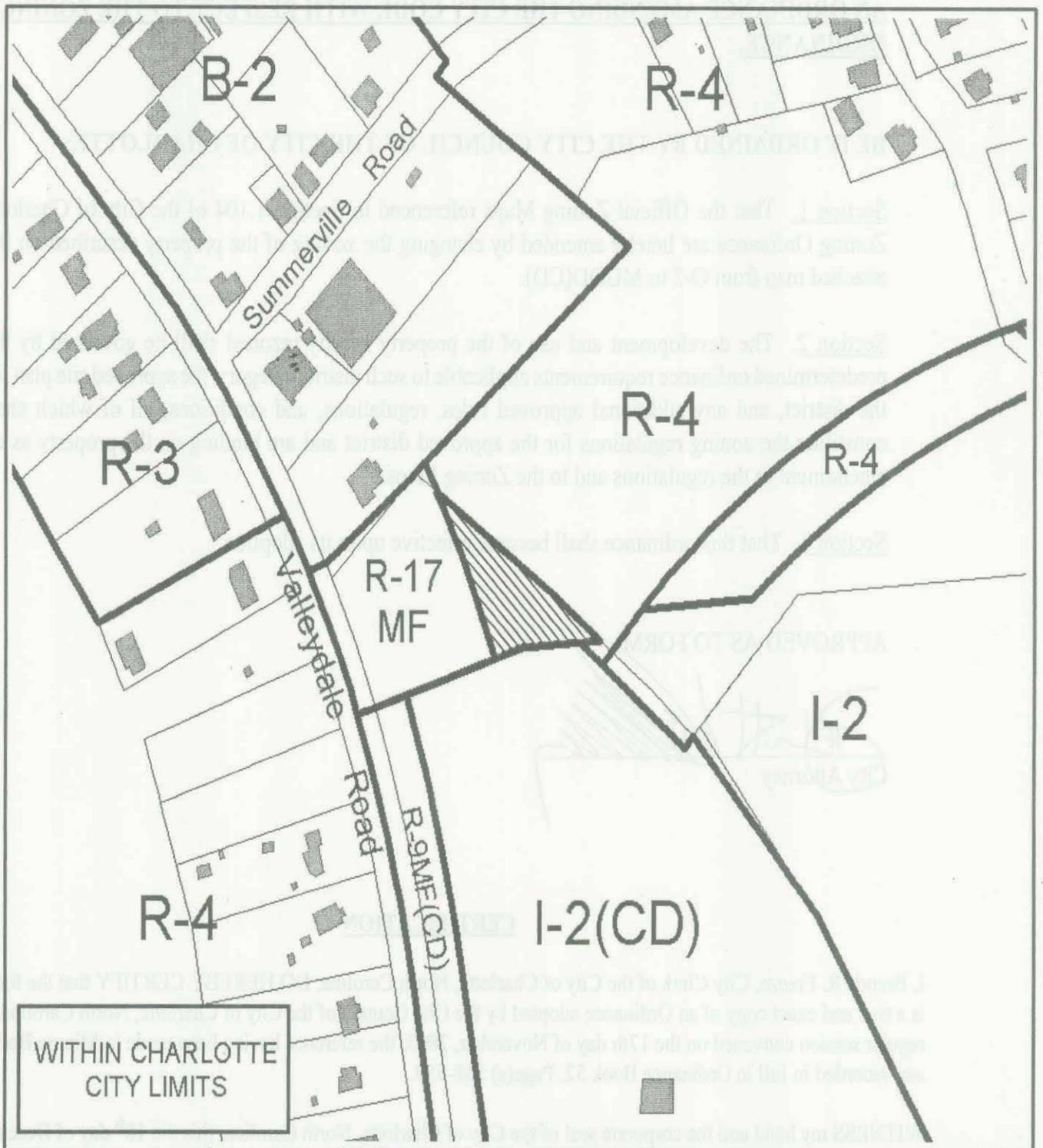
Petition #: **2003-93**

Petitioner: Maxwell Development Company and Murphy Development Company

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

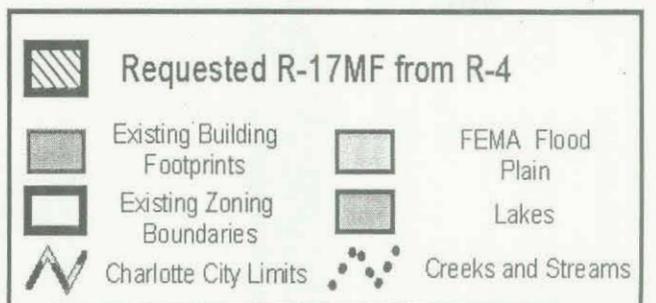
Zoning Classification (Requested): R-17MF
(Multi-family Residential, up to 17 dwelling units per acre)

Acreage & Location: Approximately 0.3 acres located east of Valleydale Road, south of Summerville Road



Zoning Map #(s): **67**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
7-09-2003



Petition No. 2003-095
Petitioner: Monte Richey

ORDINANCE NO. 2435-Z

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

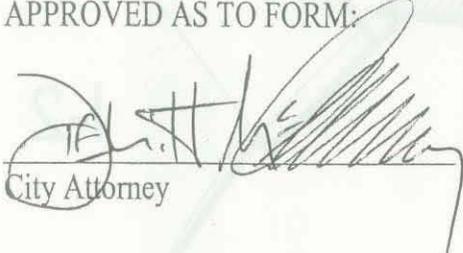
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

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 O-2 to MUDD(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, Brenda R. Freeze, 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 17th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 558-559.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of December, 2003.


Brenda R. Freeze, CMC, City Clerk

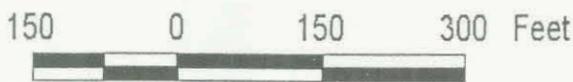
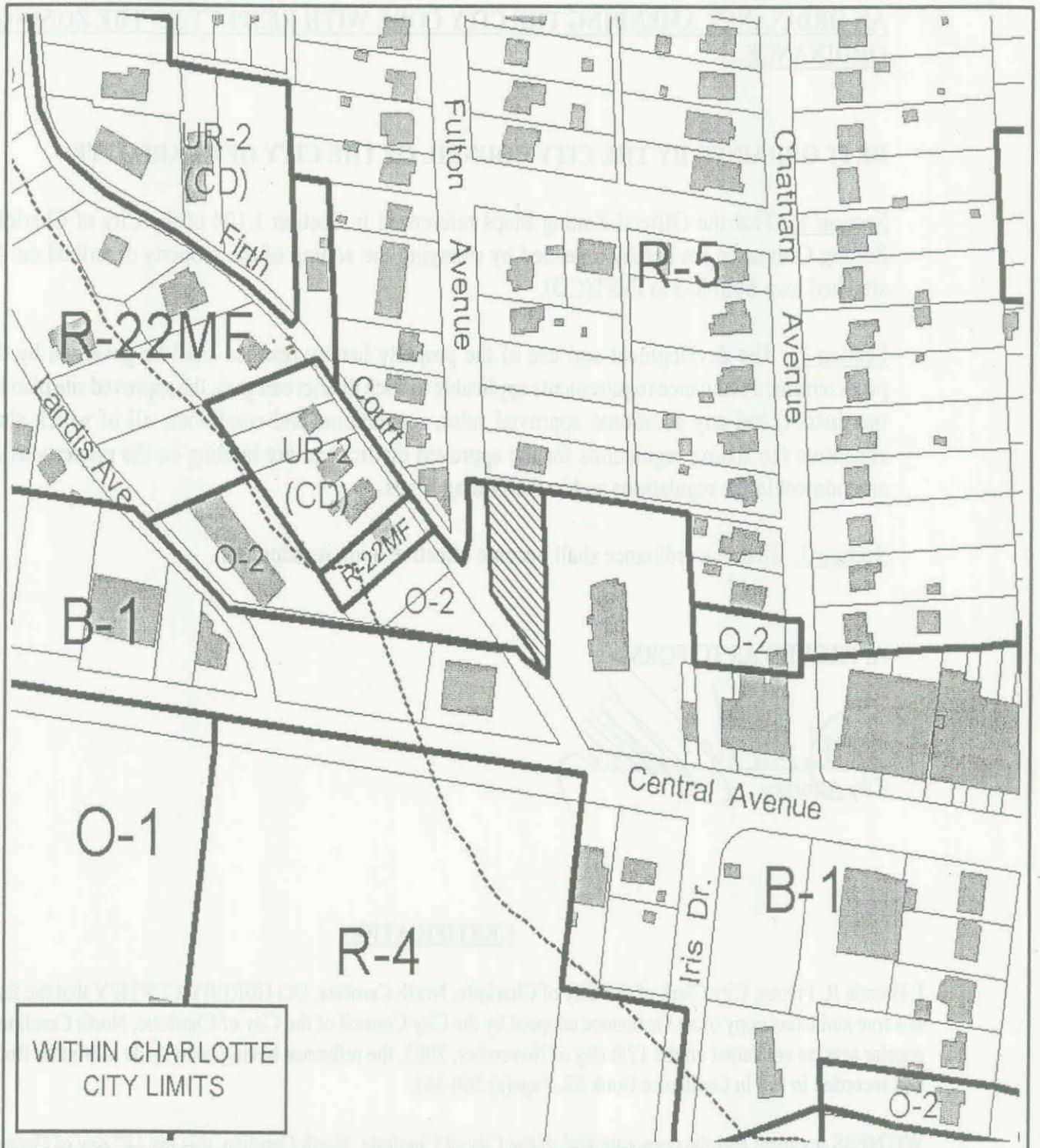
Petition #: **2003-95**

Petitioner: Monte Ritchey

Zoning Classification (Existing): O-2
(Office)

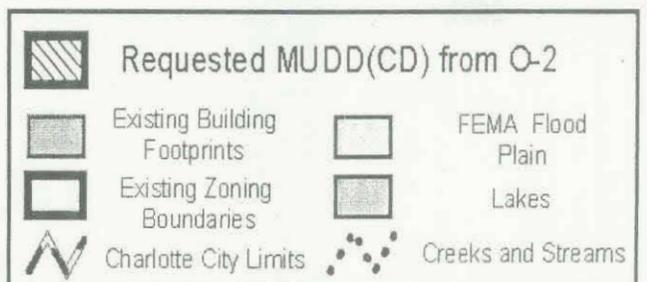
Zoning Classification (Requested): MUDD(CD)
(Mixed-Use Development District, Conditional)

Acreage & Location: Approximately 0.3 acres located on the east side of Fulton Avenue, east of Firth Court and north of Central Avenue



Zoning Map #(s): **101**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
7-10-2003



Petition No. 2003-096

Petitioner: Sandra Robinson-Adams

ORDINANCE NO. 2436-Z

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

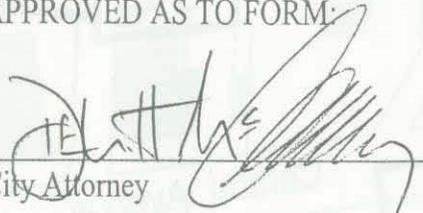
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

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:

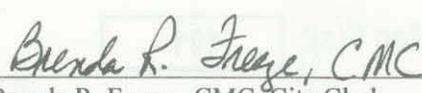


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 17th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 560-561.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of December, 2003.



Brenda R. Freeze, CMC, City Clerk

Petition #: **2003-96**

Petitioner: Sandra Robinson-Adams

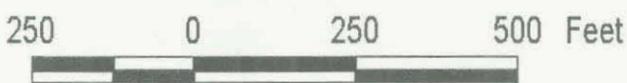
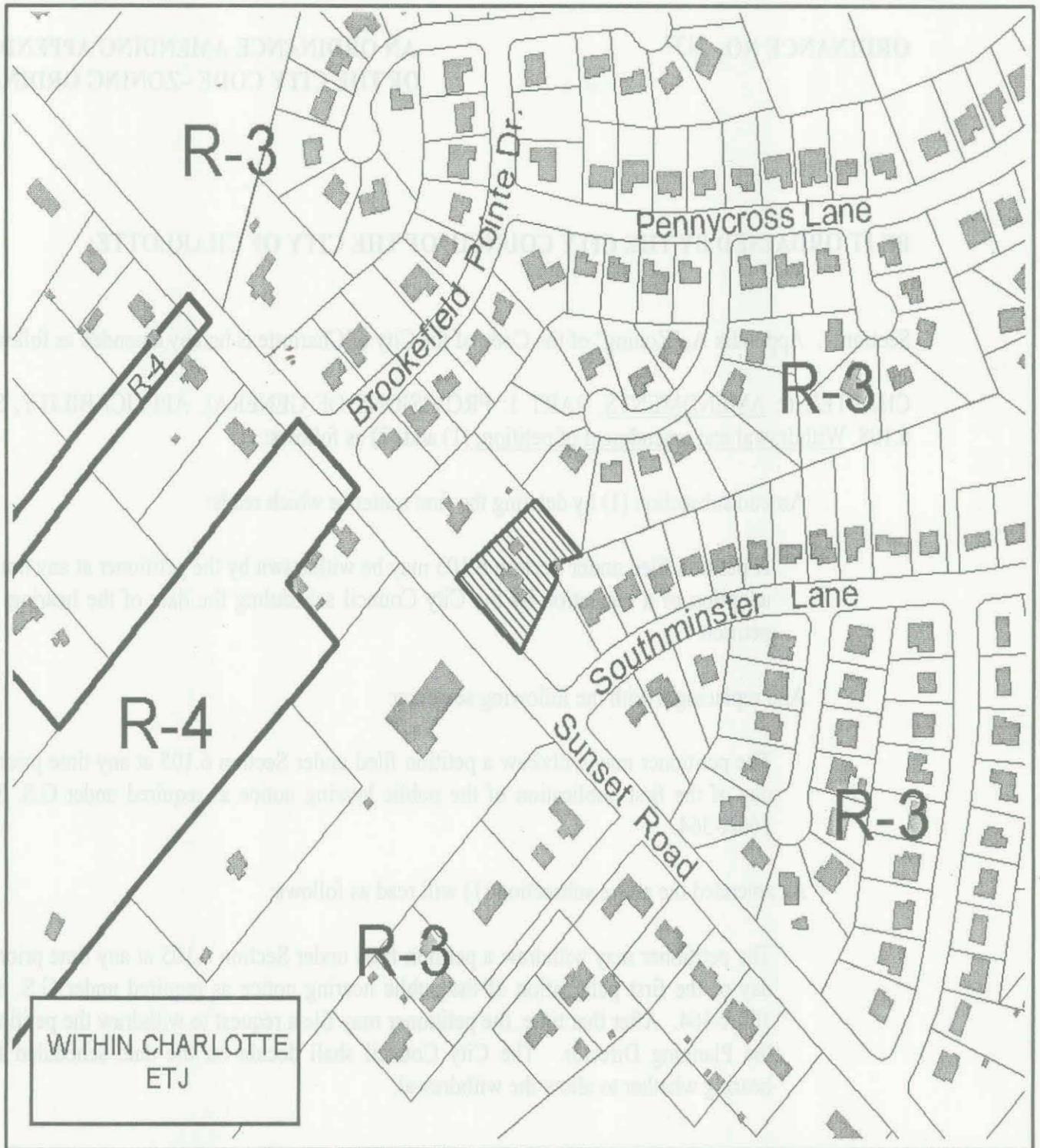
Zoning Classification (Existing): R-3

(Single-family Residential, Up to 3 dwelling units per acre)

Zoning Classification (Requested): INST(CD)

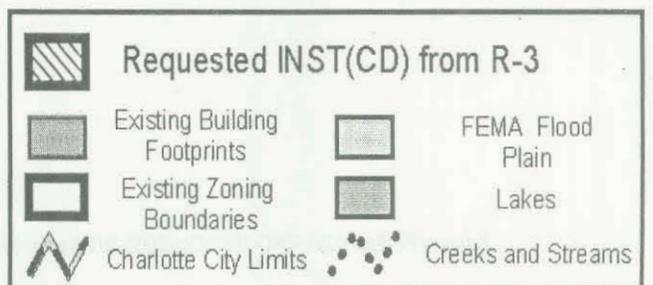
(Institutional, Conditional)

Acreeage & Location: Approximately 0.8 acres located on the north side of Sunset Road, west of Southminster Lane



Zoning Map #(s): **61**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
7-10-2003



Petition No.: 2003-101
Petitioner: City Attorney's Office

ORDINANCE NO. 2437

**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:

CHAPTER 6: AMENDMENTS, PART 1: PROVISIONS OF GENERAL APPLICABILITY, Section 6.108. Withdrawal and amendment of petition, (1) and (2) as follows:

1. Amend subsection (1) by deleting the first sentence which reads:

A petition filed under Section 6.105 may be withdrawn by the petitioner at any time up to adoption of a resolution by the City Council scheduling the date of the hearing for the petition.

And replacing it with the following sentence:

The petitioner may withdraw a petition filed under Section 6.105 at any time prior to the day of the first publication of the public hearing notice as required under G.S. Section 160A-364.

As amended the entire subsection (1) will read as follows:

The petitioner may withdraw a petition filed under Section 6.105 at any time prior to the day of the first publication of the public hearing notice as required under G.S. Section 160A-364. After that time, the petitioner may file a request to withdraw the petition with the Planning Director. The City Council shall decide on the date scheduled for the hearing whether to allow the withdrawal.

2. Amend subsection (2) by deleting the first two sentences that read:

It is generally not the intent of this Section to permit the withdrawal of petitions after the resolution date scheduling the public hearing. The City Council may approve a request for withdrawal after the resolution date only if it decides that there are substantial circumstances favoring the withdrawal and that the withdrawal will not be detrimental to the interests of citizens affected by the petition.

And replacing them with the following:

It is generally not the intent of this Section to permit the withdrawal of petitions on or after the day of the first publication of the public hearing notice. However, the City Council may approve a request for withdrawal after this time period only if it decides that there are substantial circumstances favoring the withdrawal and that the withdrawal will not be detrimental to the interests of citizens affected by the petition.

3. Amend subsection (2) by deleting the last sentence that reads as follows:

Any petition for which a protest petition has been invoked shall not be allowed to be withdrawn, except pursuant to an order of the court.

And replacing it with the following sentences:

A rezoning petition can be withdrawn, even if a protest petition has been filed or invoked against the rezoning petition, if the rezoning petition is withdrawn prior to the day of the first publication of the public hearing notice. A rezoning petition cannot be withdrawn on or after the day of the first publication of the public hearing notice, if a valid protest petition has been filed, unless the protest petition is itself validly withdrawn or by an order of a court.

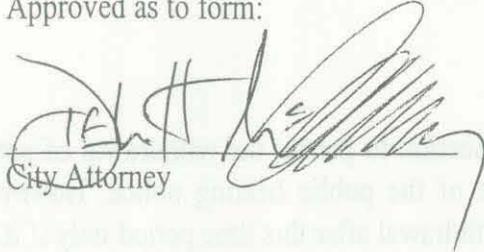
As amended the entire subsection (2) will read as follows:

It is generally not the intent of this Section to permit the withdrawal of petitions on or after the day of the first publication of the public hearing notice. However, the City Council may approve a request for withdrawal after this time period only if it decides that there are substantial circumstances favoring the withdrawal and that the withdrawal will not be detrimental to the interests of citizens affected by the petition. Withdrawal is a matter of discretion with the City Council and not a matter of right. The City Council will not permit the amendment, which would delete a portion of land originally included in the petition for rezoning when the effect of such deletion would be to change the percentage of voters required for the approval of the rezoning. A rezoning petition can be withdrawn, even if a protest petition has been filed or invoked against the rezoning petition, if the rezoning petition is withdrawn prior to the day of the first publication of the public hearing notice. A rezoning petition cannot be withdrawn on or after the day of

the first publication of the public hearing notice, if a valid protest petition has been filed, unless the protest petition is itself validly withdrawn or by an order of a court.

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

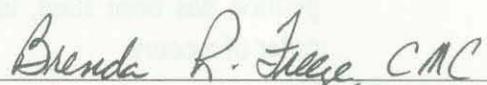
Approved as to form:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 17th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 562-564.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of December, 2003.


Brenda R. Freeze, CMC, City Clerk

Petition No. 2003-103

Petitioner: Mary Beth Kuzmanovich

ORDINANCE NO. 2438-Z

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

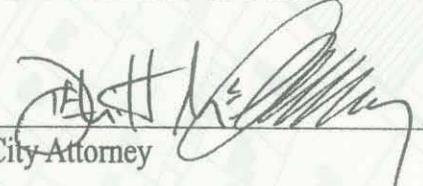
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

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-12MF(CD) 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:

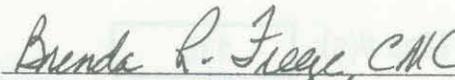


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 17th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 565-566.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of December, 2003.



Brenda R. Freeze, CMC, City Clerk

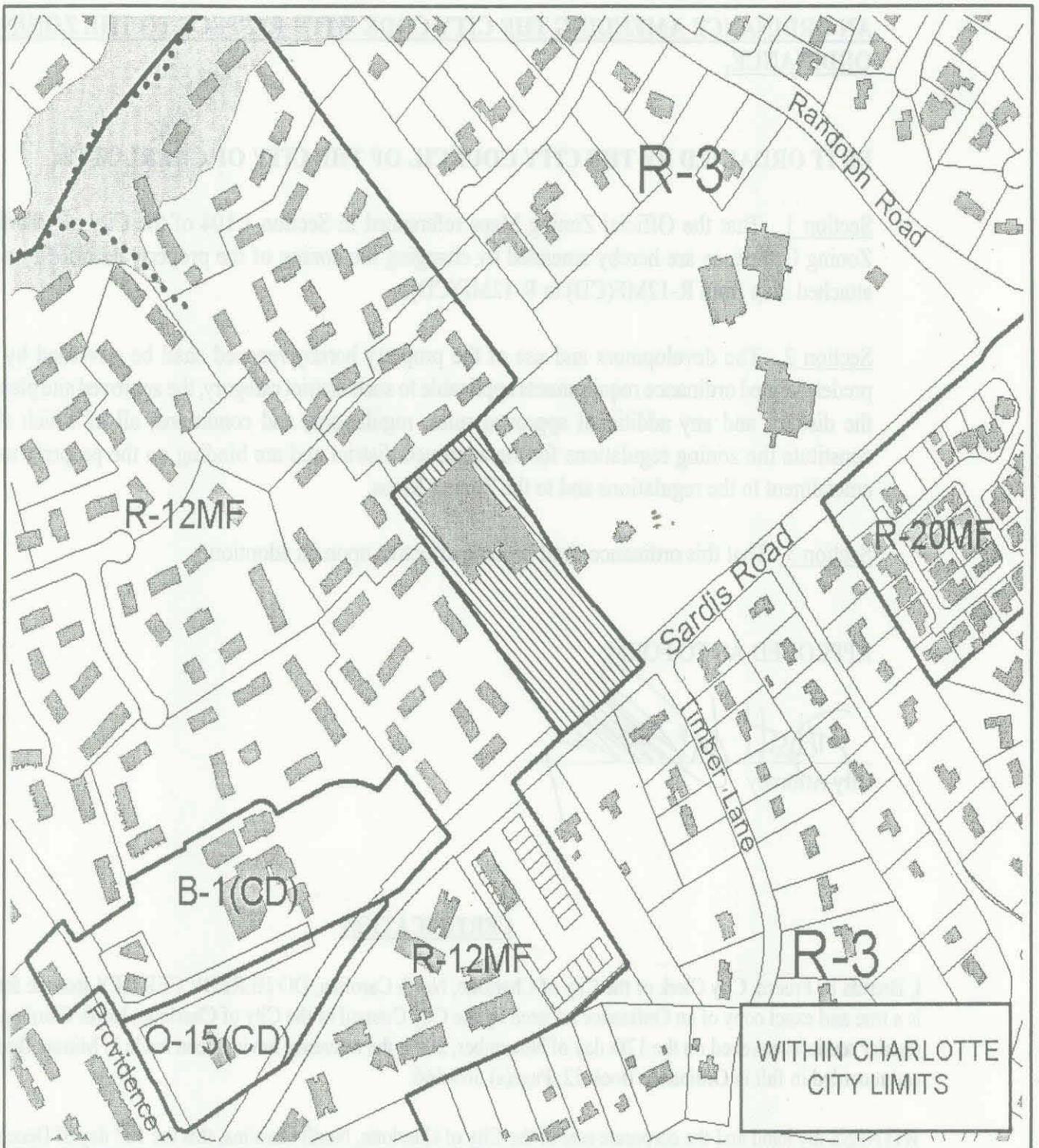
Petition #: **2003-103**

Petitioner: Mary Beth Kuzmanovich

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

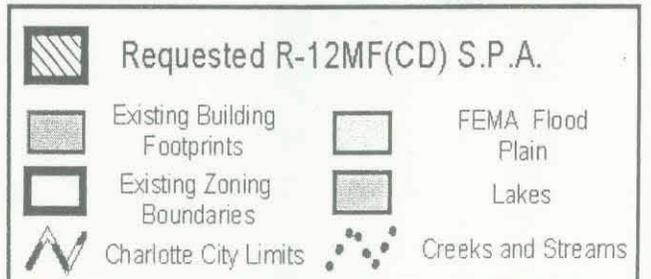
Zoning Classification (Requested): R-12MF(CD) S.P.A. (Multi-family Residential,
up to 12 dwelling units per acre, Site Plan Amendment, Conditional)

Acreeage & Location: Approximately 5 acres located on the north side of Sardis Road
across from Timber Lane



Zoning Map #(s): **136**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
07-30-2003



Petition #: 2003-105
Petitioner: Charlotte-Mecklenburg Planning Commission

ORDINANCE NO. 2439

**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 9: GENERAL DISTRICTS,

A. PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS, Section 9.101.
Table of uses, Table 9.101, PERMITTED USES, BY DISTRICT, Office and Business Uses:

Under the listing of "Showrooms, up to 25,000 square feet", remove the letter "X" under the districts B-2 and I-1,

And

Under the listing of "Showrooms, up to 70,000 square feet", add an "X" under the districts B-2 and I-1.

B. PART 8: BUSINESS DISTRICTS, Section 9.802 Uses permitted by right,
(79.1) Showrooms, up to 25,000 square feet (B-2, B-D, and BP only),

Remove the district "B-2" from the listing,

And

Add a new subsection, "(79.2) Showrooms, up to 70,000 square feet (B-2 only).

- C. PART 11: INDUSTRIAL DISTRICT, Section 9.1102. Uses permitted by right,
(72.1) Showrooms, up to 25,000 square feet,

Delete 25,000 and replace with 70,000 in I-1.

- D. PART 7: OFFICE DISTRICTS, Section 9.703. Uses permitted under prescribed conditions, (28) Retail establishments and restaurants in office buildings, (c) and (d),

Add a new paragraph to subsection (c) as follows:

Retail establishments and restaurants located in a Pedestrian Overlay District (PED) will occupy no more than 20 % of the gross floor area and shall only be located on the ground floor.

Subsection (c) as amended will read thusly:

- (c) Retail establishments and restaurants will occupy no more than 10 % of the gross floor areas of all buildings on the lot and under no circumstances shall exceed 25 % of the ground floor area, except a restaurant use may occupy up to 50 % of the ground floor area.

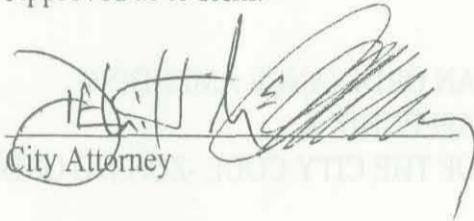
Retail establishments and restaurants located in a Pedestrian Overlay District (PED) will occupy no more than 20 % of the gross floor area and shall only be located on the ground floor.

Add exceptions for the Pedestrian Overlay District (PED) to subsection (d). As amended subsection (d) will read as follows:

- (d) In all zoning districts, except PED, the proposed use must be located within the same building as the principal use, and there will be no direct public entrance to the proposed use from outside the building, except for a restaurant use. In the PED zoning district, ground floor retail establishments may have entrances external to the building.

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

Approved as to form:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 17th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 567-568B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of December, 2003.


Brenda R. Freeze, CMC, City Clerk

Petition #: 2003-106
Petitioner: Mecklenburg County
Water Quality Program

ORDINANCE NO. _____ 2440

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:

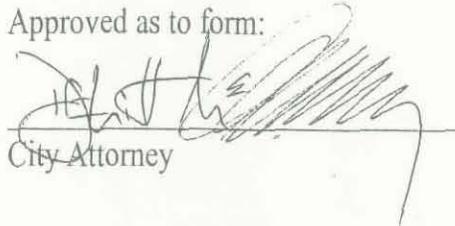
1. Amend CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY, by changing PART 8: S.W.I.M. (SURFACE WATER IMPROVEMENT AND MANAGEMENT STREAM BUFFERS)

Section 12.803. Applicability.

1. All properties shall be subject to the buffer requirements of this PART 8 except those properties which, as of the effective date of November 15, 1999, fit into one of the following categories:
 - (a) Have been issued a Certificate of Building Code Compliance.
 - (b) Have a valid building permit.
 - (c) Have been subdivided by a recorded subdivision plat, which had been approved by the Charlotte-Mecklenburg Planning Commission.
 - (d) Have been described by metes and bounds in a recorded deed or shown on a recorded plat, which:
 - If to be used for residential purposes:
Are 1 acre or less in size.
 - If to be used for nonresidential purposes:
Are 4 acres or less in size if located on a non-FEMA regulated floodway, or
Are 7 acres or less in size if located on a FEMA regulated floodway.
 - (e) Are included on a valid preliminary subdivision plan.
 - (f) Have otherwise secured a vested property right under State law or local ordinance.

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

Approved as to form:



City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 17th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 569-570.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of December, 2003.



Brenda R. Freeze, CMC, City Clerk