

ORDINANCE NO. 697

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, Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Article II, Division 1 by adding a new Section 23-4.1 as follows:

"Sec. 23-4.1 Research District.

(a) RE Research District. This district is designed to provide areas in which research and related operations may be established and may be established for this district are designed to promote sound, permanent research installations and also to protect nearby residential areas from undesirable aspects of research operations."

2. Amend Article II, Division 3, Section. 23-15 (a) by adding a new line between the line geginning with "R-12" and the line beginning with "O-6" as follows:

"RE \_\_\_\_\_ 50"

3. Amend Article II, Division 3, Sec. 23-15 (b) by adding between the word "residential" and the word "or" the word, "research" and by adding to the end of the first sentence after the word "rear" the following:

"but not less than that required by subsection (a) above."

4. Amend Article II, Division 3, Sec. 23-17 by adding between the word "In" and the word "Business" the word "Research".

5. Amend Article II, Division 3, Sec. 23-27 by adding at the end of the first sentence the following: "except that in the Research District a gate or security station may be constructed within the required yard or setback areas."

6. Amend Article III, Division 1, Sec. 23-31, Table of Permitted uses by adding to the table a new District designated Research District (RE) to be placed between the Residential Districts and the Office Districts and assigning to it the following uses which, if not already listed, will be inserted in proper alphabetical order in paragraph (b) of Sec. 23-31:

"(a) Laboratories and other facilities for research in enclosed buildings, both basic and applied, conducted by or for any individual, organization, or concern, whether public or private.

(b) Offices

(c) Production of prototype products when limited to the quantity necessary for full investigation of the merits of a product; in no case shall any such product be produced on the premises primarily or customarily for sale of for use in production operations.

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- (d) Pilot plants in which processes planned for use in production elsewhere can be tested; in no case shall any product be produced on the premises in a pilot plant primarily or customarily for sale or for use in production operations.
- (e) Commercial uses in conjunction with principal uses in the Research District subject to regulations in Sec. 23-32.2"

7. Amend Article III, Division 2 by adding a new Sec. 23-32.2 as follows:

"Sec. 23-32.2 Commercial uses in Research District. Limited Commercial Uses may be established in conjunction with permitted uses in the Research District.

The following requirements shall apply in addition to any other applicable requirement of this ordinance.

- (a) Commercial uses shall be conducted primarily for the convenience of employees.
- (b) Public entry to Commercial facilities shall be from interior of building with no direct entrance from street or outside of building permitted.
- (c) No merchandise or merchandise display shall be visible from the outside of the building.
- (d) No outside storage or display of merchandise shall be permitted.
- (e) No business or Identification sign pertaining to commercial uses shall be visible from outside the building.
- (f) Permitted commercial uses shall be limited to the following: restaurants, snack bars and sundries shops."

8. Amend Article IV by adding a new Division 1A between Division 1 and Division 2 as follows:

" DIVISION 1A. Research District  
Sec. 23-42.2. All uses in Research District

All uses in the Research District shall be subject to the following requirements:

Minimum Lot Area: Four (4) Acres  
Minimum Lot Width: 400 Feet  
Minimum Side Yard: 50 Feet  
Minimum Setback: 150 feet plus an additional 1 foot for each acre in the tract to a maximum of 250 feet.

Maximum Height: 40 feet (except as provided in Sec. 23-46.4)  
Minimum Rear Yard: 50 feet  
Minimum Unobstructed Open Space: 70% of total tract area.

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Sec. 23-46.3. Off-Street Parking.

- (a) Parking areas shall be paved with dust-free, all weather surface, and shall be properly drained and landscaped.
- (b) No ground level parking of motor vehicles shall be permitted in the required setback or within 20 feet of any interior lot line in the Research District. The space within the required setback shall not be used as maneuvering space for the parking or unparking of vehicles, except that driveways providing ingress and egress to the parking area may be installed across the setback area. Above ground parking structures shall not be permitted within any required setback, side yard, or rear yard.
- (c) Underground parking structures shall be permitted within any required setback, side yard, or rear yard on any lot in the Research District, provided no portion of the underground structure extends above grade more than 5 feet at any point nor more than 4 feet for 75% of its length along any lot line. A balustrade, parapet or railing may extend above the permitted structure height provided it is not greater than 32 inches in height, is set back from the property line at least 3 feet and has openings equal to at least 30% of its surface along each side. Along any lot line abutting a street, grade shall mean the elevation at the centerline of the street and along any lot line not abutting a street, grade shall mean ground elevation at the property line. Such structures shall conform to any corner site distance requirements which may be in effect at the time the underground structure is built and the portion of the structure within the setback area shall be covered with a pedestrian deck.

Sec. 23-46.4. Modification of Maximum Building Height.

Principal buildings in the Research District may be erected to a height in excess of forty feet provided that minimum side and rear yards on all sides shall be increased by one foot for every two feet of building height in excess of forty feet.

Section 23-46.5. Outside Storage and Utility Lines.

- (a) Outside storage of any materials, supplies or products shall not be permitted in the Research District.
- (b) All utility districtuion lines shall be placed underground in the Research District.

Section 23-46.5. Performance Standards.

The following performance standards shall be applicable to uses within the Research District:

- (a) It is the intent of this sub-section to provide that research activities shall be established and maintained so that each permitted use shall be consonant to adjoining properties by the control of emission of noise, odor, glare, vibration, smoke, dust, gases, radiation, waste, etc. It is the further intent of this sub-section to

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state the conditions of construction and operation with which research uses will be expected to comply. In many cases the relation of a prospective use to all these performance standards cannot be judged properly at the time of building permit issuance. In such cases, the recipient of the building permit shall note these performances standards, like all other provisions of this ordinance, are continuing obligations and that all research uses will be expected to operate in compliance with these standards.

(b) The performance standards set forth in sub-paragraph E below, shall be complied with, and any use which fails to comply with these standards shall be in violation of this ordinance and be subject to penalties as accorded by the laws of the State of North Carolina for such violation. The Superintendent of Building Inspection of Charlotte, North Carolina shall have building plans reviewed and approved by the Director of Environmental Health Services of Mecklenburg County to determine compliance with the standards set forth in section 4 (e) 1, 2, 5-12 below.

(c) Each measurable standard shall be measured at the appropriate indicated location.

(d) The sum total of the effects of concurrent operations on two or more tracts or lots measured at any property line shall not be greater or more offensive to the senses than the standards contained herein. Compliance with the provisions of this sub-paragraph by single or mutual changes in operational levels, scheduling of operations and other adjustments is permitted.

(e) Noise shall be measured on any property line of the tract on which the operation is located. Noise shall be controlled so as not to become objectionable. At the property line the sound pressure levels of noise normally radiated from a facility shall not exceed those values indicated with the "C" level rank as defined in paragraph 8.3.4., page 119, in 5th edition of Handbook of Noise Measurement published by General Radio Company. Sound pressure levels shall be measured in conformance to specifications published by the American Standards Association.

TABLE 1

Maximum permissible Sound Pressure Levels of Normally Radiated Noise as Measured at Perimeter Property Line.

<u>Cycles per Second</u>	<u>Decibel Level</u>
20 - 75	71
75 - 150	57
150 - 300	49
300 - 600	44
1200 - 2400	40
2400 - 4800	37
4800 - 10000	33
	31

Controlled to avoid interference with animal experiments.

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While the data in Table 1 is to be considered as a general guideline, consideration must also be given to correction factors as also defined in paragraph 8.3.4. of the above noted Handbook of Noise Measurement.

- (f) Odors emanating from any activity shall not be discernable beyond the property line to such degree or of such characteristic as to be considered objectionable or irritating to humans or animals. For operations known to be malodorous, detailed control plans will be required prior to the issuance of a building permit. The evaluation and control plans will be required prior to the issuance of a building permit. The evaluation and control of odors shall be in general conformity with procedures described in the "Odors" Chapter of the latest published edition of Air Pollution Manual published by The American Industrial Hygiene Association.
- (g) Glare, whether direct or reflected, which may present a driving hazard or other optically hazardous condition, shall not be visible beyond any property line.
- (h) Any Lights used for exterior illumination shall direct light away from adjoining properties.
- (i) Vibration shall not be discernible beyond any property line to the human sense of feeling for three minutes or more duration in any one hour. At no time shall vibrations result in conditions in excess of the safe range of Table 7, U. S. Bureau of Mines Bulletin No. 422. The evaluation of vibration characteristics shall be in accordance with U. S. Bureau of Mines Bulletin No. 442 and the latest published edition of Handbook of Noise Measurement published by The General Radio Company.
- (j) The measurement of smoke shall be at the point of emission. The U. S. Bureau of Mines Ringleman Smoke Chart shall be used for this measurement. Smoke no darker nor more opaque than No. 2 on said chart may be emitted for brief periods not exceeding 3 minutes during any 60 minute period. These provisions apply to smoke of any color but with an equivalent apparent opacity.
- (k) The emission of dust or other particulate matter shall be controlled to a degree consistent with modern air cleaning capability. At no time shall it exceed a No. 1 on the Ringleman Chart noted above, nor shall it be of such a nature or quantity as to interfere with operations on nearby properties. Control methods described in the latest published edition of Industrial Ventilation published by the American Conference of Governmental Industrial Hygienists shall be considered as standards.
- (i) The emission of gases or fumes shall be controlled to a degree consistent with modern air cleaning capability. At no time shall bases or fumes be discharged into the atmosphere in such concentrations or of such a nature as to be toxic, corrosive or noxious to personnel, plants or animals, to interfere with operations on nearby property. "Standards for Ambient Air Quality, State of California" and the

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latest published edition of Air Pollution Manual published by the American Industrial Hygiene Association shall be guidelines for the control of gaseous emissions.

(m) All operations shall be carried on with reasonable precautions against fire and explosion hazards.

(n) All operations involving the use of radioactive materials or involving or causing the generation of ionizing radiation shall conform to the requirements of the U. S. Atomic Energy Commission and the regulations of the State of North Carolina.

(o) All operations involving the use of, or generation of, non-ionizing electromagnetic radiation, including but not limited to microwaves, R. F., Radar, Lasers, Etc., shall be controlled and operated in accordance with required practices of the U. S. Armed Forces for safe operation of such devices.

(p) Radioactive waste materials shall be handled in accordance with Atomic Energy Commission regulations. "

9. Amend Article V, Division 1, Section 23-62 by adding the following uses to the schedule of Off-Street Parking Requirements by adding the following uses to the list in their proper alphabetical order and assigning to them the given amount of required parking.

"Laboratories and other facilities for research-1.1 spaces for each employee on the shift of greatest employment.

Prototype products production - 1.1 spaces for each employee on the shift of greatest employment.

Pilot Plants - 1.1 spaces for each employee on the shift of greatest employment. "

Parking plan appraisal shall be required for each of the above uses by placing "X's" in the appropriate column of the schedule.

10. Amend Article VI, Division 2 by adding a new Sec. 23-80.1 as follows:

Sec. 23-80.1 Research District

(a) All signs on premises within the Research District shall be regulated as follows:

1. Type of signs permitted: Identification
2. Permitted number of signs: Identification-Attached  
One per building except on through lots or lots having frontage on three or more streets, in which case two signs per building shall be permitted. In the event more than

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one building is located on a lot, buildings permitted to have two signs shall be limited to those having both front and rear yards adjacent both streets.

## Identification-Detached

One per establishment except on through lots or lots having frontage on three or more streets, in which case two detached signs per establishment shall be permitted.

Maximum area of signs:

## Identification-Attached

Five percent of the area of the elevation of one exterior building wall facing a street, provided that any such sign may be at least 50 square feet and shall not exceed 200 square feet.

Permitted illumination:

Motionless, no flashing illumination lighted (lighted shall mean illuminated only by light cast upon the sign from a concealed light source.)

Permitted location:

Mounted on the building unless the sign does not exceed 50 square feet in area/which case it may be located anywhere on the property but not closer than 20 feet to a street line."

11. Amend Article VII, Division 3, Sec. 23-96, paragraph (d) by inserting between "10" and "11" in the listing contained therein, the following "10a. RE".

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 25th day of September, 1967, the reference having been made in Minute Book 49, at Page , and recorded in full in Ordinance Book 15, at Pages 102 through 108.

Ruth Armstrong  
City Clerk



















ORDINANCE NO. 707-X

AN ORDINANCE TO AMEND ORDINANCE NO. 655-X, THE 1967-78 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF A PORTION OF THE NON-TAX REVENUES IN THE GENERAL FUND UNAPPROPRIATED ACCOUNT.

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

Section 1. That \$75,000.00 of the 1967-68 General Fund Unappropriated Account - Non-Tax Revenues is hereby transferred to the appropriations made in the 1967-68 Budget Ordinance for General Fund - Capital Improvements - Mint Museum Addition, said amount then to be used in connection with the Mint Museum Addition.

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

APPROVED AS TO FORM:

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J. W. Kiser, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 25th day of September, 1967, the reference having been made in Minute Book 49, at Page , and recorded in full in Ordinance Book 15, at Page 118.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 708-X

AN ORDINANCE ORDERING THE REMOVAL OF AN ABANDONED MOTOR VEHICLE (s) LOCATED AT 727 EAST 17TH STREET PURSUANT TO THE ARTICLE 13 -1. 2 OF THE CODE OF CHARLOTTE AND CHAPTER 160-200 (43) OF THE GENERAL STATUTES OF NORTH CAROLINA.

WHEREAS, an abandoned motor vehicle (s) located at 727 East 17th Street, Charlotte, North Carolina, in the City of Charlotte, has been found by the Supervisor of the Community Improvement Division of the Building Inspection Department to be unsafe and to constitute a health hazard, and the owner(s) thereof has/have been ordered to remove said abandoned motor vehicle (s), all pursuant to the Article 13-1.2 of the Code of the City of Charlotte and Chapter 160-200 (43) of the General Statutes of North Carolina, and

WHEREAS, said owner(s) has/have failed to comply with said order served by registered mail on September 12, 1967; and,

WHEREAS, the City Council, upon consideration of the evidence, finds as a fact that the aforesaid vehicle(s) is unsafe and constitutes a health hazard;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Supervisor of the Community Improvement Division of the Building Inspection Department is hereby ordered to cause the removal of said abandoned motor vehicle (s) located at 727 East 17th Street, Charlotte, North Carolina, in the City of Charlotte, in accordance with Article 13-1.2 of the Code of the City of Charlotte and Chapter 160-200 (43) of the General Statutes of North Carolina.

APPROVED AS TO FORM:

J. W. Kiser, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 25th day of September, 1967, the reference having been made in Minute Book 49, Page , and recorded in full in Ordinance Book 15, at Page 119.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 709-X

AN ORDINANCE TO AMEND ORDINANCE NO. 655-X, THE 1967-68  
BUDGET ORDINANCE, ALLOCATING \$138,796.30 OF THE PROCEEDS  
OF THE SALE OF \$2,900,000 AIRPORT BOND ANTICIPATION NOTES.

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

Section 1. That \$138,796.30 of the proceeds of the sale of  
\$2,900,000 Airport Bond Anticipation Notes is hereby allocated to the  
Airport Fund - Capital Improvements (562.17), said amount then to be  
used for the construction of the Terminal Building entrance road.

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

APPROVED AS TO FORM:

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J. W. Kiser, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte,  
North Carolina, in meeting on the 25th day of September, 1967, the  
reference having been made in Minute Book 49, at Page , and  
recorded in full in Ordinance Book 15, at Page 120.

Ruth Armstrong  
City Clerk