

Petition #:

Petitioner: LDC Group

ORDINANCE NO.

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:

Section 6.207. Alterations to approval.
(Petition No. 2007-24, § 6.207, 04/16/07)

(1) Changes to an approved site plan.

Except as provided in subsection 6.207(2) below, changes to an approved petition or to the conditions attached to the approved petition shall be treated the same as amendments to these regulations or to the Zoning Maps and shall be processed in accordance with the procedures in this Chapter.

(2) Administrative amendment process.

(a) Application for an administrative amendment. Any request for an administrative amendment shall be pursuant to a written letter, signed by the property owner, to the Planning staff detailing the requested change. Upon request, the applicant must provide any additional information that is requested. Accompanying the letter shall be the applicable fee for administrative review.

(b) Authority to approve an administrative amendment. The Planning Director or designee shall have the delegated authority to approve an administrative amendment change to an approved site plan. The standard for approving or denying such a requested change shall be that the change does not significantly alter the site plan or its conditions and that the change does not have a significant impact upon abutting properties.

PART 2: CONDITIONAL ZONING DISTRICTS

Any changes that increase the intensity of the development are limited for nonresidential development to 10% of the approved requirement or 1,000 square feet, whichever is less. For residential development, increases in density are limited to 10% of the development or no more than 5 dwelling units, whichever is less.

Significant changes to an approved site plan that can not be considered through an administrative amendment include the following:

- (a) Increasing the number of buildings
- (b) Increasing the number of dwelling units more than five (5) units or 10% of the total approved, whichever is less.
- (c) Adding driveways to thoroughfares
- (d) Reducing parking spaces below the minimum standards
- (e) Reducing buffers or yards
- (f) Moving structures closer to adjacent properties in a residential district or when abutting a residential use except in cases where an existing buffer will not be disturbed and the amount of the buffer for the previously approved site plan will not be increased.
- (g) Reducing open space
- (h) Changing owner occupied units to rental if noted on the site plan
- (i) Increasing the mass of buildings.

The Planning Director or designee, however, shall always have the discretion to decline to exercise the delegated authority either because the designee is uncertain about approval of the change pursuant to the standard or because a rezoning petition for a public hearing and City Council consideration is deemed appropriate under the circumstances. If the Planning Director or designee declines to exercise this authority, then the applicant can only file a rezoning petition for a public hearing and Council decision.

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

Approved as to form:

City Attorney

I, _____ 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 _____ day of _____, 20____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 20__.
