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 AND RULES OF CONSTRUCTION

1. PART 2: DEFINITIONS

a. Section 2.201, "Definitions"

(1) Amend the definition of "Lots, types" to include a reserve frontage lot definition. The diagram would remain unchanged. The current definition reads as follows:

Lot, types.

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

Lot, types.

The diagram below illustrates terminology used in these regulations with reference to corner lots, interior lots, through lots, and reverse frontage lots. In the diagram, a corner lot (A) is defined as a lot located at the intersection of two (2) or more streets. A lot shall also be considered a corner lot, if it occupies the interior angle at the intersection of two streets, and such angle is less than 135 degrees. See lot marked A in the diagram. An interior lot (B) is defined as a lot other than a corner lot with only one frontage on a street. A through lot (C) is defined as a lot other than a corner lot with a frontage on more than one street. Through lots may be referred to as double frontage lots, or reverse frontage lots. A double frontage lot is a lot which runs through a block from street to street and which has two non-intersecting sides abutting on two or more streets, as lot (C). A reverse frontage lot is a through lot or double frontage lot, other than a corner lot, where the lots have direct vehicular access provided by an interior public or private street, and where direct vehicular access to the abutting federal or state highway, major or minor thoroughfare, or commercial arterial is prohibited. A block containing reverse frontage lots is composed of one tier of lots rather than the standards two tiers. Reverse frontage does not relate to the structure’s orientation to the street.

(2) Amend the definition of “Non-conforming vacant lots” to clarify which lots fall under the category for no conforming vacant lots. The current definition reads follows:

Nonconforming vacant lot.
Any lot which does not meet the minimum area width requirements established in these regulations or any amendment thereto.

The revised definition shall read as follows:

**Nonconforming vacant lot.**

Any lot, existing on the effective date of these regulations (January, 1992) which does not meet the minimum area or width requirements established in these regulations or any amendment thereto.

(3) Amend the definition of “common open space” by clarifying that “the area” may be a lot or a parcel of land. The current definition reads as follows:

**Common open space.** (Also, see Open space.)

An area of open space within a development site designed and intended for the use and enjoyment of residents of the development or for the general public, not including streets or off-street parking area.

The revised definition shall read as follows:

**Common open space.** (Also, see Open space.)

A lot or parcel of open space within a development site designed and intended for the use and enjoyment of residents of the development or for the general public, not including streets or off-street parking area.

**B. CHAPTER 7: NONCONFORMITIES**

1. **Section 7.105, “Nonconforming vacant lots”**

   a. Amend Section 7.105(1) to define which non-conforming vacant lots may be used for any of the uses permitted in the Zoning Ordinance. The current section reads as follows:

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

The revised section shall read as follows:

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

b. Amend Section 7.105(2) to allow combinations with more than one adjoining lot and remove the last sentence. Replace the word “after” with “before”, which was the original intent. The current section reads as follows:

(2) A nonconforming vacant lot shall not be used if it could be combined with an adjoining lot owned by the same person on or after the effective date of these regulations in order to create a single lot. If the combination results in the creation of a single lot that is more than one-and-one-half times the width and area required in the zoning district, then the single lot may be divided into two lots of equal width and area without being further classified as nonconforming.

The revised section shall read as follows:

(2) A nonconforming vacant lot shall not be used if it could be combined with adjoining lot(s) owned by the same person on or before the effective date of these regulations in order to create one or more conforming lots. When a single property owner owns two, and only two, existing adjoining non-conforming lots, and the combination would result in the creation of a single lot that is more than one-and-one-half times the width and area required in the zoning district, then the single lot may be divided into two lots of equal width and area without being further classified as nonconforming.

B. CHAPTER 9: GENERAL DISTRICTS

1. PART 2: SINGLE-FAMILY DISTRICTS
January 17, 2006
Ordinance Book 54, Page 98

a. Amend Section 9.201, by adding a sentence to clarify that any division of property into two or more new lots shall meet the density requirements of the underlying zoning district. The current section reads as follows:

Section 9.201. Single Family Districts established; purposes.

The R-3, R-4, R-5, R-6 and R-8 districts are hereby established to protect and promote the development of single family housing and a limited number of public and institutional uses. The standards for these districts are designed to maintain a suitable environment for family living at various densities to accommodate preferences for different housing types. The R-3 and R-4 districts are directed toward suburban single family living. The R-5, R-6 and R-8 districts address urban single family living. Densities of development are controlled by maximum number of units per acre requirements, which are different for each district and indicated by the numerical identification attached to each district.

The revised section shall read as follows:

Section 9.201. Single Family Districts established; purposes.

The R-3, R-4, R-5, R-6 and R-8 districts are hereby established to protect and promote the development of single family housing and a limited number of public and institutional uses. The standards for these districts are designed to maintain a suitable environment for family living at various densities to accommodate preferences for different housing types. The R-3 and R-4 districts are directed toward suburban single family living. The R-5, R-6 and R-8 districts address urban single family living. Densities of development are controlled by maximum number of units per acre requirements, which are different for each district and indicated by the numerical identification attached to each district. Any division of property into two or more lots must meet the density requirements of the underlying zoning district.

b. Amend Section 9.205, “Development standards for single family districts”, subsection (1) by clarifying footnote #1 by inserting it into subsection (1) and re-titling subsection (1). The current section reads as follows:


All uses and structures permitted in the R-3, R-4, R-5, R-6 and R-8 districts shall meet the applicable development standards established in this Section and all other requirements of these regulations:

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

<table>
<thead>
<tr>
<th>District</th>
<th>R-3</th>
<th>R-4</th>
<th>R-5</th>
<th>R-6</th>
<th>R-8</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5
January 17, 2006
Ordinance Book 54, Page 98A

(a) Maximum Residential Density (Dwelling units per acre)

<table>
<thead>
<tr>
<th>Density</th>
<th>3.0</th>
<th>4.0</th>
<th>5.0</th>
<th>6.0</th>
<th>8.0</th>
</tr>
</thead>
</table>

(b) Maximum floor area ratio for nonresidential buildings

<table>
<thead>
<tr>
<th>Floor Area Ratio</th>
<th>.50</th>
<th>.50</th>
<th>.50</th>
<th>.50</th>
<th>.50</th>
</tr>
</thead>
</table>

(c) Minimum lot area (square feet)

- Detached dwellings: 10,000* 8,000* 6,000 4,500 3,500
- Duplex dwellings: 16,000** 13,000** 10,000** 8,000** 6,500**
- Triplex dwellings: 9,500**
- Quadruplex dwellings: 11,500**
- Nonresidential buildings 12,000 12,000 12,000 12,000 12,000

(d) Minimum lot width (feet)

- Residential dwellings: 70 60 50 40 40
- Nonresidential buildings: 70 70 70 70 70

(e) Minimum setback (feet)

- Residential dwellings: 30 30 20 20 20
- Nonresidential buildings

(f) Minimum side yard (feet)

- Residential dwellings: 6 5 5 5 5
- Nonresidential buildings

(g) Minimum rear yard (feet)

- Residential dwellings: 45 40 35 30 20
- Nonresidential buildings

(h) Minimum open space (%)

- Residential dwellings: 65 65 65 60 50
- Nonresidential buildings

(i) Maximum height (feet)

- Residential dwellings: 40 40 40 40 40
- Nonresidential buildings

* Also, see Section 9.205(2)
** If land is sold with an attached dwelling, the minimum sub lot size must be sufficient to accommodate the dwelling unit and 400 square feet of private open space.

FOOTNOTES TO CHART 9.205(1):

1. The maximum residential density number, when multiplied by the number of acres in a lot, controls the allowable number of dwelling units permitted on a lot.
Density is calculated by multiplying the gross land area, minus any existing dedicated rights-of-way incorporated within the property, times the maximum density number established for the zoning district. For lots located on an existing publicly maintained street that does not have any record of right-of-way dedication, the density is calculated by multiplying the gross land area, minus the area within the maintained street (typically ditch to ditch) incorporated within the property, times the maximum density number for the zoning district. 

(Petition No. 2001-128, § 9.205(1.1), 11-19-01)

2. For residential subdivisions of 10 or more lots, the minimum lot size may be varied subject to the regulations of subsection (4) of this Section. For subdivisions of 5 acres or less, the requirements in subsection (2) of this Section shall apply.

3. For residential subdivisions of 10 or more lots, the minimum setback may be varied subject to the regulations of subsection (4) of this Section.

4. For subdivisions of 10 or more lots, minimum building separations or zero lot lines may be used in lieu of side yards specified, subject to the regulations of subsection (4) of this Section.

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

6. A building in any of the designated districts may be erected to a height in excess of 40 feet, provided the minimum side yard is increased 1 foot for every 2 feet of building height in excess of 40 feet. However, a building which abuts a residential use or zoning district may not be erected to a height in excess of 40 feet unless the side and/or rear yard abutting the residential use or zoning district is increased 1 foot for every foot of building height in excess of 40 feet. Height requirements for other permitted structures are set forth in Section 12.108.

The revised text shall read as follows:


All uses and structures permitted in the R-3, R-4, R-5, R-6 and R-8 districts shall meet the applicable development standards established in this Section and all other requirements of these regulations:

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

<table>
<thead>
<tr>
<th>District</th>
<th>R-3</th>
<th>R-4</th>
<th>R-5</th>
<th>R-6</th>
<th>R-8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density  (Dwelling units per acre)</td>
<td>3.0</td>
<td>4.0</td>
<td>5.0</td>
<td>6.0</td>
<td>8.0</td>
</tr>
</tbody>
</table>

(i) Density is the first standard. Density controls the total number of dwelling units allowed. Once density is
determined, lots must meet the requirements of subsection (1)(b) through (1)(i), except as provided in subsection (iii), below.

(ii) Density is calculated by multiplying the gross land area, minus any existing dedicated rights-of-way or established public street(s), incorporated within the property, times the maximum density number established for the zoning district. For lots located on an existing publicly maintained street that does not have any record of right-of-way dedication, the density is calculated by multiplying the gross land area, minus the area within the maintained street (typically ditch) incorporated within the property, times the maximum density number for the zoning district.

(iii) Existing lots of record as of the effective date of these regulations do not have to meet the density requirements if they are 1) a corner lot in the R-3, R-4, R-5, or R-6 zoning districts and are to be used for a duplex dwelling; or 2) an existing lot in the R-8 zoning district to be used for duplex, triplex, or quadraplex dwellings.

(iv) Legal, previously recorded single family lot(s) may be reestablished or reconfigured if the total number of lots or units is not increased and if the lots can meet all the development standards of the district in which they are located, with the exception of density. If the lots were legally combined, they may not be subdivided unless the density requirements are met.

(b) Maximum floor area ratio for nonresidential buildings

(c) Minimum lot area (square feet) 2
- Detached dwellings 10,000* 8,000* 6,000 4,500 3,500
- Duplex dwellings 16,000** 13,000** 10,000** 8,000** 6,500**
- Triplex dwellings 9,500**
- Quadraplex dwellings 11,500**
- Nonresidential buildings 12,000 12,000 12,000 12,000 12,000

(d) Minimum lot width (feet)
- Residential 70 60 50 40 40
- Nonresidential 70 70 70 70 70
buildings

<table>
<thead>
<tr>
<th></th>
<th>Minimum setback</th>
<th>Minimum side yard</th>
<th>Minimum rear yard</th>
<th>Minimum open space</th>
<th>Maximum height</th>
</tr>
</thead>
<tbody>
<tr>
<td>(e)</td>
<td>(feet) 3</td>
<td>(feet) 4</td>
<td>(feet)</td>
<td>(%)</td>
<td>(feet) 6</td>
</tr>
<tr>
<td>30</td>
<td>30</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>40</td>
<td>35</td>
<td>30</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>65</td>
<td>65</td>
<td>65</td>
<td>60</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td></td>
</tr>
</tbody>
</table>

* Also, see Section 9.205(2)

** If land is sold with an attached dwelling, the minimum sub lot size must be sufficient to accommodate the dwelling unit and 400 square feet of priv. open space.

---

FOOTNOTES TO CHART 9.205(1):

1. Reserved.

2. For residential subdivisions of 10 or more lots, the minimum lot size may be varied subject to the regulations of subsection (4) of this Section. For subdivisions of 5 acres or less, the requirements in subsection (2) of this Section shall apply.

3. For residential subdivisions of 10 or more lots, the minimum setback may be varied subject to the regulations of subsection (4) of this Section.

4. For subdivisions of 10 or more lots, minimum building separations or zero lot lines may be used in lieu of side yards specified, subject to the regulations of subsection (4) of this Section.

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

6. A building in any of the designated districts may be erected to a height in excess of 40 feet, provided the minimum side yard is increased 1 foot for every 2 feet of building height in excess of 40 feet. However, a building which abuts a residential use or zoning district may not be erected to a height in excess of 40 feet unless the side and/or rear yard abutting the residential use or zoning district is increased 1 foot for every foot of building height in excess of 40 feet. Height requirements for other permitted structures are set forth in Section 12.108.
PART 2: OFF-STREET PARKING AND LOADING

a) Amend Table 12.202, “Minimum Required Off-Street Parking Spaces by Use” adding a new subcategory under “Retail establishments”. The current parking requirements are:

<table>
<thead>
<tr>
<th>Category</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail establishments</td>
<td></td>
</tr>
<tr>
<td>Motion Picture Theatres</td>
<td>1 space per 5 seats</td>
</tr>
<tr>
<td>All Other retail establishments</td>
<td>1 space per 250 square feet</td>
</tr>
</tbody>
</table>

The revised parking requirements shall read as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail establishments</td>
<td></td>
</tr>
<tr>
<td>Motion Picture Theatres</td>
<td>1 space per 5 seats</td>
</tr>
<tr>
<td>Retail establishments over 100,000 square feet</td>
<td>1 space per 330 square feet</td>
</tr>
<tr>
<td>All Other retail establishments</td>
<td>1 space per 250 square feet</td>
</tr>
</tbody>
</table>

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

Approved as to form:

[Signature]

City Attorney

CERTIFICATION

, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBEY 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 January, 2006, the reference having been made in Minute Book 123, an recorded in full in Ordinance Book 54, Page(s) 94-98E.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of February, 2006.

[Signature]

Stephanie C. Kelly, CMC, Deputy City Clerk
ORDINANCE NO. 3178-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, R-4 and I-1 to MX-3.

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:

[Signature]
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 17th day of January, 2006, the reference having been made in Minute Book 123, recorded in full in Ordinance Book 54, Page(s) 99-100.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of May, 2006.

[Signature]
Stephanie C. Kelly, CMC, Deputy City Clerk
Petition #: 2005-129
Petitioner: Gandy Communities Inc.

Zoning Classification (Existing): R-3 (Single-family Residential, up to 3 dwelling units per acre) and I-1 (Light Industrial)

Zoning Classification (Requested): MX-3 (Mixed-Use Residential/Retail, Conditional)

Acreage & Location: Approximately 142 acres located northeast of the intersection of Hucks Rd. and Arthur Davis Rd.
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 UR-2(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:

[Signature]
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 17th day of January, 2006, the reference having been made in Minute Book 123, and recorded in full in Ordinance Book 54, Page(s) 101-102.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of February, 2006.

[Signature]
Stephanie C. Kelly, CMC, Deputy City Clerk
Petition #: 2005-140

Petitioner: The Boulevard 2000, LLC

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

Zoning Classification (Requested): UR-2 (CD)
(Urban Residential, Conditional)

Acreage & Location: Approximately 4.51 acres located west of N Wendover Rd and northeast of Wendwood Ln

WITHIN CHARLOTTE CITY LIMITS

Requested UR-2(CD) from R-
January 17, 2006
Ordinance Book 54, Page 103

Petition No. 2005-150
Petitioner: Mt. Holly Developer, LLC.

ORDINANCE NO. 3180-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 I-1 and R-3 to CC, B-2(CD) and MX-2.

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, in regular session convened on the 17th day of January, 2006, the reference having been made in Minute Book 123, and recorded in full in Ordinance Book 54, Page(s) 103-104.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of February, 2006.

Stephanie C. Kelly, CMC, Deputy City Clerk
Petition #: 2005-150

Petitioner: Mt Holly Developers, LLC

Zoning Classification (Existing): I-1 (Light Industrial) and R-3 (Single-family Residential, up to 3 dwelling units per acre)

Zoning Classification (Requested): CC (Commercial Center, Conditional) and B-2 (CD) (General Business, Conditional) and MX-2 (Mixed-Use Residential/Retail, Conditional)

Acreage & Location: Approximately 131.26 acres located north and east of Rhyne Rd and south of Mount Holly Rd.

Map Produced by the Charlotte-Mecklenburg Planning Commission 07-27-2005
ORDINANCE NO. 3181-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 I-2 to TOD-M 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, in regular session convened on the 17th day of January, 2006, the reference having been made in Minute Book 123, and recorded in full in Ordinance Book 54, Page(s) 105-106.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of February, 2006.
Petition #: 2005-155

Petitioner: Charlotte-Mecklenburg Planning Commission

Zoning Classification (Existing): I-2 (General Industrial)

Zoning Classification (Requested): TOD-M (Transit Oriented Development, Mixed Use)

Acreage & Location: Approximately 1.03 acres located south of Doggett St and west of Hawkins St

Map Produced by the Charlotte-Mecklenburg Planning Commission

Zoning Map #s 103, 110

WITHIN CHARLOTTE CITY LIMITS
PETITION NO. 2005-156

Petitioner: York Development Group, LLC.

ORDINANCE NO. 3182-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-l(CD) and B01(CD) to NS.

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 in regular session convened on the 17th day of January, 2006, the reference having been made in Minute Book 123, recorded in full in Ordinance Book 54, Page(s) 107-108.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of May, 2006.
Petition #: 2005-156

Petitioner: York Development Group, LLC

Zoning Classification (Existing): O-1 (CD) (Office, Conditional)
and B-1 (CD) (Neighborhood Business, Conditional)

Zoning Classification (Requested): NS (Neighborhood Services, Conditional)

Acreage & Location: Approximately 11.7 acres located east of Lancaster Hy and north of Providence Rd West
January 17, 2006
Ordinance Book 54, Page 109

Petition No. 2005-157
Petitioner: Zetas of Charlotte Benevolent Foundation.

ORDINANCE NO. 3183-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 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, in regular session convened on the 17th day of January, 2006, the reference having been made in Minute Book 123, and recorded in full in Ordinance Book 54, Page(s) 109-110.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of February, 2006.

Stephanie C. Kelly, CMC, Deputy City Clerk
Petition #: 2005-157

Petitioner: Zetas of Charlotte Benevolent Foundation

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

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

Acreage & Location: Approximately 2.26 acres located east of Beatties Ford Rd and south of Slater Ridge Dr.
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 UR-3(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:

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 17th day of January, 2006, the reference having been made in Minute Book 123, and recorded in full in Ordinance Book 54, Page(s) 111-112.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of February, 2006.

Stephanie C. Kelly, CMC, Deputy City Clerk
Petition #: 2005-160

Petitioner: Squirrel Investments, LLC

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

Zoning Classification (Requested): UR-3 (CD)
(Urban Residential, Conditional)

Acreage & Location: Approximately 0.231 acres located south of North Davidson St and east of E 37th St.
ORDINANCE NO. 3185-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-8 MF(CD) to UR-2(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, in regular session convened on the 17th day of January, 2006, the reference having been made in Minute Book 123, and recorded in full in Ordinance Book 54, Page(s) 113-114.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of February, 2006.
Petition #: 2005-161

Petitioner: Terry Birch

Zoning Classification (Existing): R-3 (Single-family Residential, up to 3 dwelling per acre) and R-8MF (CD) (Multi-family Residential, up to 8 units per acre, Conditional)

Zoning Classification (Requested): UR-2 (CD) (Urban Residential, Conditional)

Acreage & Location: Approximately 10.83 acres located east of Rea Rd and North of Pineville-Matthews Rd

Map Produced by the Charlotte-Meckenburg Planning Commission 09-16-2005
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 UR-2(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 17th day of January, 2006, the reference having been made in Minute Book 123, and recorded in full in Ordinance Book 54, Page(s) 115-116.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of May, 2006.
Petition #: 2005-162

Petitioner: Tuscan Development

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

Zoning Classification (Requested): UR-2 (CD)
(Urban Residential, Conditional)

Acreage & Location: Approximately 7.64 acres located south of Carmel Rd and west of Colony Rd.
Petition # 2005-163
Petitioner: Charlotte Mecklenburg Planning Commission
City of Charlotte

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

ORDINANCE NO. 3187

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 9: GENERAL DISTRICTS

1. PART 8.5: MIXED-USE DEVELOPMENT DISTRICT

a. Amend Section 9.8506 by amending subsection 9.8506(2)(c) to allow monument signs. Subsection (c) has also been reorganized. The current subsection (c) reads as follows:

(c) Signs, banners, flags and pennants. Where signs, banners, flags and pennants for identification or decoration are provided, they must conform to the requirements of Chapter 13, except for the following:

1. Specifications for permanent signs shall be according to Section 13.108a, except for signs located on any building wall of a structure shall have a maximum sign surface of all signs on one wall not to exceed 5% of building wall area to which the sign is attached up to a maximum of 100 square feet.

2. No permanent detached signs shall be permitted in MUDD.

The revised subsection 9.8506(c) shall read as follows:

(c) Signs, banners, flags and pennants. Where signs, banners, flags and pennants for identification or decoration are provided, they must conform to the requirements of Chapter 13, except for the following:
Specifications for permanent signs shall be according to Section 13.108a, with the following exceptions:

a. Signs located on any building wall of a structure shall have a maximum sign surface of all signs on one wall not to exceed 5% of building wall area to which the sign is attached up to a maximum of 100 square feet, and ground mounted or monument signs

b. Ground mounted or monument signs shall be permitted in MUDD as follows:

(1) Signs shall not exceed 5 feet in height and 20 square feet in area. A bonus of 4 square feet in size (20%) shall be permitted if the sign is lit 100% by neon light.

(2) Signs shall be located a minimum of 5 feet behind the proposed right-of-way and out of any sight distance triangle prescribed by the Charlotte Department of Transportation (CDOT).

(3) Signs shall be located behind the minimum setback.

Section 4. That this ordinance shall become effective upon its adoption.

Approved as to form:

[Signature]
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 17th day of January, 2006, the reference having been made in Minute Book 123, and recorded in full in Ordinance Book 54, Page(s) 117-119.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of February, 2006.

Stephanie C. Kelly, CMC, Deputy City Clerk
January 17, 2006
Ordinance Book 54, Page 120

Petition No. 2005-165
Petitioner: Solus Carnegie Charlotte, LLC

ORDINANCE NO. 3188-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-1 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:

[Signature]
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 17th day of January, 2006, the reference having been made in Minute Book 123, an recorded in full in Ordinance Book 54, Page(s) 120-121.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of February, 2006.

[Signature]
Stephanie C. Kelly, CMC, Deputy City Clerk
Petition #: 2005-165

Petitioner: Solus Carnegie Charlotte, LLC

Zoning Classification (Existing): O-1 (Office)

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

Acreage & Location: Approximately 5.01 acres located south of Carnegie Bv and west of Barclay Downs Dr.

Requested MUDD-O from O-1

Map Produced by the Charlotte-Mecklenburg Planning Commission 09-21-2005
January 17, 2006
Ordinance Book 54, Page 122

Petition #: 2005-166
Petitioner: Trinity Partners

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

ORDINANCE NO. 3189

BE IT ORDERED 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 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 2: OFF STREET PARKING AND LOADING

   a. Amend Section 12.206(1), “Location of required parking” by adding a new parking standard for sites with certain characteristics. The remaining subsections shall remain unchanged. The existing subsection reads as follows:

   Section 12.206. Location of required parking.

   (1) Required off-street parking spaces for any use shall be located no more than 400 feet from the use they are intended to serve. This standard does not apply to parking spaces for auditoriums, stadiums, assembly halls, gymnasiums and other places of assembly, industrial, wholesaling and manufacturing establishments, and hospitals. Development or redevelopment of a site with at least one of the characteristics described in subsection (a) below may be considered for a deviation from the 400 foot maximum spacing requirement up to no more than a 1200 foot separation subject to the following provisions.

   (a) The site must meet one or more of the following characteristics in order to be considered for deviation from the spacing requirement:
January 17, 2006
Ordinance Book 54, Page 123

(1) Feature unusual natural features that are being preserved, such as but not limited to, steep slopes, streams or environmentally sensitive areas, tree cluster areas and/or open spaces or landscape elements in excess of the required minimums; or

(2) Feature an unusual configuration; or

(3) Be located on a spacious and extensively landscaped setting such as those found in a research park; or

(4) Feature an existing facility that has undergone a change of use resulting in the application of the provisions of this Section 12.206(1) and the opportunity to utilize existing parking areas.

(b) For sites that feature at least one of the above characteristics, as determined by the Planning Director, specific site plans which propose deviations from the 400 foot maximum spacing requirement up to a 1200 foot separation may be permitted by the Planning Director, based upon the provision of at least two (2) of the following heightened pedestrian amenities:

(1) Pedestrian lighting,

(2) A well-defined pedestrian pathway system including sidewalks of no less than six-feet in width, or

(3) A circulatory bus system throughout the site.

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

Approved as to form:

[Signature]

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 17th day of January, 2006, the reference having been made in Minute Book 123, and recorded in full in Ordinance Book 54, Page(s) 122-123.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of February, 2006.

[Signature]  
Stephanie C. Kelly, CMC, Deputy City Clerk
January 17, 2006
Ordinance Book 54, Page 124

Petition No. 2005-168
Petitioner: Beacon Harris Ridge, LLC

ORDINANCE NO. 3190-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 I-1 and I-2 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

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 17th day of January, 2006, the reference having been made in Minute Book 123, an recorded in full in Ordinance Book 54, Page(s) 124-125.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of February, 2006.
Petition #: 2005-168

Petitioner: Beacon Harris Ridge, LLC

Zoning Classification (Existing): I-1 (Light Industrial) and I-2 (General Industrial)

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

Acreage & Location: Approximately 15.94 acres located north of Lakeview Rd and west of W W T Harris Bv.

Map Produced by the Charlotte-Meckenburg Planning Commission 09-26-2005