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

ORDINANCE NO. 5412

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. Amend Section 2.201, "Definitions" by adding a new definition for "building length" and "façade modulation" in alphabetical order, that reads as follows:

**Building Length.**

That dimension of a building extending between the established yards and/or established setbacks along a street.
**Facade Modulation.**

Variations in the plane of a building wall that break up the mass and bulk of a building. Façade modulation is calculated as the area created between the front building line and the recessed building façade.

B. CHAPTER 10: OVERLAY DISTRICTS

1. PART 8: PEDESTRIAN OVERLAY DISTRICT

a. Amend Section 10.812, "Development Standards", subsection (1), "Areas, yard and bulk regulations", Table 10.812(I) by adding a new row for "maximum residential density" to the table. All remaining sections and subsections remain unchanged. The revised subsection shall read as follows:
Table 10.812(1)

<table>
<thead>
<tr>
<th>Minimum Lot Area</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Floor Area Ratio (FAR)</td>
<td>None</td>
</tr>
<tr>
<td>Maximum Residential Density</td>
<td>None</td>
</tr>
<tr>
<td>Minimum Setback (feet)(^{1,5})</td>
<td>Varies</td>
</tr>
<tr>
<td>Minimum Side Yard (feet)</td>
<td></td>
</tr>
<tr>
<td>- Abutting residential use or zoning</td>
<td>5 feet</td>
</tr>
<tr>
<td>- All other conditions</td>
<td>None</td>
</tr>
<tr>
<td>Minimum Rear Yard (feet)</td>
<td></td>
</tr>
<tr>
<td>- Abutting residential use or zoning</td>
<td>20 feet</td>
</tr>
<tr>
<td>- All other conditions</td>
<td>5 feet</td>
</tr>
<tr>
<td>Base Height</td>
<td>40 feet</td>
</tr>
<tr>
<td>Maximum Height (feet)(^{7,9})</td>
<td>100 feet</td>
</tr>
</tbody>
</table>

b. Amend Section 10.812, “Development Standards”, subsection (2), “Parking standards”, by modifying table 10.812(3), “Number of Parking Spaces” to add new regulations for multi-family units located in the Midtown, Morehead, Cherry Pedestrian Overlay District and the East Boulevard Pedestrian Overlay District. The revised table shall read as follows:

Table 10.812(3) Number of Parking Spaces

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum/Maximum Number of Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Hotels and motels</strong></td>
<td>Minimum 0.5 spaces per room</td>
</tr>
<tr>
<td><strong>Religious institutions</strong></td>
<td>Maximum One (1) space per 8 seats</td>
</tr>
<tr>
<td><strong>Residential</strong></td>
<td>Minimum One (1) space per dwelling unit, except in the Midtown, Morehead, Cherry Pedestrian Overlay District and the East Boulevard Pedestrian Overlay District: Minimum 1.25 spaces per dwelling unit for multi-family units. Minimum .25 spaces per unit for Multi-Family Elderly or Disabled</td>
</tr>
<tr>
<td><strong>Restaurants/Nightclubs</strong></td>
<td>Minimum One (1) space per 125 square feet</td>
</tr>
<tr>
<td><strong>All Other Non-Residential Uses</strong></td>
<td>Minimum One (1) space per 600 square feet</td>
</tr>
</tbody>
</table>

c. Amend Section 10.813, “Urban Design Standards”, by adding a new subsection (2), titled “Supplemental Design Standards for the Midtown, Morehead, Cherry Pedestrian Overlay District and the East Boulevard Pedestrian Overlay District”, with new supplemental design standards for development within these specific zoning districts. The new subsection shall read as follows:
Supplemental Design Standards for the Midtown, Morehead, Cherry Pedestrian Overlay District and the East Boulevard Pedestrian Overlay District.

All new buildings and uses located within these boundaries of the Midtown, Morehead, Cherry Pedestrian Overlay District and the East Boulevard Pedestrian Overlay District shall be subject to the requirements of Section 10.813(1) plus the following minimum standards:

(a) Large scale building facades where the total building length is greater than two-hundred fifty (250) feet shall include one or more of the following features to achieve pedestrian scale and break down the building mass and bulk:

1. **Facade Modulation** is intended to create variations in the façade to break up large building masses. The minimum amount of façade modulation shall be 5 square feet per each linear foot of building length fronting a street. Each modulation shall be open to the sky with a minimum width of 10 feet and minimum depth of 10 feet, as measured from the front building line. This calculated amount of modulation may be distributed along the building length within multiple modulations. Modulations shall occur at intervals no greater than 200' in length.
1. **Building Mass Separation** is intended to break up long, continuous building walls and create the appearance of multiple buildings. Building mass separation shall be provided at a depth of at least 25 feet from the front building line and a width of at least 25 feet, open to the sky, for at least every 200 feet of total building length fronting a street.

2. **Architectural Variation** is intended to create the appearance of smaller, attached buildings to reduce the apparent size of a building. The Planning Director, or his or her authorized designee, shall have the authority to approve an alternative design that incorporates architectural variations along public rights-of-way. The alternative design shall utilize a combination of the following, at increments no greater than 100', to break up the building mass: varied roof pitches, building heights, architectural styles, window arrangement and size variations, external building material changes, offset wall planes.

(b) All buildings over five stories shall be designed with an architectural base distinguishable from the remainder of the building to enhance the pedestrian environment. The base shall not be more than two stories in height and shall utilize a combination of the following: cornices, belt courses, molding, stringcourses, ornamentation, changes in color and material, or other sculpting of the base.
June 16, 2014
Ordinance Book 58, Page 771

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

Approved as to form:

[Signature]
City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 16th day of June, 2014, the reference having been made in Minute Book 136, and recorded in full in Ordinance Book 58, Page(s) 766-771.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 16th day of June, 2014.

[Signature]
Stephanie C. Kelly, MMC NCCMC/City Clerk

[Seal]
Pages 772-781

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June 16, 2014
Ordinance Book 58, Page 782

Petition No.: 2013-102
Petitioner: City of Charlotte

ORDINANCE NO. 5413-Z

APPROVED BY
CITY COUNCIL

JUN 16 2014

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 and MUDD-O to TOD-MO (Transit Oriented Development, Mixed-Use Optional) and MUDD-O S.P.A. (Mixed Use Development, Optional, Site Plan Amendment).

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, 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 16th day of June, 2014, the reference having been made in Minute Book 136, and recorded in full in Ordinance Book 58, Page(s) 782-783.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 16th day of June, 2014.

[Signature]
Stephanie C. Kelly, MMC NCCMO City Clerk
Petition #: 2013-102
Petitioner: Wajahat & Ferah Syed

Zoning Classification (Existing): MUDD-O & R-5
(Mixed Use Development District, Optional and Single Family, Residential)

Zoning Classification (Requested): MUDD-O S.P.A. & TOD-MO
(Mixed Use Development District, Optional, Site Plan Amendment and Transit Oriented Development, Mixed Use, Optional)

Acreage & Location: Approximately 0.40 acres located on the south side of North Davidson Street between East 33rd Street and East 35th Street.
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 NS (Neighborhood Services) to NS S.P.A. (Neighborhood Services, Site Plan Amendment).

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, 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 16th day of June, 2014, the reference having been made in Minute Book 136, and recorded in full in Ordinance Book 58, Page(s) 784-785.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 16th day of June, 2014.

[Signature]
Stephanie C. Kelly, MMC NCCMC City Clerk
Petition #: 2014-033
Petitioner: Colony At Piper Glen, LLC

Zoning Classification (Existing): NS
(Neighborhood Services)

Zoning Classification (Requested): NS (S.P.A.)
(Neighborhood Services, Site Plan Amendment)

Acreage & Location: Approximately 1.72 acres located on the east side of Rea Road between Piper Station Drive and Ballantyne Commons Parkway.
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-2 (General Industrial) to MUDD(CD) (Mixed Use Development, Conditional).

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.

CERTIFICATION

I, Stephanie C. Kelly, 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 16th day of June, 2014, the reference having been made in Minute Book 136, and recorded in full in Ordinance Book 58, Page(s) 786-787.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 16th day of June, 2014.

Stephanie C. Kelly, MMC NCCMC City Clerk
Petition #: 2014-034
Petitioner: Mason Kazel

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

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

Acreage & Location: Approximately 0.61 acres located on the east side of Selge Avenue between East 10th Street and Otts Street across from Green Trail Lane.
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(CD) and R-5 to NS (Neighborhood Services).

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, 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 16th day of June, 2014, the reference having been made in Minute Book 136, and recorded in full in Ordinance Book 58, Page(s) 788-789.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 16th day of June, 2014.

[Signature]
Stephanie C. Kelly, MMC NCCMC City Clerk
Petition #: 2014-036
Petitioner: City of Charlotte

Zoning Classification (Existing): O-1(CD) and R-5
(Office, Conditional and Single Family, Residential)

Zoning Classification (Requested): NS
(Neighborhood Services)

Acreage & Location: Approximately 5.13 acres located on the north side of West Boulevard and generally surrounded by Old Steele Creek Road, Elm Street, Walter Street, and West Boulevard.
ORDINANCE NO. 5417

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 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 5: SPECIAL REQUIREMENT FOR CERTAIN USES

a. Amend Table 12.540-1, “Outdoor Recreation Screening and Buffering Requirements” by clarifying the buffer and/or separation distance requirements in the table and specifying how the separation distance is measured in a new footnote #4. In addition, add a reference to Section 12.303. The revised table shall read as follows:

<table>
<thead>
<tr>
<th>OUTDOOR RECREATIONAL USES THAT ARE PART OF A PLANNED DEVELOPMENT</th>
<th>OUTDOOR RECREATIONAL USES THAT ARE NOT PART OF A PLANNED DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where Abutting A Lot In The Same Planned Development</td>
<td>Where Abutting A Residentially Zoned Or Used Lot That Is Not Part Of A Planned Development</td>
</tr>
<tr>
<td>Where Abutting A Lot That Is Residentially Zoned Or Used</td>
<td></td>
</tr>
<tr>
<td>Buffer and/or separation distance¹ from lots in the same planned development</td>
<td>Buffer and/or separation distance¹ from lots outside the planned development that are residentially zoned or used</td>
</tr>
<tr>
<td>Buffer and/or separation distance¹ from residentially zoned or used properties</td>
<td></td>
</tr>
</tbody>
</table>

Recreational Facilities¹  | 20’ separation | 100’ separation and a Class C Buffer (see 12.302) | 100’ separation and a Class C Buffer (see 12.302) |
Parking Areas            | 5’ Parking Lot Screen (see 12.211 and 12.303) | Class C Buffer (see 12.302) | Class C Buffer (see 12.302) |
Service Areas and Facilities¹ | Class C Buffer (see 12.302) | 100’ separation and a Class C Buffer (see 12.302) | 100’ separation and a Class C Buffer (see 12.302) |
Golf Courses¹            | 20’ separation | Class C Buffer (see 12.302) | Class C Buffer (see 12.302) |

¹ Recreational facilities include pools, tennis courts, baseball fields, soccer fields, picnic shelters, clubhouses, pro shops, exercise or fitness centers, snack bars, as well as other principal and accessory uses intended primarily for the use of patrons.
Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 16th day of June, 2014, the reference having been made in Minute Book 136, and recorded in full in Ordinance Book 58, Page(s) 790-791.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 16th day of June, 2014.

Stephanie C. Kelly, MMC NCCMG City Clerk