Petition No. 2004-064
Petitioner: Chidress Klein Properties, LLC

ORDINANCE NO. 2762-2

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 CC, R-17MF(CD), R-3(CD) and R-3 to CC.

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 18th day of October, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 90-91.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of January, 2005.

Brenda R. Freeze, CMC, City Clerk
Petition #: 2004-064
Petitioner: Childress Klein Properties, Inc.

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

Zoning Classification (Requested): 
- CC (Commercial Center, Conditional)
- and CC S.P.A. (Commercial Center, Conditional, Site Plan Amendment)

Acreage & Location: Approximately 86 acres located southeast of the intersection of York Rd. and Steele Creek Road.

Zoning Map #s: 154, 171

Map Produced by the Charlotte-Mecklenburg Planning Commission
08-23-2004
ORDINANCE NO. 2763-7

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 CC to CC.

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 18th day of October, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Pages 92-93.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of January, 2005.

Brenda R. Freeze, CMC, City Clerk
Petition #: 2004-074

Petitioner: RealtiCorp/Cambridge Properties

Zoning Classification (Existing): CC (Commercial Center, Conditional)

Zoning Classification (Requested): CC S.P.A. (Commercial Center, Conditional, Site Plan Amendment)

Acreage & Location: Approximately 27.5 acres located west of the intersection of North Tryon Street (US Hwy 29) and Mallard Creek Church Road

Zoning Map #s: 54, 57

Map Produced by the Charlotte-Meckenburg Planning Commission 04-28-2004

Requested CC S.P.A. from CC...
ORDINANCE NO. 2764-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 MX-1.

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, 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 18th day of October, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 94-95.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of January, 2005.

[Signature]
Brenda R. Freeze, CMC, City Clerk
Petition #: 2004-076

Petitioner: KS, Inc., LLC

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

Zoning Classification (Requested): MX-1
(Mixed-Use Residential, Conditional)

Acreage & Location: Approximately 11.2 acres located south of the intersection of
Park South Drive and Sulkirk Road

Zoning Map(s) 147

Requested MX-1 from R-3

Map Produced by the
Charlotte-Mecklenburg Planning Commission
10-20-2004
Petition No. 2004-084
Petitioner: Cynenza Hoyos

ORDINANCE NO. 2765-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-17MF to O-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 18th day of October, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 96-97.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of January, 2005.

Brenda R. Freeze, CMC, City Clerk
Petition #: 2004-084
Petitioner: Camenza Hoyos

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

Zoning Classification (Requested): O-1(CD)
(Office, Conditional)

Acreage & Location: Approximately .74 acres located east of Eastway Drive south of Shamrock Drive

Zoning Map #s: 90, 100

Map Produced by the Charlotte-Mecklenburg Planning Commission 06-11-2004
CITY ZONE CHANGE

Petition No. 2004-086
Petitioner: Charlotte-Mecklenburg Planning Commission

ORDINANCE NO. 2766-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 R-22MF to R-8 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 18th day of October, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 98-99.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of January, 2005.

Brenda R. Freeze, CMC, City Clerk
Petition #: 2004-086

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
(Multi-family Residential, up to 8 units per acre)

Acreage & Location: Approximately 1.9 acres located east of Eastway Drive south of Bentley Place.
Ordinance Book 53, Page 100

October 18, 2004
Petition No. 2004-088
Petitioner: Knotts Development Resources, Inc.

ORDINANCE NO. 2767-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 MX-1.

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 18th day of October, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 100-101.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.

Brenda R. Freeze, CMC, City Clerk
Petition #: 2004-088
Petitioner: Knotts Development Resources, Inc
Zoning Classification (Existing): R-3
(Single-family Residential, up to 3 dwelling units per acre)
Zoning Classification (Requested): MX-1
(Mixed-Use Residential, Conditional)
Acreage & Location: Approximately 38.98 acres located south of Plaza Road west of Plott Road

Zoning Map #s 76, 91
Map Produced by the Charlotte-Meckenburg Planning Commission 06-11-2004
Petition No. 2004-089
Petitioner: Donald Henderson

ORDINANCE NO. 2768-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 R-4(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 18th day of October, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 102-103.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of October, 2005.

Brenda R. Freeze, CMC, City Clerk
Petition #: 2004-089
Petitioner: Donald Henderson

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

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

Acreage & Location: Approximately 9.86 acres located north of Highland Creek Parkway across from Whistlers Chase Dr.

October 18, 2004
Ordinance Book 53, Page 103

Zoning Map #s: 28, 39
Map Produced by the Charlotte-Mecklenburg Planning Commission 06-11-2004
ORDINANCE NO. 2769-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(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, 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 18th day of October, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 104-105.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.

Brenda R. Freeze, CMC, City Clerk
Petition #: 2004-090

Petitioner: Primax Properties, LLC

Zoning Classification (Existing): O-1(CD) (Office, Conditional)

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

Acreage & Location: Approximately 12.5 acres located on the southeast corner of Rocky River Road and W.T. Harris Blvd

Requested NS from O-1(CD)

Zoning Map #s: 76

Map Produced by the Charlotte-Mecklenburg Planning Commission 06-11-2004
ORDINANCE NO. 2770-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 CC to CC.

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 18th day of October, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 106-107.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.

Brenda R. Freeze, CMC, City Clerk
Petition #: 2004-091
Petitioner: Suisse Investors LLC

Zoning Classification (Existing): CC
(Commercial Center, Conditional)

Zoning Classification (Requested): CC S.P.A.
(Commercial Center, Site Plan Amendment, Conditional)

Acreage & Location: Approximately 42.2 acres located on the south of Albemarle Road across from Hollirose Drive
Petition No. 2004-092
Petitioner: Charlotte-Mecklenburg Housing Partnership, Inc.

ORDINANCE NO. 2771-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-15MF(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, 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 18th day of October, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 108-109.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.

Brenda R. Freeze, CMC, City Clerk
Petition #: 2004-092

Petitioner: The Charlotte-Mecklenburg Housing Partnership Inc.

Zoning Classification (Existing): R-15MF(CD) (Multi-family Residential, up to 15 dwelling units per acre, Conditional)

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

Acreage & Location: Approximately 9.836 acres located south of Old Pineville Road north of East Arrowood Road

Requested UR-2(CD) from R-15MF(CD)
AN ORDINANCE AMENDING APPENDIX A OF THE CITY CODE – ZONING ORDINANCE

ORDINANCE NO. 2772

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 12: TRANSIT ORIENTED DEVELOPMENT DISTRICTS

a. Amend Section 9.1203. “Rezoning to a TOD Zoning District” by changing the last sentence to allow rezoning of property in a rapid transit station area identified by CATS, rather than after a transit station area plan is approved.

The current text reads as follows:

Section 9.1203 Rezoning to a TOD Zoning District.

As per Section 6.103(1), any amendment for the reclassification of property to a TOD zoning district may be initiated by the City Council, the Planning Commission on its own motion, by any owner with a legal interest in the property, by anyone authorized in writing to act on the owner’s behalf, or by any non-owner in accordance with the procedures set forth in Chapter 6. However, the property must be located within an approved transit station area plan or be located adjacent to TOD zoned property.
The new section shall read as follows:

**Section 9.1203 Rezoning to a TOD Zoning District.**

As per Section 6.103(1), any amendment for the reclassification of property to a TOD zoning district may be initiated by the City Council, the Planning Commission on its own motion, by any owner with a legal interest in the property, by anyone authorized in writing to act on the owner’s behalf, or by any non-owner in accordance with the procedures set forth in Chapter 6. However, the property must be located within 1/2 mile of a rapid transit station that is included in a project for which the Federal Transit Administration (FTA), has issued a Record of Decision or be located adjacent to TOD zoned property.

b. Amend Section 9.1208(3), “Maximum height”, by revising the entire paragraph for clarity. The current text reads as follows:

(3) **Maximum height**

The base height for all TOD districts shall be 40 feet. The building may increase one foot in height over 40 feet, for every 10 feet in distance from the property line of the nearest site zoned for single-family residential purposes except for property zoned TOD-R, TOD-E, TOD-M, TOD-RO, TOD-EO, TOD-MO. The maximum height shall be 120’. The intent of this standard is to allow the height of a portion of a structure to increase as the distance measured from the closest edge of the TOD property to the nearest single-family zoning district.

The following text will replace the existing text:

(3) **Maximum height**

The permitted maximum height shall be determined by the distance of the structure to the boundary line of the nearest single-family residential districts (R-3, R-4, R-5, R-6, and R-8). This distance shall be the shortest measurable distance between the building footprint edges and nearby single-family residential district boundaries.

The base height for all TOD districts shall be 40 feet. Height increases for portions of the building that are a further distance from single-family residential zoning districts, are allowed at a rate of one additional foot of height for every 10 feet of additional distance the portion of the building is from the edges of nearby single-family zoning districts. The intent of this standard is to allow the
height of a portion of a structure to increase the further away it is from nearby single-family residential zoning districts, resulting in a building with varying heights. The maximum height shall be 120 feet.

c. Amend Section 9.1209(6), “Canopies” by replacing the word “sidewalk” with “setback”, in the third sentence. The current text reads as follows:

(6) Canopies.

Canopies, awnings, cornices and similar architectural accents are permitted on exterior building walls. Such features shall be constructed of rigid or flexible material designed to complement the streetscape of the area. Any such feature may extend from the building up to one-half of the width of the setback area in front of the building or 9', whichever is less, and may not be closer than 2' to the back of the curb. In no instance shall such features extend over, or interfere with the growth or maintenance of any required tree plantings. Minimum overhead clearance shall be 8'. Ground supports for these features are not permitted in the minimum setback, sidewalk or in the public right-of-way. If a canopy, awning, cornice, or other appurtenance extends into the public right-of-way, an encroachment agreement from CDOT or the State shall be required.

The revised text shall read as follows:

(6) Canopies.

Canopies, awnings, cornices and similar architectural accents are permitted on exterior building walls. Such features shall be constructed of rigid or flexible material designed to complement the streetscape of the area. Any such feature may extend from the building up to one-half of the width of the setback area in front of the building or 9', whichever is less, and may not be closer than 2' to the back of the curb. In no instance shall such features extend over, or interfere with the growth or maintenance of any required tree plantings. Minimum overhead clearance shall be 8'. Ground supports for these features are not permitted in the minimum setback, sidewalk or in the public right-of-way. If a canopy, awning, cornice, or other appurtenance extends into the public right-of-way, an encroachment agreement from CDOT or the State shall be required.
Section 4. That this ordinance shall become effective upon its adoption.

Approved as to form:

[Signature]

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 18th day of October, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 110-111C.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.

[Brenda R. Freeze]

Brenda R. Freeze, CMC, City Clerk
AN ORDINANCE AMENDING APPENDIX A OF THE CITY CODE – ZONING ORDINANCE

ORDINANCE NO. 2773

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. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION.

A. PART 2: DEFINITIONS, Section 2.201, Definitions.

Add the following definition in alphabetical order:

**Short-Term Care Facility.**

A not-for-profit organization providing a 24-hour, safe, structured, and monitored environment for up to 8 individuals who need short-term convalescent care services. Services may include any of the following: accommodations with full restroom facilities, meals, secure storage and/or refrigeration for medications, medical observation, nursing care, and/or supervision. A short-term care facility may be an accessory use to an institutional use, however, short-term care provided as part of a hospital or other medical facility is not included in this definition.

2. CHAPTER 9: GENERAL DISTRICTS.

3. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY.

A. PART 5: SPECIAL REQUIREMENT FOR CERTAIN USES.

Replace Section 12.522 (RESERVED) with the following:

Section 12.522. Short-Term Care Facility.

Short-term care facilities are permitted in the Institutional, O-1, O-2, O-3, B-2, MUDD, UMUD, TOD-E, TOD-M, U-I, and I-I zoning districts, subject to the standards of the individual district in addition to the following requirements. If any conflict should occur between the standards of the individual district and the following requirements, the following shall apply.

(1) Operation:

(a) Adequate on-site management shall be provided on a twenty-four hour basis. This includes having staff (employees or volunteers) on the premises twenty-four hours a day. The staff must be accessible to residents, law enforcement personnel, and any other individuals who need to establish communication upon or about the premises. Adequate on-site management also requires that the staff have the authority to exercise control over the premises to ensure that the use of the premises does not result in littering, nuisance activities, noise, or other activities that interfere with the peaceful enjoyment and use of surrounding properties.

(b) Cleaning services and utilities shall be provided.

(2) Minimum Requirements:

Short-term care facilities shall provide full restroom facilities, common dining areas, and secure storage or refrigerators for medications.

(3) Minimum Bedroom Size:

A bedroom of the following size shall be provided per individual. Bedrooms shall be a minimum of eighty (80) square feet for the first occupant. If more than one occupant is assigned per bedroom, then an additional minimum of fifty (50) square feet shall be provided for each additional occupant.
(4) **Minimum Common Space:**

The building shall contain not less than two hundred and fifty (250) square feet of common open space such as living rooms, common dining areas, or other congregate living space. Bathrooms, laundries, hallways, vending areas, and kitchens shall not be counted as common space.

(5) **Off-Street Parking Requirements:**

A minimum of two parking spaces is required, plus one parking space per each employee/volunteer over two in number.

(6) **Referral of Individuals and Length of Stay:**

Only individuals requiring short-term convalescent care services and referred by hospitals and emergency rooms shall be allowed. Individuals shall stay no longer than 10 days following a hospital/emergency room discharge.

(7) **Signs:** Any signage that identifies the use shall not exceed 4 square feet in size, and shall not be illuminated. One identification sign is permitted per street front.

(8) **Buffers:** All buildings and off-street parking and service areas shall be separated by a Class C buffer from any abutting property zoned or used for residential purposes, except for those districts where buffers are not required.
Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

[Signature]
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 18th day of October, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 112-113C.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.

[Signature]
Brenda R. Freeze, CMC, City Clerk