

Petition #: 2005-166
Petitioner: Trinity Partners

Approved by City Council
January 17, 2006

ORDINANCE NO. _____ **AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE-ZONING ORDINANCE**

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.

The revised subsection shall read 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:

- (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:

City Attorney

I, _____, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of January 2006, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page(s) _____.

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