

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

ORDINANCE NO.

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 by adding the following new definition in alphabetical order:

Building Envelope.

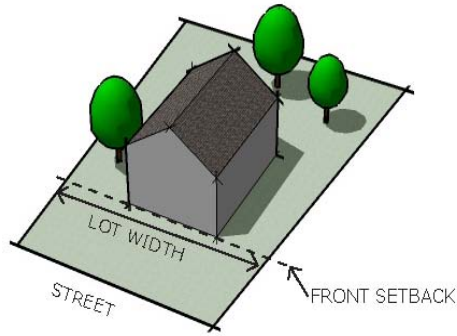
A three-dimensional area on a lot that remains for placing a structure on a site after setbacks, yard, height, and bulk regulations are observed.

- b. Amend the definition of "Lot width", subsection (3) by clarifying that the coving regulation can only be used on lots created along new streets. The revised definition shall read as follows:

Lot width.

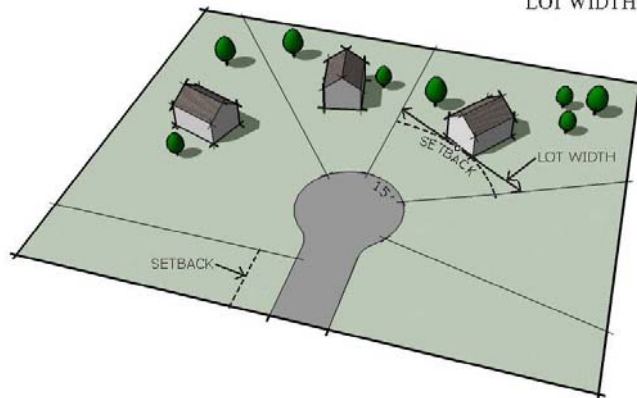
- 1 The distance between the side lot lines measured along the setback line as established by this ordinance (see Diagram A);
or

LOT WIDTH: DIAGRAM A

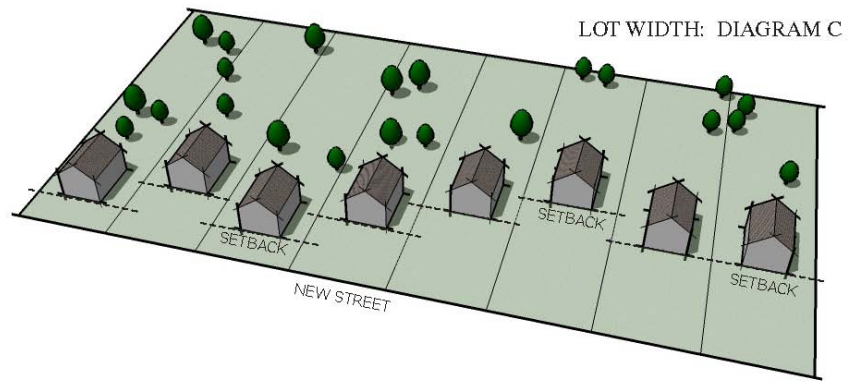


- 2 The distance between the side lot lines measured along a setback line shown on a duly recorded plat when that line is greater than the setback required by this ordinance along the turnaround portion of a cul-de-sac street and the minimum lot frontage at the right-of-way shall be no less than 15 feet (see Diagram B); or

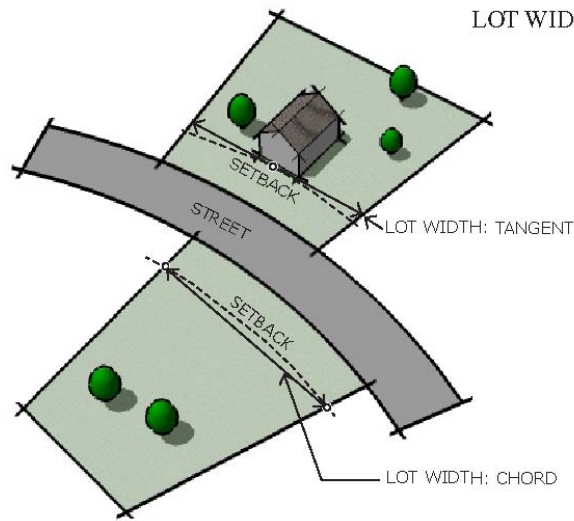
LOT WIDTH: DIAGRAM B



3. On residential lots created along new streets, other than those along the turnaround portion of a cul-de-sac, the distance between the side lot lines measured along a setback line shown on a duly recorded plat when that line is greater than the minimum setback required by this ordinance. Such increased setback shall be no greater than 30 feet more than the setback of the lots abutting on either side if such lots front the same street and the minimum lot frontage at the right-of-way shall be no less than 30 feet. When the lot width is measured at a point farther from the right-of-way than the minimum required setback for the zoning district, the required parking may not be located greater than 10 feet from the principal structure unless parking is provided from the rear of the lot (see diagram C and C2).



4. On lots located on the outside curve of a street, the lot width shall be measured along a line tangent to the midpoint of the setback projected to the side lot lines. On lots located on the inside curve of a street, the lot width shall be measured along the chord of the setback arc where it intersects the side lot lines (see Diagram D). (*Petition No. 2003-123 §2.201*), 1/20/04



B. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 1: SUPPLEMENTAL DEVELOPMENT STANDARDS

- a. Amend Section 12.102, “Special lot, setback and yard requirements”, by changing the title to include reference to the minimum building envelope. Also amend the first paragraph to include reference to the building envelope. The items numbered (1) through (9) remain unchanged. The revised title and first paragraph shall read as follows:

Section 12.102. Special lot, setback, yard, and building envelope requirements.

The following are various lot setback, yard, and building envelope requirements to address unique land use circumstances and provide development flexibility:

- b. Amend Section 12.102 by adding a new subsection (10) that describes the requirements for a minimum building envelope. The new subsection shall read as follows:

(10) All residential lots shall have a building envelope sufficient to meet the requirements of the Minimum Housing Code.

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

Approved as to form:

City Attorney

I, _____, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20TH day of November, 2006, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book 2006, Page(s)_____.

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