

Petition No. 2010-079
Petitioner: Charlotte-Mecklenburg Planning Commission

**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 modifying the current definition for “Public utility structure” to include “public-private partnership” utility structures. The new definition shall read as follows:

Public utility structure.

An electricity or gas substation, water or wastewater pumping station, telephone repeater station, water storage tank, reservoir, recycling collection center, cellular and telephone transmission facilities, or similar structure used as an intermediary switching, boosting, distribution, or transfer station for electricity water, wastewater, cable television, or telephone services between the point of generation and the end user, or a wastewater treatment plant, but not including satellite dish antennas, facilities for the handling of solid waste (except for recycling collection centers), or radio, television, or microwave transmission or relay towers. Such utility structures shall either be publicly owned, or owned by a public-private partnership.

- b. Amend Section 2.201 by adding a new definition for “eco-industrial facilities”. The definition shall read as follows:

Eco-industrial facility.

A facility designed to leverage synergies between multiple sustainable components including one or more of the following uses: –A community of industrial uses, located together on a common property that exchange and make use of each other’s by-products or energy, and includes one or more of the following uses: Biomass power plant facilities and alternative fuel processing and manufacturing with associated trucking and rail use, recycling, composting and storage, biofuel production, alternative and renewable energy projects, vehicle fleet conversions, and other environmental and energy efficient technology.

B. CHAPTER 9: GENERAL DISTRICTS

1. PART 1: Table of Uses and Hierarchy of Districts

- a. Amend Table 9.101 to include Eco-industrial facility as a use permitted with prescribed conditions in the I-1 and I-2 zoning districts, under “Industrial Uses”. This item would be placed in alphabetical order above the “Foundries” entry. The table shall read as follows:

INDUSTRIAL USE	I-1	I-2
Eco-industrial facility	PC	PC

2. PART 11: Industrial Districts

- a. Amend Section 9.1103, “Uses permitted under prescribed conditions”, by adding “Eco-industrial facility” as a use permitted with prescribed conditions in the I-1 and I-2 zoning districts, in alphabetical order as item (16A). The revised section shall read as follows:

Section 9.1103. Uses permitted under prescribed conditions.

(16A) Eco-industrial facility, provided that:

- (a) The property has a minimum site size of 350 acres;
- (b) The property has direct rail access on the site;
- (c) The use shall meet all the development standards of Section 9.1105 and Chapter 12, including area, yard and bulk regulations, buffers and screening, signs, parking and loading, outdoor storage, setbacks and yards, dumpsters, solid waste containers, recycling containers, outdoor lighting, and security fencing.

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 ____ day of ____, 2010, 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 ____ day of _____, 2010.