

JUN 18 2012

**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. Add two new definitions related to “bicycle-sharing stations” in Section 2.201, “Definitions”, in alphabetical order. The new definitions shall read as follows:

Bicycle-Sharing Service.

A service whose function is to provide the general public with opportunities to rent bicycles on a short-term basis for use within the city or region.

Bicycle-Sharing Station.

A bicycle sharing facility placed or constructed by a Bicycle-Sharing Service on public or private property where bicycles are stored and from which members of the public may rent bicycles as part of a Bicycle-Sharing Service including objects or equipment necessary for or appurtenant to its operation.

B. CHAPTER 9: GENERAL DISTRICTS

1. PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS

- a. Amend Table 9.101, by adding “bicycle sharing stations” under “Office and Business Uses” of the following zoning districts as a use allowed with prescribed conditions. The use shall be added in alphabetical order.

Office and Business Uses								
	R-3	R-4	R-5	R-6	R-8	R-8MF	R-12MF	R-17MF
Bicycle-Sharing Station	PC	PC	PC	PC	PC	PC	PC	PC

Office and Business Uses							
	R-22MF	R-43MF	UR-1	UR-2	UR-3	UR-C	R-MH
Bicycle-Sharing Station	PC	PC	PC	PC	PC	PC	PC

Office and Business Uses							
	MX-1	MX-2	MX-3	INST	RE-1	RE-2	RE-3
Bicycle-Sharing Station	PC	PC	PC	PC	PC	PC	PC

Office and Business Uses										
	O-1	O-2	O-3	B-1	B-2	BD	BP	CC	NS	MUDD
Bicycle-Sharing Station	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC

Office and Business Uses							
	UMUD	TOD-R	TOD-E	TOD-M	U-I	I-1	I-2
Bicycle-Sharing Station	PC	PC	PC	PC	PC	PC	PC

2. PART 2: SINGLE FAMILY DISTRICTS

- a. Add in Section 9.203, “Uses permitted under prescribed conditions”, item (14.5), by listing that a bicycle-sharing station is a use permitted under prescribed conditions. The revised text shall read as follows:

Section 9.203. Uses permitted under prescribed conditions.

(14.5) Bicycle-Sharing Station, subject to the regulations of Section 12.543.

3. PART 3: MULTI-FAMILY DISTRICTS

- a. Amend Section 9.303, “Uses permitted under prescribed conditions”, by adding a new item (19.1), listing that a bicycle-sharing station is a use permitted under prescribed conditions. The revised text shall read as follows:

Section 9.303. Uses permitted under prescribed conditions.

(19.1) Bicycle-Sharing Station, subject to the regulations of Section 12.543.

4. PART 4: URBAN RESIDENTIAL DISTRICTS

- a. Amend Section 9.404, “Urban Residential Districts; Uses permitted under prescribed conditions”, by adding a new item (4.5), listing that a bicycle-sharing station is a use permitted under prescribed conditions. The revised text shall read as follows:

Section 9.404. Uses permitted under prescribed conditions.

(4.5) Bicycle-Sharing Station, subject to the regulations of Section 12.543.

5. PART 5: INSTITUTIONAL DISTRICTS

- a. Amend Section 9.503, “Uses permitted under prescribed conditions”, by adding a new item (14.1), listing that bicycle-sharing station is a use permitted under prescribed conditions. The revised text shall read as follows:

Section 9.503. Uses permitted under prescribed conditions.

(14.1) Bicycle-Sharing Station, subject to the regulations of Section 12.543.

6. PART 6: RESEARCH DISTRICTS

- a. Amend Section 9.603, “Uses permitted under prescribed conditions”, by adding a new item (16.1), listing that a bicycle-sharing station is a use permitted under prescribed conditions. The revised text shall read as follows:

Section 9.603. Uses permitted under prescribed conditions.

(16.1) Bicycle-Sharing Station, subject to the regulations of Section 12.543.

7. PART 7: OFFICE DISTRICTS

- a. Amend Section 9.703, “Uses permitted under prescribed conditions”, by adding a new item (22.5), listing that a bicycle-sharing station is a use permitted under prescribed conditions. Also correct a double entry of (21) by changing “Planned multi-family and attached developments” to item (22). The revised text shall read as follows:

Section 9.703. Uses permitted under prescribed conditions.

- (21) Outdoor recreation, subject to the provisions of Section 12.540.
- (22) Planned multi-family and attached developments, subject to subsection 9.303(19) and the regulations of this Part.
- (22.5) Bicycle-Sharing Station, subject to the regulations of Section 12.543.

8. PART 8: BUSINESS DISTRICTS

- a. Amend Section 9.803, “Uses permitted under prescribed conditions”, by adding a new item (27.1), listing that a bicycle-sharing station is a use permitted under prescribed conditions. The revised text shall read as follows:

Section 9.803. Uses permitted under prescribed conditions.

- (27.1) Bicycle-Sharing Station, subject to the regulations of Section 12.543.

9. PART 8.5: MIXED USE DEVELOPMENT DISTRICT

- a. Amend Section 9.8503, “Mixed Use Development District; uses permitted under prescribed conditions”, by listing that a bicycle-sharing station is a use permitted under prescribed conditions, in alphabetical order. The revised text shall read as follows:

Section 9.8503. Mixed Use Development District; uses permitted under prescribed conditions.

- Bicycle-Sharing Station, subject to the regulations of Section 12.543.

10. PART 9: UPTOWN MIXED USE DISTRICT

- a. Amend Section 9.903, “Uptown Mixed Use District; uses permitted under prescribed conditions”, by adding a new item (14.45), listing that a bicycle-sharing station is a use permitted under prescribed conditions. The revised text shall read as follows:

Section 9.903. Uptown Mixed Use District; uses permitted under prescribed conditions.

- (14.45) Bicycle-Sharing Station, subject to the regulations of Section 12.543.

11. PART 10: URBAN INDUSTRIAL DISTRICT

- a. Amend Section 9.1003, “Urban Industrial District; uses permitted under prescribed conditions”, by adding a new item 6.02), “Bicycle-Sharing Station. The revised text shall read as follows:

Section 9.1003. Uses permitted under prescribed conditions.

(6.02) Bicycle-Sharing Station, subject to the regulations of Section 12.543.

12. PART 11: INDUSTRIAL DISTRICTS

- a. Amend Section 9.1103, “Uses permitted under prescribed conditions”, by adding a new item (38.5), listing that a bicycle-sharing station is a use permitted under prescribed conditions. The revised text shall read as follows:

Section 9.1103. Uses permitted under prescribed conditions.

(38.5) Bicycle-Sharing Station, subject to the regulations of Section 12.543.

13. PART 12: TRANSIT ORIENTED DEVELOPMENT DISTRICTS

- a. Amend Section 9.1206, “Uses permitted under prescribed conditions”, by adding a new item (8.5), by listing that a bicycle-sharing station is a use permitted under prescribed conditions. The revised text shall read as follows: in alphabetical order. The revised text shall read as follows:

Section 9.1206. Uses permitted under prescribed conditions.

(8.5) Bicycle-Sharing Station, subject to the regulations of Section 12.543.

C. CHAPTER 11: CONDITIONAL ZONING DISTRICTS

1. PART 2: MIXED-USE DISTRICTS (MX-1, MX-2, and MX-3)

- a. Amend Section 11.203, “Uses permitted under prescribed conditions”, by adding a new item (13.5), listing that a bicycle-sharing station is a use permitted under prescribed conditions. The revised text shall read as follows:

Section 11.203. Uses permitted under prescribed conditions.

(13.5) Bicycle-Sharing Station, subject to the regulations of Section 12.543.

2. PART 4: COMMERCIAL CENTER DISTRICT

- a. Amend Section 11.403, “Permitted Uses permitted under prescribed conditions”, by adding a new item (8.5), titled, “Bicycle-Sharing Station”, after item (8). The revised text shall read as follows:

Section 11.403. Permitted Uses permitted under prescribed conditions.

- (8.5) Bicycle-Sharing Station, subject to the regulations of Section 12.543.

D. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 5: SPECIAL REQUIREMENTS FOR CERTAIN USES

- a. Amend Chapter 12, Part 5 by adding a new Section 12.543, titled Bicycle-Sharing Station”. The new section shall read as follows:

Section 12.543. Bicycle-Sharing Station.

- (1) Bicycle-sharing stations located on public property shall obtain an encroachment agreement from the Charlotte Department of Transportation.
- (2) Bicycle-sharing stations located on private property, or a combination of public/private property must obtain a zoning permit.
- (3) All bicycle-sharing stations shall meet the following requirements:
 - a. If located in a residential district, the bicycle-sharing station shall not exceed a length of 52 feet.
 - b. If located in a non-residential district, the following requirements shall apply:
 - (1) If the bicycle-sharing station is oriented approximately perpendicular to the street, it may exceed a length of 52 feet.
 - (2) If the bicycle-sharing station is oriented approximately parallel to the street, each bicycle-sharing station shall not exceed a length of 52 feet. If more than one bicycle-sharing station is planned for a site, then a minimum pedestrian access of 6 feet is required between stations.

- c. The station shall be located on an impervious surface area.
- d. The station may be located in the required setback or on public property with approval from the City of Charlotte Director of Transportation or designee.
- e. The station and bicycles shall provide an adequate pedestrian clearance of at least 6 feet in width for required sidewalks.
- f. The station shall be free of obstruction of underground utilities, tree boxes, bus stops, and ADA ramps.
- 4. The Planning Director, or his or her authorized designee, shall have the authority to approve specific locations for bicycle-sharing stations as an accessory use on previously approved conditional district (CD) plans if the location meets the intent of the ordinance, and subsections (1), (2), and (3) above. A site plan showing the proposed location for bicycle-sharing station(s) shall be submitted to the Planning Director for review. Approval must be received prior to issuance of a zoning permit or encroachment agreement.

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 18th day of June, 2012, 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 _____, 2012. _____