

Petition No. 2013-061

Petitioner: Charlotte-Mecklenburg Planning Department

**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, "Definitions" by adding a new definition for exposition center in alphabetical order, that reads as follows:

Exposition Center.

One or more buildings, vehicle parking areas and appurtenant facilities for the purpose of conducting exhibits, concerts, trade shows, display/buy/sell/exchange or deal in new or used goods, company functions (business meetings, conventions), and similar events.

B. CHAPTER 9: GENERAL DISTRICTS

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

- a. Amend Table 9.101, by adding "Exposition Center" 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			
	B-2	I-1	I-2
<u>Exposition Center</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>

- b. Amend Table 9.101, by deleting "Flea market establishments" under "Office and Business Uses" in its entirety. The deleted row reads as follows:

Office and Business Uses	
	I-1

Flea market establishments with more than 70,000 square feet of enclosed space	PC
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2. PART 8: BUSINESS DISTRICTS

- a. Amend Section 9.803, “Uses permitted under prescribed conditions”, by adding a new item (13.05), listing exposition centers as a use permitted under prescribed conditions. The revised text shall read as follows:

Section 9.803. Uses permitted under prescribed conditions.

(13.05) Exposition Center (B-2 only):

- (a) Minimum lot size shall be 25 acres.
- (b) Vehicle access to the use shall not be provided by way of a residential local (Class VI) street or residential collector (Class V) street;
- (c) The use shall satisfy the minimum requirements for off-street parking for exposition centers as provided under Table 12.202; and
- (d) All uses shall be at least 100 feet from side, rear and front property boundary lines of the subject property.

3. PART 11: INDUSTRIAL DISTRICTS

- a. Amend Section 9.1103, “Uses permitted under prescribed conditions”, by deleting item (5), “Any establishment containing more than 70,000 square feet of enclosed space engaged in the operation of a flea market (I-1 only)” in its entirety and replacing with the term, “Reserved”. Renumber another item (5) titled, “Beneficial fill sites” to item (5.5). Add a new item (17.5), listing Exposition Center as a use permitted under prescribed conditions. All remaining subsections remain unchanged. The revised subsections shall read as follows:

Section 9.1103. Uses permitted under prescribed conditions.

- (5) Reserved. Any establishment containing more than 70,000 square feet of enclosed space engaged in the operation of a flea market (I-1 only), provided that:
 - (a) The use may not be open to the public on any days of the week other than Friday, Saturday and Sunday;
 - (b) The minimum lot size shall be 10 acres;
 - (c) The use’s operations, including the storage

~~of inventory, must be housed entirely within an enclosed structure;~~

- ~~(d) — The structure within which the use is operated must be a warehouse facility which is designed primarily for the bulk storage of products, materials or commodities and contain a minimum of 100,000 square feet of enclosed space;~~
- ~~(e) — The structure must provide for clear storage to a height of at least 26 feet in all storage areas and may not contain more than 5,000 square feet of office space;~~
- ~~(f) — Vehicle access to the use may not be provided by way of a residential local (Class VI) street or residential collector (Class V) street;~~
- ~~(g) — The use must satisfy the minimum requirements for off-street parking for retail establishments as provided under Table 12.202; and~~
- ~~(h) — The operation of the establishment and the structure within which such use is enclosed shall meet all standards and requirements of the North Carolina Building Code and the City Fire Department that may be applicable thereto.~~

(5.5) Beneficial fill sites, subject to the regulations of Section 12.523.

(17.5) Exposition Center:

- (a) Minimum lot size shall be 25 acres.
- (b) Vehicle access to the use shall not be provided by way of a residential local (Class VI) street or residential collector (Class V) street;
- (c) The use shall satisfy the minimum requirements for exposition centers as provided under Table 12.202; and
- (d) All uses shall be located at least 100 feet from side, rear and front property boundary lines of the subject property.

C. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 2: OFF-STREET PARKING AND LOADING

- a. Amend Table 12.202, “Minimum Required Off-Street Parking Spaces By Use” by adding a new listing for Exposition Center under the “Office and Business Uses” category, and under the “Retail establishments” use. Also, rearrange the spacing in the table for clarity. The new listing shall read as follows:

OFFICE AND BUSINESS USES:			
	Number of Auto Park Spaces Required	Long-term Bicycle Parking Spaces Required	Short-term Bicycle Parking Spaces Required
Retail establishments			
- Motion Picture Theatres	1 space per 3 seats	2 minimum, or 1 per 12,000 square feet, or 1 per 25 employees, or 30 maximum spaces	5% of auto parking or maximum of 50 spaces
- Retail Establishments over 100,000 square feet	1 space per 330 square feet		
- Other retail establishments	1 space per 250 square feet		
- <u>Exposition center</u>	<u>1 space per 330 square feet</u>	<u>2 minimum, or 1 per 12,000 square feet</u>	

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 ____, 2013, 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 _____, 2013.
