

Petition No. 2015-085

Petitioner: Sarah Cherne, President/CEO Junior Achievement of Central Carolinas

**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 9: GENERAL DISTRICTS

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

- a. Amend Table 9.101, "Table of Uses" by removing language related to square footage in the zoning districts shown. Add a new entry titled, "Recreation Centers" in the MX-1, MX-2, MX-3 districts with "PC" in the listing; add "Recreation Centers" in the table under CC and NS, with "X" in the listing; and add "Recreation Centers" in the table under UMUD, TOD-R, TOD-E, and TOD-M with an "X" in the listing.

SINGLE FAMILY AND MULTI-FAMILY DISTRICTS										
INSTITUTIONAL USES										
	R-3	R-4	R-5	R-6	R-8	R8-MF	R-12MF	R-17MF	R-22MF	R-43MF
Recreation Centers up to 30,000 square feet	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC

OFFICE AND BUSINESS DISTRICTS							
INSTITUTIONAL USES							
	O-1	O-2	O-3	B-1	B-2	B-D	B-P
Recreation Centers up to 30,000 square feet	PC						

MIXED USE, CC, NS, AND INDUSTRIAL DISTRICTS							
INSTITUTIONAL USES							
	MX-1	MX-2	MX-3	CC	NS	I-1	I-2
Recreation Centers	PC	PC	PC	PC	PC	XPC	XPC

MUDD, UMUD AND TOD ZONING DISTRICTS					
INSTITUTIONAL USES					
	MUDD	UMUD	TOD-R	TOD-E	TOD-M
Recreation Centers up to 30,000 square feet, non-commercial	XPC	X	X	X	X

2. PART 2: SINGLE FAMILY DISTRICTS

- a. Amend Section 9.203, “Uses permitted under prescribed conditions”, item (16), “Recreation Centers”, by adding new language to subsection (d) to allow a greater square footage to encourage the adaptive reuse of older or underutilized buildings. The revised section shall read as follows:

(16) Recreation Centers, provided that:

- (a) All buildings and off-street parking and service areas shall be separated by a Class C buffer from any abutting property used and/or zoned residential, as per the requirements of Section 12.302;
- (b) The use will be located on a lot that fronts a collector, minor thoroughfare or major thoroughfare; and
- (c) Primary vehicular access to the use will not be provided by way of a residential local (Class VI) street.
- (d) The use contains not more than thirty thousand (30,000) square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size shall be increased to 50,000 square feet if the recreation center is located in a building constructed prior to 1980.

2. PART 3: MULTI-FAMILY DISTRICTS

- a. Amend Section 9.303, “Uses permitted under prescribed conditions”, item (22), “Recreation Centers”, by adding new language to subsection (d) to allow a greater square footage to encourage the adaptive reuse of older or underutilized buildings. The revised section shall read as follows:

(22) Recreation Centers, provided that

- (a) All buildings and off-street parking and service areas shall be separated by a Class C buffer from any abutting property used and/or zoned residential, as per the requirements of Section 12.302;
- (b) The use will be located on a lot that fronts a collector, minor thoroughfare or major thoroughfare; and
- (c) Primary vehicular access to the use will not be

provided by way of a residential local (Class VI) street.

- (d) It contains not more than thirty thousand (30,000) square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size shall be increased to 50,000 square feet if the recreation center is located in a building constructed prior to 1980.

3. PART 5: INSTITUTIONAL DISTRICT

- a. Amend Section 9.502, “Uses permitted by right”, item (7), “Government buildings and Recreation Centers”, by splitting the uses into separate items. All other entries remain unchanged. The revised and new entries shall read as follows:

(7) Government buildings ~~and Recreation Centers.~~

(11.5) Recreation Centers.

4. PART 6: RESEARCH DISTRICTS

- a. Amend Section 9.603, “Uses permitted under prescribed conditions”, item (20), “Recreation Centers up to 30,000 square feet” by adding new language to allow a greater square footage to encourage the adaptive reuse of older or underutilized buildings. The revised entry shall read as follows:

(20) ~~Recreation Centers up to 30,000 square feet.~~ Recreation Centers up to 30,000 square feet, provided that it contains not more than thirty thousand (30,000) square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size shall be increased to 50,000 square feet if the recreation center is located in a building constructed prior to 1980.

5. PART 7: OFFICE DISTRICTS

- a. Amend Section 9.702, “Uses permitted by right”, item (15), “Government buildings, up to 300,000 square feet and Recreation Centers up to 30,000 square feet” by deleting “and Recreation Centers up to 30,000 square feet” and moving the item into the correct Section 9.703. The revised item (15) shall read as follows:

(15) Government buildings, up to 300,000 square feet ~~and Recreation Centers up to 30,000 square feet.~~

- b. Amend Section 9.703, “Uses permitted under prescribed conditions”, by relocating Recreation Centers from Section 9.702 to 9.703 and adding Recreation Centers as a new item (26.5) and adding language to allow a

greater square footage to encourage the adaptive reuse of older or underutilized buildings. The new entry shall read as follows:

(26.5) Recreation centers, provided the center contains not more than thirty thousand (30,000) square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size shall be increased to 50,000 square feet if the recreation center is located in a building constructed prior to 1980.

6. PART 8: BUSINESS DISTRICTS

- a. Amend Section 9.802, “Uses permitted by right”, item (42), “Government buildings, up to 300,000 square feet and Recreation Centers up to 30,000 square feet” by deleting “and Recreation Centers up to 30,000 square feet” and moving the item into the correct Section 9.803, “Uses allowed under prescribed conditions”. The revised entry shall read as follows:

(42) Government buildings, up to 300,000 square feet. ~~and Recreational Centers up to 30,000 square feet.~~

- b. Amend Section 9.803, “Uses permitted under prescribed conditions”, by relocating Recreation Centers from Section 9.802 to 9.803 and adding Recreation Centers as a new item (31.5) and adding language to allow a greater square footage to encourage the adaptive reuse of older or underutilized buildings. The new entry shall read as follows:

(31.5) Recreation centers, provided the center contains not more than thirty thousand (30,000) square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size shall be increased to 50,000 square feet if the recreation center is located in a building constructed prior to 1980.

7. PART 8.5 MIXED USE DEVELOPMENT DISTRICT

- a. Amend Section 9.8502, “Mixed Use Development District; uses permitted by right” by deleting “and Recreation Centers up to 30,000 square feet” in the item, “Non-commercial public recreation parks and playgrounds and Recreation Centers up to 30,000 square feet”, and moving the item into the correct Section 9.8503, “Mixed Use Development District; uses allowed under prescribed conditions”. The revised entry shall read as follows:

Non-commercial public recreation parks and playgrounds. ~~and Recreation Centers up to 30,000 square feet.~~

- b. Amend Section 9.8503, “Mixed Use Development District; uses permitted under prescribed conditions”, by relocating Recreation Centers from Section 9.8502 to 9.8503 and adding Recreation Centers as a new item in alphabetical order, and adding language to allow a greater square footage

to encourage the adaptive reuse of older or underutilized buildings. The new entry shall read as follows:

Recreation centers, provided the center contains not more than thirty thousand (30,000) square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size shall be increased to 50,000 square feet if the recreation center is located in a building constructed prior to 1980.

8. PART 11: INDUSTRIAL DISTRICTS

- a. Amend Section 9.1102, “Uses permitted by right”, items (30) and (31) by deleting “and Recreation Centers up to 30,000 square feet (I-2 only)” and “Recreation Centers up to 30,000 square feet (I-1 only)” and moving Recreation Centers into the correct Section 9.1103, “Uses allowed under prescribed conditions”. The revised entries shall read as follows:

(30) Government buildings, up to 100,000 square feet, ~~and Recreation Centers up to 30,000 square feet (I-2 only).~~

(31) Government buildings, up to 400,000 square feet, ~~and Recreation Centers up to 30,000 square feet (I-1 only).~~

- b. Amend Section 9.1103, “Uses permitted under prescribed conditions”, by relocating Recreation Centers from Section 9.1102 to 9.1103 and adding it as a new item (62.5) and adding language to allow a greater square footage to encourage the adaptive reuse of older or underutilized buildings. The new entry shall read as follows:

(62.5) Recreation centers, provided the center contains not more than thirty thousand (30,000) square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size shall be increased to 50,000 square feet if the recreation center is located in a building constructed prior to 1980.

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 “Recreation Centers” as a new item (16.5). All other items remain unchanged. The new entry shall read as follows:

(16.5) Recreation Centers, provided the center contains not more than thirty thousand (30,000) square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size shall be increased to 50,000 square feet if the recreation center is located in a building constructed prior to 1980.

2. PART 4: COMMERCIAL CENTER DISTRICT

- a. Amend Section 11.403, "Uses permitted under prescribed conditions", by adding "Recreation Centers" as a new item (10.5). All other items remain unchanged. The new entry shall read as follows:

(10.5) Recreation Centers, provided the center contains not more than thirty thousand (30,000) square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size shall be increased to 50,000 square feet if the recreation center is located in a building constructed prior to 1980.

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 ____, 2015, 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 _____, 2015.
