

ORDINANCE NO. _____ **AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE-ZONING ORDINANCE**

BE IT ORDERED 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: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. Part 9: UPTOWN MIX USE DISTRICT

- a. Amend Section 9.911(1) “Uptown Mixed Use District (Optional); effect of approval; alterations”, by authorizing the Planning Director to remove the UMUD-Optional designation under certain circumstances when the application contemplates such removal if active development efforts do not proceed within a time period specified in the approved UMUD-O application.

Section 9.911. Uptown Mixed Use District (Optional); effect of approval; alteration.

- (1) If an application is approved, the UMUD-O and all conditions, which may have been attached, are binding on the property. All subsequent development and use of the property must be in accordance with the approved plan and conditions. The intent of this type of zoning is to provide a voluntary alternative procedure for specific development proposals and as such it is intended that all property zoned be in accordance with firm plans to develop. Therefore, 3 years from the date of approval, the Planning Commission will examine progress made to develop in accordance with approved plans to determine if active development efforts are proceeding. If it is determined by the Planning Commission that active efforts are not proceeding, a report will be forwarded to the City Council, which may recommend that action be initiated to remove the UMUD-O designation in accordance with procedures outlined in Chapter 6 of these regulations. As part of its approval of a UMUD-O application, City Council may authorize the Planning Director to remove the UMUD-O designation for property from the Zoning Map without the initiation of a proceeding under Chapter 6 of these regulations when such UMUD-O application states that approved deviations from the UMUD minimum standards and any accompanying conditions shall become null and void if active development efforts are not proceeding by a date certain specified in the UMUD-O application. After removal of the UMUD-O designation from the property by the Planning Director, all development and use of the property shall be in accordance with UMUD minimum standards.

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 _____, 2006 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 the ____ day of _____, 2006.