

Petition No: 2011-013

Petitioner: Charlotte-Mecklenburg Planning Commission

**AN ORDINANCE AMENDING APPENDIX A  
OF THE CITY CODE – SUBDIVISION ORDINANCE**

**ORDINANCE NO. \_\_\_\_\_**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

Section 1. Chapter 20, “Subdivision Ordinance” of the Code of the City of Charlotte is hereby amended as follows:

**A. CHAPTER 20: SUBDIVISION ORDINANCE**

1. Amend Section 20-22, “Design Standards for Streets” subsection (c), “Non-local street right-of-way” by adding language and footnotes regarding the elimination of the transitional setback along identified sections of U.S. 74 upon completion of the North Carolina Department of Transportation (NCDOT) right-of-way acquisition program. The subsections (1) through (5) under (c) shall remain unchanged. The revised subsection shall read as follows:

(c) Non-local street right-of-way.

<b>Street Type</b>	<b>Minimum Right-of-Way (in feet)</b>
Freeway or Expressway other than U.S. 74 from <del>I-277 Briar Creek</del> southeast to the City Limits	350
<u>U.S. 74 between I-277 and Albemarle Road</u>	<u>Existing right-of-way</u>
U.S. 74 <del>from</del> between <u>Albemarle Road</u> <del>Briar Creek</del> and W.T. Harris Boulevard	250 <sup>2</sup>
U.S. 74 from W.T. Harris Boulevard southeast to the City limits	280 <sup>3</sup>
Limited-access Arterial	200
Commercial Arterial	150
Major Arterial	100 <sup>1*</sup>
Minor Arterial	70 <sup>1*</sup>

<sup>1\*</sup>The right-of-way widths for major and minor thoroughfares located within the area bounded by Route 4 and I-85 shall be a minimum of 80 feet for major thoroughfares and 60 feet for minor thoroughfares and as provided for in Section 12.103 of the zoning ordinance in appendix A to this Code.

<sup>2</sup> Completion of the North Carolina Department of Transportation (NCDOT) U.S. 74 right-of-way acquisition portion of the construction project (Transportation Improvement Project U-209B) from Albemarle Road to Sharon Forest Drive shall eliminate the right-of-way requirement of 250 feet between Albemarle and W. T. Harris Boulevard and 280 feet between W. T. Harris Boulevard and Sharon Forest Drive. At that time, the required right-of-way will be the existing right-of-way width.

<sup>3</sup> Completion of the North Carolina Department of Transportation (NCDOT) U.S. 74 right-of-way acquisition portion of the construction project (Transportation Improvement Project U-2509) from Sharon Forest Drive to the southeast city limits shall eliminate the right-of-way requirement of 280 feet for the section of U.S. 74 from Sharon Forest Drive to the southeast city limits. At that time, the required right-of-way will be the existing right-of-way width.

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 \_\_\_\_\_, 2011, 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 \_\_\_\_\_, 2011.