Petition No. 2009-010
Petitioner: Charlotte-Mecklenburg Planning Commission

AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE –ZONING ORDINANCE

Revised 11-3-08

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 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1.   PART 5: SPECIAL REQUIREMENT FOR CERTAIN USES

a.   Amend Section 12.521, "Bed and Breakfasts (B&B's), by adding MUDD to the list of districts where B&B's are permitted, to correct this omission. B&B's are already permitted in the MUDD district, but were not added to this list. In addition, modify subsection (1) to clarify that B&B's cannot be located on a local or local limited street. Delete subsection (8) in its entirety. The revised text shall read as follows:

Section 12.521.   Bed and Breakfasts (B & B's).

Bed and Breakfasts (B & B's) are permitted in all Single Family, Multi-Family, and Office districts, the UR-1, B-1, B-2, <u>MUDD</u>, UMUD districts, and the Mixed Use (MX-1, MX-2, and MX-3) conditional districts subject to the following standards that apply to the applicable districts:

(1)   ~~Access to a~~ <u>A</u> bed and breakfast in any Single Family <u>district</u> and in the Mixed Use (MX-1, MX-2, MX-3) conditional districts shall be ~~provided by~~ <u>located on a major, minor, or collector street.</u> ~~other than a local (Class VI) or local limited (Class VI L).~~ B & B's in any other district may ~~have access~~ by <u>be located on</u> any class of street.

(2)   Number of guest rooms permitted;

(a)   All Single Family and Mixed Use districts, and the UR-1 district - limited to 4.

(b)   All other districts where permitted - maximum of 8.

(c)   Elderly and disabled housing when permitted as an accessory to any single family detached dwelling unit will not count as part of the number of bed and breakfast guest rooms, nor can they be used to house guests.

(3)   The quarters to be utilized by the guests and the occupants of the premises

shall be in the principal residential structure. Separate structures, accessory buildings and garages are not permitted to be used as living units or sleeping rooms for bed and breakfast guests. No separate exterior doorways for individual guest rooms shall be permitted, unless the separate doorway was part of the original architecture of the house and was in existence prior to the adoption date of this provision.

(4)   Guests are limited to a length of stay of no more than 7 consecutive days. The resident owner shall keep a current guest register including names, permanent addresses, dates of occupancy, and motor vehicle license number of all guests.

(5)   B & B's may provide food service, but only to guests lodging in the facility. No food preparation will be allowed in any guest bedroom.

(6)   Any signage which identifies the use shall be in accordance with the underlying zoning district.

(7)   The location of parking shall comply with Section 12.206 as a single family detached dwelling unit, except any additional parking beyond what can be accommodated in a driveway no wider than to sufficiently park 2 cars must be out of the required setback and yards as specified in Section 12.206. Parking for guests shall not be served by a separate driveway from that serving the principal residential structure.

(8)   ~~The Zoning Board of Adjustment shall not have jurisdiction to vary any of these standards, but shall have jurisdiction to interpret questions regarding the use of the property.~~

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 ____, 2009, 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 _____, 2009.

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