

Petition No: 2011-
Petitioner: Charlotte-Mecklenburg Planning Department

ORDINANCE NO. _____ **AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE – SUBDIVISION ORDINANCE**

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.

| Street Type | Minimum Right-of-Way (in feet) |
|---|--------------------------------|
| Freeway or Expressway other than U.S. 74 from I-277 Briar Creek southeast to the City Limits | 350 |
| <u>U.S. 74 between I-277 and Albemarle Road</u> | <u>Does not apply.</u> |
| U.S. 74 from between Albemarle Road Briar Creek and W.T. Harris Boulevard | 250 ² |
| U.S. 74 from W.T. Harris Boulevard southeast to the City limits | 280 ^{2,3} |
| Limited-access Arterial | 200 |
| Commercial Arterial | 150 |
| Major Arterial | 100 ^{1,*} |
| Minor Arterial | 70 ^{1,*} |

^{1,*}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.

² Completion of the North Carolina Department of Transportation (NCDOT) U.S. 74 right-of-way acquisition project (Transportation Improvement Project U-209B) from Albemarle Road to Sharon Forest Drive shall cause the transitional setback to no longer apply to the section of U.S. 74 from Albemarle Road to Sharon Forest Drive.

³ Completion of the North Carolina Department of Transportation (NCDOT) U. 74 right-of-way acquisition project (Transportation Improvement Project U-2509) from Sharon Forest Drive to the southeast city limits shall cause the transitional setback to no longer apply to the section of U.S. 74 from Sharon Forest Drive to the southeast city limits.

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.