

Petitioner:

ORDINANCE NO. _____

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

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 4: URBAN RESIDENTIAL DISTRICTS

- a Amend Section 9.406, "Urban Residential Districts; area, yard and height regulations" by adding a new subsection (8) entitled "Special Yard, lot and street standards for residential developments in the UR-1 and UR-2 districts" after subsection (7). The new subsection shall read as follows:

Section 9.406. Urban Residential Districts; area, yard and height regulations.

(8) Special yard, lot and street standards for residential development in the UR-1 and Ur-2 districts. The following provisions may be applied to any residential development of 10 acres or less. A residential development is a development that may contain one or more of the following types of residential dwellings; detached and attached dwellings, duplex, triplex and quadraplex dwellings (attached dwellings may not contain more than four units per building). The following provisions may be used in independently or in any combination.

(a) The minimum lot size for detached dwellings including the required subplot for attached dwellings may be reduced by 15% provided that the average size of all lots or sublots is at least equal to the minimum lot size and subplot size specified in the UR-1 and UR-2 districts;

(b) The minimum side yard may be reduced for a principle or accessory building or structure to three (3) feet provided the a minimum building separation is maintained between the principle and accessory buildings and structures equal to at least two times the minimum side yard requirements of the UR-1 or UR-2 district;

(c) A zero lot line, z-lots, and angled z-lots may be permitted where the building line is on one side of the lot within the interior of a residential development, provided that:

(i) The minimum building separation between the sides of adjacent dwellings shall be at least two times the minimum side yard required in the UR-1 and UR-2 district;

(ii) A 5-foot maintenance easement and a maximum eave encroachment of 2 feet within the maintenance easement must be established in the deed restrictions and covenants of the adjoining

lot. This will provide ready access to the lot line wall at reasonable periods of the day for normal maintenance;

(iii) Preliminary subdivision plans submitted to the Planning Commission must indicate the proposed location and configuration of dwellings, driveways and parking arrangements for each lot. A draft of the proposed encroachment and maintenance easements must be submitted for review;

(iv) Zero side yards established under these standards must be continuous along the length of the building. There must be either the lot line wall or a solid wall or fence at least five (5) feet high along the lot line adjacent to the building between the established setback and the established rear yard. The wall or fence is used in those cases where the building may be offset as allowed under these standards;

(d) The proposed residential uses may be established on public, private streets or a combination of public and private streets; and

(e) Private streets may not be used to meet the requirements for connectivity contained in the subdivision regulations; and

(f) If private street or a narrow residential street is used in combination with units with one car garages provisions for guest parking must be made, so that at least one guest space is provided for every four units with a one car garage; and

(g) If private street is used the street must have a five (5) foot sidewalk on both sides and planting strips as required by the tree ordinance; and

(h) Notwithstanding Subdivisions (a), (b), (c), or (d) above, any development on a lot that abuts a street defining the outer boundary of the development, or that abuts a lot which is not within the, development shall meet the minimum yard requirements of the UR-1 or Ur-2 district in relation to that street or abutting lot.

This amendment may be used retroactively by Urban Residential developments approved prior to the adoption of this subsection. Previously approved UR development must submit revised preliminary plan to the Planning Staff for review and approval through the revised preliminary plan process

B. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

PART 1: SUPPLEMENTAL DEVELOPMENT STANDARDS

- a. Amend section 12.101, "Every lot must abut a street", by inserting a reference to Section 9.406.(8) before the reference to Section 11.208. The revised text shall read as follows:

Section 12.101. Every lot must abut a street.

No building, structure or use of land for any purpose may be placed on a lot, which does not abut a street, except for agricultural purposes, and as, provided in Sections 9.406.(8), 11.208 and the following exceptions:

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 _____, 20____, 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 _____, 20__.

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