

Petition No: 2011-013SUB
Petitioner: Charlotte-Mecklenburg Planning Commission

MAR 21 2011

**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 southeast to the City Limits	350
U.S. 74 between I-277 and Albemarle Road	Existing right-of-way
U.S. 74 between Albemarle Road and W.T. Harris Boulevard	250 ²
U.S. 74 from W.T. Harris Boulevard southeast to the City limits	280 ³
Limited-access Arterial	200
Commercial Arterial	150
Major Arterial	100 ¹
Minor Arterial	70 ¹

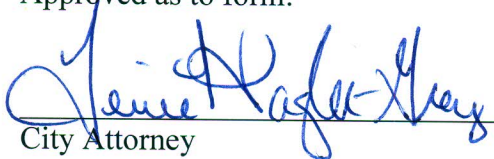
¹The right-of-way widths for major and minor thoroughfares located within the area bounded by Route 4 and I-85 shall be a minimum of 80 feet for major thoroughfares and 60 feet for minor thoroughfares and as provided for in Section 12.103 of the zoning ordinance in appendix A to this Code.

²Completion 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.

³Completion 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 21st day of March, 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.