

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2008-061

Petitioner: Charlotte-Mecklenburg Planning Commission

Request: Text Amendment to modify the regulations to make institutional uses more compatible with residential neighborhoods.

Summary

This text amendment is the result of a Stakeholder Group process that explored ways to make institutional uses permitted in residential neighborhoods more compatible with the residential uses.

Currently, certain institutional uses are permitted in single family, multi-family, urban residential, and mixed-use zoning districts. Such uses include, but are not limited to religious institutions, schools, stadiums, fire stations, adult care facilities, cultural facilities, child care in a home.

This proposed text amendment would make the following modifications:

- The definitions of elementary and secondary schools will be modified to include kindergarten (where students are 4 or more years of age) and require that to be classified as an elementary/secondary school, it must be licensed by the state of North Carolina.
- A courtesy notification will be sent to adjacent and abutting property owners when a change of use permit or a commercial building permit has been issued for a structure previously used as a residence so that neighbors may be aware of the upcoming institutional use changes. This will not provide an opportunity for public input; it is merely a courtesy notice.
- Religious institutions have been redefined as small (up to 400 seats), medium (401-750 seats), and large (751+ seats).
- The maximum floor area ratio (FAR) for small and medium size religious institutions located on collector streets has been changed from .5 to .25. When located on a minor or major thoroughfare, the FAR will remain at .5.
- Large religious institutions can only locate on a minor or major thoroughfare.
- Accessory uses must be subordinate in area, extent, and purpose, to the principal use.
- The Use Table has been modified to include all three size religious institutions.

Consistency and Conclusion

This text amendment is consistent with adopted plans and policies, and is reasonable, and in the public interest, and considered appropriate for approval.