



Charlotte City Council
Great Neighborhoods Committee
Summary
April 7, 2021

COMMITTEE AGENDA TOPICS

- I. Nuisance Abatement – Non-Residential Building Code (Action)
- II. 2040 Comprehensive Plan Update (Action)

COMMITTEE INFORMATION

Committee Members Present:	Malcolm Graham (CMGC), Tariq Bokhari (virtual), Julie Eiselt (virtual), Victoria Watlington (virtual), Braxton Winston (virtual)
Committee Members Absent:	n/a
Other Elected Officials Present:	Mayor Vi Lyles (virtual), Matt Newton (virtual)
Staff Resources:	Shawn Heath, City Manager’s Office Pamela Wideman, Housing & Neighborhood Services Taiwo Jaiyeoba, City Manager’s Office; Planning, Design & Development Alyson Craig, Planning Design & Development Alysia Osborne, Planning Design & Development Jane Taillon, Housing & Neighborhood Services
Meeting Duration:	11:00 AM – 12:40 PM
Video available online:	https://www.youtube.com/watch?v=ufn6vsZSiO8

MEETING MATERIALS

All meeting materials are available online at https://charlottenc.gov/CityCouncil/Committees/Pages/Neighborhood_Development.aspx

- 1. Presentation – Nuisance Abatement – Non-Residential Building Code
- 2. Presentation – 2040 Comprehensive Plan

DISCUSSION HIGHLIGHTS

Council member Graham called the meeting to order and asked everyone to introduce themselves. Shawn Heath provided an overview of the meeting agenda.

Nuisance Abatement – Non-Residential Building Code

Jane Taillon provided an update on the stakeholder and community engagement outcomes of the review of the Non-Residential Building Code (NRBC). The common themes that arose were accountability, appearance of the commercial structures, and access to resources so that buildings can remain in the communities in safe conditions.

Ms. Taillon discussed the recommended revisions to the ordinance, including revising civil penalties to accrue at \$100 per day, and updating various standards of fitness including clarifying requirements for operable smoke, fire and carbon monoxide detectors, electrical systems, doors, ceilings and joists, wall and ceiling coverings for extended stay businesses, and upkeep of existing ventilation and cooling systems.

Council member Graham expressed concern that the civil penalties are insufficient to result in compliance. Pamela Wideman explained that, based on the current enabling state legislation, the maximum penalty would be \$500. Ms. Taillon explained that the stakeholders talked a lot about civil penalties, and that they expressed concern that increasing

the penalties significantly could be onerous to businesses that are already experiencing financial challenges due to the pandemic. She also explained that the proposed penalties are comparable to those in the recently updated Minimum Housing Code. Ms. Taillon also explained that the stakeholder group specifically discussed the scenario of commercial properties with a history of behavioral nuisances. CMPD was part of the stakeholder group and supported the proposed updates to the NRBC from the perspective of assisting with criminal nuisance behavioral issues at commercial properties to the extent that the NRBC can do so. Ms. Taillon explained that the NRBC is limited to addressing the condition of the buildings and site, and that even in situations where criminal nuisance behavior is prevalent, inspections often result in minor violations that do not rise to the level of civil penalties. As such, behavioral issues that result in numerous requests for service from a crime and public safety perspective must be addressed by CMPD. Code regularly collaborates with CMPD to the extent allowed by the NRBC as well as the Health & Sanitation Ordinance that allows Code to address the site conditions, and through participation in CMPD's Nuisance Enforcement Strategy Team (NEST).

Council member Watlington expressed interest in connecting the dots though the built environment and how it can enable or limit nuisance activities. Ms. Taillon explained that the Building Code governs new construction and rehabilitation activities and is administered by Mecklenburg County Code Enforcement, while the NRBC addresses existing structures, including boarded-up secure shells allowed for under the NRBC. Taiwo Jaiyeoba explained crime prevention through environmental design (CPTED) and how the built environment supports crime prevention. Ms. Wideman also mentioned the Business CPTED Security Grant program administered by the Economic Development Department.

Council member Bokhari noted that, when addressing criminal nuisance activities, there is synergy gained through collaboration between the City Attorney, CMPD and the District Attorney.

Council member Graham asked that CMPD and other applicable agencies attend a future Committee meeting to continue the discussion on addressing commercial properties that are safe havens for criminal nuisance activities.

Ms. Taillon explained that if the Committee approves the NRBC recommendations, the next steps will involve hosting a public hearing, followed by review and consideration by full Council.

MOTION AND VOTE. Council member Watlington made a motion to accept the recommendations for revising the NRBC and move them forward to full Council. Mayor Pro Tem Eiselt seconded the motion. The vote was 4:1 in favor of the motion (Graham, Bokhari, Eiselt and Watlington voted in favor of the motion, Winston voted against).

2040 Comprehensive Plan

Council member Graham introduced the Charlotte Future 2040 Comprehensive Plan discussion (hereinafter the Plan). Taiwo Jaiyeoba reminded the Committee that the purpose of today's discussion is for the Committee to recommend integration of existing and relevant City anti-displacement policies and programs, and to consider new policies and programs to protect vulnerable communities from displacement.

Council member Graham shared that he likes the idea of creating an anti-displacement stakeholders commission. He noted that the City has numerous existing anti-displacement tools, such that we have a platform to start from.

Council member Newton shared that he has a number of concerns with the Plan overall. He believes there are flaws with the Plan that should be dealt with now instead of creating programs to address problems later. He is particularly concerned about how the Plan will impact the area in east Charlotte known as the "last mile," where growth is exploding, and infrastructure is nominal.

Council member Graham reminded everyone that the Committee has a narrowly tailored charge to recommend any anti-displacement polices or programs, understanding that there may be a wide variety of other concerns about the Plan.

Council member Watlington shared a number of recommendations for revising the Plan as it pertains to neighborhoods, including stronger language for public investments in homeownership opportunities, properly addressing stormwater as we continue to develop areas, allowing duplex and triplex housing units in all place types together with enabling a new zoning designation that allows for duplex/triplex flexibility on single-family lots. She recommends this instead of allowing duplex/triplex on all lots where single-family is allowed. Then, through the UDO process, we can outline with the community where we want to put this higher density and preserve the community participation in the process. She

believes this will eliminate creating a blanket policy that cannot be walked back in later stages of the process. She also supports inclusionary zoning through enabling legislation and being strategic about acquiring properties for affordable housing and particularly along our corridors.

Mayor Pro Tem Eiselt shared that she believes that there are items in the Plan, such as Community Benefit Agreements, that are aspirational only, and this should be acknowledged in the plan. She also asked for clarification about whether there is a legal designation between a duplex and a townhouse that would result in more units for-sale instead of units for-rent. Alyson Craig responded, pointing out that the Plan cannot dictate whether units can be for-sale or for-rent.

Council member Winston shared that he believes that single-family zoning creates conditions where everyone owns the same amount, and as such it does not create additional opportunities for more homeownership to disrupt the historical policies that created concentrations of poverty and wealth such as the disparities in the crescent and the wedge. He would move that the Plan be adopted as is, and then start the work that begins to address some of the concerns of the community.

Mayor Lyles encouraged staff to listen and hear the policy direction from the Committee today and explore how to make it happen within the framework. The goal is to have the Plan approved by June.

Council member Graham proposed that Planning, Design & Development staff compile the Committee recommendations from today's meeting, along with what they hear from the other Council committees and return to the Committee with staff recommendations at a future meeting for further review and consideration. He shared that he is not sure it needs a vote, that with Committee consensus the direction to staff is to bring back to the Committee something to react to, based on today's recommendations. He acknowledged that there may be something discussed today that staff may push back on, much like Mr. Jaiyeoba did today. This gives staff an opportunity to react to what they heard today.

Council member Winston shared that he believes strongly that a formal action is required.

MOTION AND VOTE. Council member Watlington made a motion to send the recommendations discussed at the meeting to Planning Design & Development staff for input and consideration. Council member Graham seconded the motion. The motion was approved 4:1 (Council members Bokhari, Eiselt, Graham and Watlington voted in favor of the motion; Council member Winston opposed).

Meeting adjourned at approximately 12:40 pm.