

REQUEST	Text amendment to the Unified Development Ordinance (UDO)
SUMMARY OF PETITION	The purpose of this text amendment to the UDO is to make changes that will result in better functionality. These changes provide greater clarity, new and updated definitions, adjusts use permissions and prescribed conditions, revises use names, updates graphics, and makes changes and additions to standards. There are proposed changes in 23 of the 39 Articles.
PETITIONER AGENT/REPRESENTATIVE	Charlotte Planning, Design & Development Department Charlotte Planning, Design & Development Department
COMMUNITY MEETING	The proposed text amendment was presented to the community via two virtual public information sessions on November 6 and November 7, 2024. At the November 6 session, 5 community members were in attendance. At the November 7 session, 18 community members were present including the chair of the Planning Commission.

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition.</p> <p><u>Plan Consistency</u> The text amendment is consistent with the <i>2040 Comprehensive Plan</i>.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The petition could facilitate the goals of the <i>2040 Comprehensive Plan</i>. • A major document such as the UDO requires adjustments and revisions after adoption to correct minor errors, add clarity, and adjust use permissions and prescribed conditions. • The proposed text amendment will make the UDO a more user-friendly ordinance and result in better functionality.
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PLANNING STAFF REVIEW

- **Background**
 - The UDO was adopted by City Council on August 22, 2022, and became effective on June 01, 2023.
 - This is the fourth general update clean-up text amendment to the UDO.
 - Text amendment adjustments are based on input from UDO users – both internal and external.
 - One virtual session was held on November 6 and a second held on November 7, 2024.
- **Proposed Request Details**
The text amendment contains the following highlights:
 - **General Definitions**
 - Modifies, removes, and adds general definitions.
 - **Neighborhood 1 Zoning Districts**
 - Adds footnote to Table 4-2 (N1 Building Siting Standards) to clarify where setbacks are measured from.
 - Clarifies language to specify that the primary pedestrian entry of the principal structure closest to the intersection on a corner lot may be oriented to either frontage.
 - Adds clarifying language in Conservation Residential Development to specify that the site layout standards in this section replace comparable standards of the N1-A, N1-B, and N1-C zoning districts.
 - Adds clarifying language concerning alleys in Conservation Residential Development Site Layout Standards.

- Adds clarifying language concerning green area and landscape yards in Conservation Residential Development.
- Adds clarifying language concerning garages accessed from alleys in Site Layout Standards for Compact Residential Development.
- **Other Zoning Districts**
 - Clarifies language in the Site Layout Standards tables for several zoning districts to specify that the primary pedestrian entry of the principal structure closest to the intersection on a corner lot may be oriented to either frontage.
 - Adds that Site Layout Standards in these districts also apply to duplex dwellings.
- **Overlay Districts**
 - Modifies standards for Neighborhood Character Overlay (NCO) districts:
 - Adds requirement for an eligibility meeting.
 - Modifies the notification standards for the public meeting for eligibility and Neighborhood Character Plan.
 - Modifies the requirements for the Neighborhood Character Plan.
 - Modifies the petition initiation requirements.
 - Modifies the standards for Neighborhood Character Plan amendments for NCO districts.
 - Adds standards for mature tree canopy protection and planting.
 - Modifies standards for Residential Infill Overlay (RIO) districts:
 - Modifies the minimum district area standards.
 - Clarifies applicability of what RIO standards apply to single-family, duplex, and triplex dwellings, and all new construction, additions, changes, expansions, and alterations to existing single-family, duplex, and triplex dwellings.
 - Clarifies that RIO standards do not apply to nonresidential or residential other than single-family, duplex, and triplex dwellings.
 - Modifies the approval process requirements.
 - Adds standards for amendments to RIO district boundaries.
- **Uses**
 - Allows duplex, triplex, and quadraplex dwellings in five additional zoning districts with prescribed conditions.
 - Allows standalone duplex, triplex, and quadraplex dwellings on small lots in 14 zoning districts with prescribed conditions.
 - Allows multi-dwelling developments, with prescribed conditions, in the OFC and OG Zoning Districts.
 - Adds, modifies, and clarifies certain use definitions.
 - Modifies prescribed conditions for several uses that stipulates that, for certain Campus types, the use shall be owned and operated by, or shall have a formal affiliation with, the primary institution it is intended to serve and support.
 - Adds maximum area requirement to prescribed conditions for Commercial Kitchen.
 - Adds accessory use prescribed conditions for Accessory Outdoor Storage.
- **General Development Standards**
 - Modifies the applicability of the exterior lighting standards.
 - Modifies how fee-in-lieu monies are accounted for in the Bonus Menu.
 - Modifies EV Charging Station standards in the Bonus Menu to allow EV Ready spaces to meet the requirements for EV Capable spaces at a rate of two for one, and EVSE-Installed spaces to count as four EV Capable spaces or two EV Ready spaces.
 - Modifies measurement standards for ROW Dedication in the Bonus Menu.
 - Adds bonus menu option for Reservation of Future Rights of Way for Transit Corridors.
 - Clarifies location standards for reimbursement of sidewalk costs for affordable housing development to stipulate it only applies within the city limits and not to the ETJ.
- **Accessory Structures**
 - Requires accessory structure to be located on the same lot as a detached single-family, duplex, triplex, or quadraplex dwelling.
 - Adds new locational and screening standards for Electric Vehicle (EV) Charging Stations.
 - Stipulates that chain link fences with slats shall not be used for required screening.
 - Modifies standards for maximum fence height.
 - Allows ground-mounted and wall-mounted utility structures and mechanical equipment to be located in an established setback (but not the required setback) if screened on three sides by a wall. Certain zoning districts may allow screening using a fence or evergreen shrubs in lieu of a wall.
- **Vehicle and Bicycle Parking**
 - In Vehicle Parking Requirements Table, moves the CR and CG districts from Tier 2 to Tier 1 unless in a Centers Place Type.
 - Clarifies minimum and maximum parking requirements for shopping centers in Tier 2.
 - Clarifies what is meant by "outdoor area."
 - Modifies minimum parking requirement for Truck Stop and Vehicle Operations Facility in Tier 1.

- Allows each EVSE-installed space to count as four required EV Capable spaces.
- Modifies the conditions that trigger bike parking:
- Modifies how required bike parking is calculated for certain uses.
- Clarifies exceptions to surface parking prohibitions in an established setback along a primary frontage.
- Clarifies standards for parking lots for nonresidential uses.
- Clarifies ingress types where barriers are required.
- Stipulates that mechanical and electrical equipment rooms in parking structures using Option C shall be located along the frontage that is classified the lowest per the frontage hierarchy.
- Modifies and clarifies commercial vehicle storage standards.
- **Landscaping, Screening, and Tree Protection**
 - Adds chain link fence prohibition for required screening.
 - Adds flexibility for Zoning Administrator to modify or eliminate fence or wall requirements for landscape yards under certain conditions.
 - Clarifies green area exemptions for public projects in Section 20.15.A.3.c.
 - Allows land clearing and inert debris (LCID) landfills to be subtracted from the site area for the purpose of green area calculation under certain conditions in Section 20.15.D.4.
 - In Section 20.17.A.3., clarifies that public infrastructure projects, such as road expansion, public utility projects, and greenway trail construction, undertaken by public entities, are exempt from tree planting requirements unless such projects include increased building coverage or parking lot expansion.
- **Signs**
 - Streamlines requirements for historic signs by creating one category instead of previous two.
- **Transportation**
 - Modifies applicability standards for new and existing CATS bus stops.
 - Modifies threshold standards for new CATS bus stops.
 - Modifies the requirements for relocating curb and gutter on collectors and arterials.
- **Alternative Compliance**
 - Modifies powers and duties of Alternative Compliance Review Board (ACRB).
 - Adds experience criteria for majority of members of ACRB.
 - Adjusts General Criteria for Alternative Compliance Review:
- **Exception (EX) District**
 - Modifies purpose statement.
 - Clarifies that modifying or altering permitted land uses through an EX district is not allowed.
 - Modifies standards for Convention Center, Public Transit Facility, and Stadium uses to allow reconfiguration of parking and applicability of upper floor transparency and blank wall standards.
- **Nonconformities**
 - Allows a nonconforming use located within a structure to be expanded within a structure or enlarged by additions to a structure in which the nonconforming use is located under the following conditions:
 - The expansion of the nonconforming use shall not exceed 25% of the gross floor area of the existing structure, or 1,000 square feet, whichever is less, and
 - Only one expansion of a nonconforming use located within a structure shall be permitted.
- **Public Plans and Policies**
 - The text amendment builds upon the vision and goals in the 2040 Comprehensive Plan, refining the UDO regulations and uses to provide better functionality.

TRANSPORTATION COMMENTS: No outstanding issues.

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Not applicable
- **Charlotte Water:** No comments submitted.
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org
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