

REQUEST	Text amendment to the Charlotte Unified Development Ordinance (UDO), Sections 15.4.EE, 15.4.HH, and Table 15-1.
SUMMARY OF PETITION	This text amendment will make single-family and duplex dwellings legally existing under the office and business legacy zoning districts prior to June 1, 2023, and translated to the CG (General Commercial) and OFC (Office Flex Campus) zoning districts, allowed uses with prescribed conditions.
PETITIONER AGENT/REPRESENTATIVE	Charlotte Planning, Design & Development Department Charlotte Planning, Design & Development Department
COMMUNITY MEETING	Two virtual public information sessions were held on July 11, 2023 and July 12, 2023, with six people in attendance.

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is consistent with the <i>2040 Comprehensive Plan</i>. <u>Rationale for Recommendation</u> • A major document such as the UDO requires adjustments and revisions after adoption to correct minor errors, and add clarity. • Without this text amendment single-family and duplex dwellings legally existing prior to June 1, 2023 in the office and business legacy zoning districts, after being translated to the CG (General Commercial) and OFC (Office Flex Campus) zoning districts, become non-conforming uses since residential uses are not allowed. • This text amendment corrects this issue by allowing these uses with prescribed conditions in the CG and OFC zoning districts and allowing future modifications to these dwellings.
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PLANNING STAFF REVIEW

- **Background**
 - The UDO was adopted by City Council on August 22, 2023, and became effective on June 1, 2023.
 - Staff has identified five existing neighborhoods where single-family and duplex dwellings existed legally under the office and business legacy zoning districts, but after the effective date of the June 1, 2023, these uses were translated to the CG (General Commercial) and OFC (Office Flex Campus) UDO zoning districts which do not allow residential uses making these dwellings non-conforming uses. There were also a number of scattered parcels with this issue.
 - Nonconforming uses can not be expanded or enlarged.
 - This text amendment will make these homes conforming uses and will ensure that homeowners have residential zoning allowances and they can make changes, such as home additions, to their properties.
- **Proposed Request Details**
The text amendment contains the following highlights:
 - Modifies the principal use regulations in the General Office (CG) and Office (OFC) zoning districts for single-family and duplex dwellings existing legally prior to the June 1, 2023 effective date of the UDO, by adding them in Table 15.1, "Use Matrix" as allowed uses with prescribed conditions.
 - Adds the prescribed condition that these dwellings will be subject to the standards of the N1-D Zoning District, as well as other applicable provisions of the UDO (such as, but not limited to, those governing accessory structures).

- **Public Plans and Policies**
 - The text amendment builds upon the vision and goals of the *2040 Comprehensive Plan*, refining the UDO regulations and uses to provide better functionality.
- **TRANSPORTATION SUMMARY**
 - **Charlotte Department of Transportation:** No outstanding issues.

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte Water:** No comments submitted.
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** 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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