

<b>REQUEST</b>	Text amendment to the Unified Development Ordinance (UDO)
<b>SUMMARY OF PETITION</b>	The purpose of this text amendment is to update the UDO to implement and support the goals and policies of the <i>Charlotte Future 2040 Comprehensive Plan</i> . This includes updates to reflect best practices, address new and emerging trends, address implementation challenges identified by external and internal stakeholders, and correct scrivener's errors. Updates are proposed to 25 of the 39 Articles.
<b>PETITIONER AGENT/REPRESENTATIVE</b>	Charlotte Planning, Design & Development Department Charlotte Planning, Design & Development Department
<b>COMMUNITY MEETING</b>	The proposed text amendment was presented to the community via two virtual public information sessions; One on January 06, 2026, and one on January 08, 2026. At the January 06 session, 37 individuals were in attendance. At the January 08 session, 4 individuals were present.

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition.</p> <p><u>Plan Consistency</u> The text amendment is <b>consistent</b> with the <i>2040 Comprehensive Plan</i>.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The petition could facilitate the goals of the <i>2040 Comprehensive Plan</i>.</li> <li>• A major document such as the UDO requires updates, adjustments, and revisions after adoption to address implementation challenges, add clarity, adjust use permissions and prescribed conditions, and correct minor errors.</li> <li>• The proposed text amendment will make the UDO a more user-friendly ordinance and result in better functionality.</li> </ul>
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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 second maintenance update text amendment to the UDO.
  - Text amendment adjustments are based on input from UDO users – both internal and external.
  - The Transportation, Planning, and Development Committee of City Council received a high-level update of the text amendment on January 05, 2026.
  - Two virtual community information sessions were held; One on January 06, and one on January 08, 2026.
- **Proposed Request Details**  
The text amendment contains the following highlights:
  - **General & Applicability**
    - Updates the Table of Contents to align with proposed changes.
    - Modifies and deletes general definitions.
    - Corrects scrivener’s errors and language cross-references.
  - **Frontages & Zoning Districts**
    - Updates the title of Section 3.6 for clarity.

- Creates flexibility in the ground floor transparency requirements for certain nonresidential uses (select educational uses, places of worship) utilizing modular buildings for assembly.
- Creates flexibility in site design for sidewall orientation of certain dwellings where sites may face challenges such as difficult land grade.
- Updates and clarifies the applicability and exemptions of Frontage Build-To Zone (BTZ) standards.
- **Uses**
  - Updates Table 15-1: Use Matrix to correctly reflect existing allowances (with prescribed conditions) for certain commercial uses allowed as Neighborhood Commercial Establishments.
    - Creates or updates the prescribed conditions for these select commercial uses to create a link to the prescribed conditions for the Neighborhood Commercial Establishment use.
  - (After public hearing, updated Table 15-1: Use Matrix to allow Amusement Facility – Indoor in the ML-2 Zoning District with prescribed conditions.)
  - (After public hearing, updated Table 15-1: Use Matrix to allow Commercial Fitness Center in the ML-2 Zoning District by-right.)
  - (After public hearing, updated the Bona Fide Farm use definition to support Mecklenburg County’s Voluntary & Enhanced Voluntary Agricultural District Program (VAD & EVAD))
  - Updates the prescribed conditions for Dwelling – Multi-Family Attached and Dwelling – Multi-Family Stacked to clarify which zoning district standards are applicable when converting from an existing office use into a single dwelling building or a multi-dwelling development.
  - Updates the prescribed conditions for Dwelling – Quadraplex to clarify intent for quadraplexes as a component of a multi-dwelling development in select certain zoning districts.
  - Removes a prescribed condition for Dwelling – Triplex limiting development of sites two acres or greater.
  - Updates the prescribed conditions for Neighborhood Commercial Establishment to eliminate an additional burden for childcare centers.
  - Establishes Outdoor Market as a use by-right in the IC-1, IC-2, OFC, OG, ML-1, and ML-2 Zoning Districts.
  - Updates the prescribed condition for Vehicle Dealership: Outdoor to clarify intent.
  - Updates the prescribed conditions for Vehicle Repair Facility: Major and Vehicle Repair Facility: Minor to address code enforcement challenges.
  - Updates the prescribed conditions for Wireless Telecommunications to:
    - Establish a setback for new wireless telecommunications towers from buildings located in the Neighborhood 1 or Neighborhood 2 Place Type.
      - (After public hearing, updated the effective date for enhanced setback requirements for newly constructed wireless telecommunications towers to March 23, 2026.)
    - Clean up and streamline colocation language.
    - Create flexibility for landscape yard screening surrounding facilities.
  - Updates the prescribed conditions for Accessory Dwelling Units (ADUs) to create flexibility in the allowable heated square footage of an ADU to better leverage this form of development in the community.
- **General Development**
  - Removes the language at Section 16.1.G as these standards are better captured by updates to language and standards in other UDO articles and sections (Article 2 and Article 18).
  - Clarifies setbacks, excluding side setbacks, for residential lots abutting limited access roads, avenues, boulevards, and parkways may be reduced by 50% in certain instances.
- **Accessory Structures & Accessory Features**
  - Clarifies accessory structure locational requirements in established front or corner side setbacks, including in instances of through lots.
  - Creates a five-foot separation between accessory structures and principal structures in residential zoning districts.
  - Removes the language at Section 17.1.F as these standards are better captured by updates to language and standards in other UDO articles and sections (Article 2 and Article 18).
  - Clarifies that fences / walls placed in the public right-of-way shall require a certification or encroachment agreement from the appropriate public right-of-way authority.
  - Clarifies that extensions of architectural features shall not be cumulatively added to each other.
  - Updates breezeway language to:
    - Remove the requirement that a breezeway be eight feet wide measured between structural supports.
    - Clarify a breezeway less than eight feet in width does not connect buildings the breezeway spans between.
    - Clarify a breezeway eight feet or more in width connects buildings the breezeway spans between.
  - Adds an example breezeway illustration.

- **Parking**
  - Creates additional flexibility for compact vehicle parking spaces when additional vehicle parking spaces are provided above the required minimum(s).
  - Creates flexibility for maximum driveway widths in the area between the curb and five feet behind the sidewalk / right-of-way where city standards may conflict with state standards.
  - Creates flexibility for surface parking area location and access standards for the IC-2, RC, and IMU Zoning Districts.
- **Landscaping & Screening**
  - Updates the titles of Sections 20.10 and 20.11 to align with updates.
  - Creates landscape yard requirements for quadraplexes and multi-family attached dwellings located on residential lots and abutting limited access roads, avenues, boulevards, and parkways.
  - Clarifies landscape yards required for residential lots abutting limited access roads shall only be used for the purpose of plantings.
  - Updates the illustration for Setback Measurement for Residential Lots Abutting Avenues, Boulevards, and Parkways.
  - Clarifies required screening language for solid waste and recycling station service areas.
- **Loading Spaces & Solid Waste and Recycling Service Areas**
  - Updates loading space standards for scenarios of parcels with two or more frontages, to better align with previous UDO updates, and to provide guidance for additional internal coordination for loading space placement.
  - Updates the applicability of constructing solid waste service areas for residential developments, including duplex, triplex, and quadraplex developments.
  - Updates the large waste container and recycling station standards into one subsection and creates a new Table 21-2: On-Site Solid Waste and Recycling Service Areas.
  - Clarifies the language for on-street collection scenarios, including for duplex, triplex, and quadraplex developments.
  - Clarifies the service areas for large waste containers and recycling stations shall only be used for the purposes of solid waste storage and, when feasible, these areas shall be co-located when in residential zoning districts.
  - Updates design standards for large waste container service areas from a standard based on container size to a standard based on square footage requiring specific minimum dimensions which shall be included on site plans.
  - Clarifies voluntarily constructed (above and beyond applicable requirements) solid waste service areas shall comply with UDO standards.
  - Updates solid waste and recycling service area standards to clarify placement of these areas, to better align with previous UDO updates, to provide guidance for additional internal coordination for service area placement, to offer flexibility if compactor-type large waste containers are utilized, and to ensure compliance with screening standards.
  - Clarifies recycling station service area standards for nonresidential development.
- **Signs**
  - Updates and expands Table 22-3: Ground Signs to clarify ground sign permissions for every zoning district.
- **Stormwater & Soil Erosion and Sedimentation Control**
  - Corrects the percentages for nonresidential construction non-substantial improvement notice requirements.
  - Updates language based on state model ordinance and recommendations from state oversight review.
  - Removes the Article 28 specific definition of "Day, Working" as it does not appear in the article.
- **Transportation**
  - Promotes greater flexibility by updating, where appropriate, "Community Investment Plan (CIP) project" and / or "CIP project" to "City or NCDOT project" for when fees are required for infrastructure installations, relocations, or improvements.
- **Nonconformities**
  - Adjusts the language specifying the access conditions under which a nonconforming lot not abutting a street may be developed with a single-family dwelling.
    - (After public hearing, restored the clarifying term "detached" to the language specifying development of a single-family dwelling on a nonconforming lot not abutting a street.)
  - Updates the nonconforming on-premise signs language to align with state law.
- **Administrative**
  - Creates flexibility in exception (EX) zoning map amendments for the unique opportunities and challenges of large healthcare institution development (e.g. hospitals).
  - Clarifies the exception (EX) zoning map amendment flexibility for the qualitative standards regarding design / facades of parking structures.
  - Removes the Effect of Denial language of Section 37.2.R.2 to align with state law.

- **Public Plans and Policies**

- The text amendment builds upon the vision and goals in the *2040 Comprehensive Plan*, refining the UDO regulations and land uses to provide better functionality.

**TRANSPORTATION COMMENTS:** No outstanding issues.

**DEPARTMENT COMMENTS**

- **Charlotte Area Transit System:** No outstanding issues.
- **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 outstanding issues.
- **Long Range Planning:** 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.

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**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
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