

The City Council of the City of Charlotte, North Carolina convened for a Special Meeting on Monday, June 27, 2022, at 10:36 a.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Tariq Bokhari, Ed Driggs, Larken Egleston, Malcolm Graham, Matt Newton, and Greg Phipps.

ABSENT: Councilmembers Renee Johnson, Victoria Watlington, and Braxton Winston II.

ABSENT UNTIL NOTED: Councilmembers Dimple Ajmera and Julie Eiselt.

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Councilmember Eiselt arrived at 10:39 a.m.

Mayor Lyles welcomed everyone to the June 27, 2021, Special Meeting and said this meeting is being held as a virtual meeting in accordance with all of the laws that we have to follow, especially around an electronic meeting. The requirements also include notices and access that are being met electronically as well. You can view this on our Government Channel, the City's Facebook Page, or the City's YouTube Page.

Welcomed to the UDO work session with the Charlotte City Council on June 27, 2022. The purpose of this meeting is to hold a Unified Development Ordinance session with Mayor and Council to get the information, and the questions laid out before everyone as we proceed in this process. The UDO is an important step as we implement the Charlotte 2040 Comprehensive Plan and consolidate eight sets of regulations written at different times over the past 30 years. I thought we had been talking about this almost for 30 years but the topics that the staff has prepared for us, and if there's anything that you want to hear more about, we can certainly text that to the team so that they can know that this is something more that you would like to discuss. Our updates on the key changes since the second draft, what we've heard from the community since the second draft, and findings from the economic impact analysis and site fees ability analysis, were performed on the UDO in the Comprehensive Transportation review. How the UDO and the Comprehensive Transportation review work together to implement the mobility goals that we have and the next steps Ms. Craig will spend some time talking about how the procedural plans for the review and the Council vote on August 22nd. Before we start that w I would like to have introductions, most of the Councilmembers are virtual, we'll start with those attending virtually, and so if we can have introductions from those, we'll start with our District 1 rep, and welcome back.

Alyson Craig, Deputy Director Planning, Zoning & Development Department said really appreciate you taking the time this morning to have a morning session to cover important information on the UDO as we move towards the public hearing and request for adoption. We have a lot of material to cover today, but it's important, today we've got four presenters to cover three topics a story of a second draft UDO that I believe has put us in a place where we are advancing policies of the 2040 Comprehensive Plan, providing a set of regulations that are easier to understand than today's complicated set of outdated ordinances and supports economic vitality in our city. Laura will provide an update on what we've heard from the community and key changes made in the second draft, particularly on items covered in the Economic Impact Analysis. We spent a great deal of time with Council, with the community, and with different stakeholder groups and feel as though the second draft of the UDO finds the right balance of protecting neighborhood character, providing predictability in the development process, and new ideas to advance important city priorities like affordable housing. Then our consultants will present the Economic Impact Analysis and site feasibility testing for the UDO, this work has been very helpful in shaping the second draft and the findings presented today have been updated based on this new draft. What you'll hear from them is that the UDO advances our Comprehensive Plan goals and while in some cases there may be an increased investment required under the UDO. These are important to advance city climate mobility and tree canopy goals and their balance by increases in the development potential, yield, and efficiency.

Finally, Ed will discuss how the work C-DOT (Charlotte Department of Transportation). Is doing with the street manual, particularly the Comprehensive Transportation Review, and how it works hand in hand with the UDO to improve multimodal investment in our communities and demonstrate how this will be applied to development projects. As the Mayor mentioned at the end of the meeting, after the discussion on these items and before we adjourn, we would like to discuss logistics for the July 11th public hearing. With that, I will turn it over to Laura, the UDO Project Manager.

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ITEM NO. 1: SPECIAL MEETING AGENDA

Laura Harmon, Planning Division Manager said I think we covered this for the most part. Just to recap, we did release the second draft to the UDO, which is also the public hearing draft on Friday, June the 3rd and it is available on our website at www.charlotteudo.org. I think we've covered the topics for today, so next slide, please. Some of the key dates with the UDO is we will have a public hearing two weeks from today, on the UDO, Tree Ordinance amendment, and the Charlotte Streets Manual. On July the 19th, the UDO will be going to the Planning Committee at the Planning Commission, where we'll be requesting a recommendation. We will on August 15th, or before, release the UDO adoption draft and come to Council on the 22nd requesting UDO adoption.

So, with the first draft, we received a large number of comments from community members and stakeholders, over 1200 comments. We also spoke with Council a few times, our Planning Commission received feedback from you all and The Planning Commission, went to our UDO Advisory Committee, and also received 600-plus comments from city and Council staff as we were really working to get to the public hearing draft, and the second draft built off of the first draft but does include new and updated concepts and approaches, a few of those we'll go over today.

On the second draft, a little bit about the public input process, we have held a number of sessions to date, some virtual update sessions to explain the changes on June 14th and 16th, on the 15th we had an open house here at the Government Center and we have had virtual office hours on the 21st, 22nd and 23rd and we'll wrap that up tomorrow where people can come in one-on-one or small groups and talk through topics. Staff will then respond to the feedback and summarize the comments for City Council and the Planning Commission, particularly the Planning Committee.

We have on the second draft received comments but not nearly as many as we had on the first draft. Some of the things that we have heard about through the online portal or virtual and in-person meetings are questions about heritage trees and some suggestions that maybe we're not asking for enough in that area. Another area we've heard a lot about is height. Whether folks like the new height transition that we'll show you all in a minute, didn't like it, some questions about increasing height in some of the other districts. We've also received a number of individual questions from individuals where we didn't really see a theme, but we are taking those comments, we'll be wrapping up comments this week, and then consolidating them and providing as I said earlier, feedback to Council on what we've heard in our response to those comments.

So now, we want to talk to you all a bit about some of the changes that we made between the first and the second draft. We'll just go through these quickly and later be able to answer questions if you're interested. We added first off, a fourth campus zoning district, called the research campus district. We had a lot of discussion during the Policy Map about the need for an additional district, so we did develop that and that is the fourth campus district. It allows large-scale research campuses with a mix of uses, not allowed in the other campus districts. So greater flexibility on what goes on and really geared towards large campus environments with taller structures and pedestrian-oriented development.

We revised the side wall height restrictions in the Neighborhood 1 zoning districts. From 12 to 20 feet, so that's the side of the building or it could be higher, depending on if your neighbors are higher than the 20-foot height. We did this because we had heard that the 12-foot restriction really didn't allow two-story duplexes and triplexes and that was important because a lot of times on smaller lots, we need to go to a second story to allow those to occur. We also added some standards for residential driveways, so that we could work on compatibility in established neighborhoods. Allowing up to two driveways along the frontage with a total width of the driveway of 24 feet applies to all of the uses in the N1 districts. Single-family duplex, triplex, and quadruplex. So, as I mentioned earlier, we've gotten some feedback on height transition, both folks who like this and some who have some concerns about it. We did change the height transition which in the first draft, was 65 feet within 200 feet of a Neighborhood 1 place type. And then after that, allowing development to be as tall as the zoning allows. The second draft says that in the first 100 feet, 50 feet we would limit to 50 feet and then to 65 feet within the next 100 and after that, to the height allowed in the district. And we really believe that this is a better transition to our established neighborhoods, but still, allows height fairly quickly at 200 feet to be able to go up to the district maximum. In conjunction with that, we also increased the maximum height in some of our districts to provide greater height where we think it's most important further away from the neighborhoods, height increases were from 5-50 feet and you can see there's a number of districts where we increased the height.

We added new bonus menu options for the height bonus. Providing provision for affordable housing at 60% of area median income, before we had a provision if you were at 80%. We added EV (electric vehicle) charging stations when someone is installing above the UDO requirements. Also, have stages for allowances for multimodal transportation mitigation, and transportation demand management where people can get increased height if they meet certain standards through C-DOT on those last two items, so we think these are opportunities to really align with the city priorities and goals and provide more options for getting the additional height through the height bonus. And another thing that we added, and planning worked with a number of departments, particularly Housing And Neighborhood Services, are new affordable housing allowances. That if you provide 15% of your units at 60% AMI, or 30% at 80% AMI or lower, or 20% at 80% in the areas of high housing costs, for a total of a 30-year affordability period, you can use the incentives on the left and those really deal with the ability to go to a different zoning standard, or and you can actually use all of this flexibility and preserving right-of-way in lieu of constructing a street when that street really is not needed in the near term. The ability to use the tier one green area credits that's out of the tree regulations in the ordinance and that tier one has the greatest flexibility. Also, flexibility on planting, two times the mitigation trees in lieu of providing the mitigation fee. And finally, reimbursement of the cost of constructing sidewalks and that's when you do 20% of your units at 60% AMI or less, for 15 years. And that last standard is based on state requirements. So, that's why it's a little bit different.

Worked with Mecklenburg County Park and Rec, and the County Manager's Office on a new standard or options for dedicating land to Park and Rec or providing a fee in lieu or a combination thereof to meet open space requirements as an option, not a requirement. But an option that people can choose if that works for their site. And we think we've gotten to a good place, we have some more work on the implementation of those, so we'll be doing it with Park and Rec. We also heard a lot about how we have a lot of different types of open areas, we needed clarity on when they could overlap. And so, we provided that in this draft and you can see the number of different types of open areas, and we have clarified when different ones, which is in most cases, allowed to overlap, as long as you're meeting the intent and the standards of each type.

We heard a lot in the first draft about the cost of providing electric vehicle charging stations, so we did remove the requirement for 10% for EV ready. That was a type of EV charging station scenario that was fairly costly but didn't actually give you the charging stations, so this removes a fair amount of cost. We believe. We modified the definition of EV capable and also wanted to point out that Duke Energy's Make Ready Program can be used to defray costs associated with installing EV charging stations. Parking, we had a lot of conversations on parking with Council and others. So, where we've ended up is

fairly similar to where we were in the first draft. Though, with some tweaks to that. We did work on consolidating standards for uses, so it was an easier table to read. we reduced minimums somewhat for nonresidential uses, in Tier 1 and Tier 2, which were the least intense. Development areas, typically, no changes for minimums and Tier 1 for residential use, this is where Neighborhood 1 is in Tier 1. We did increase the distance for certain requirements for minimum parking in Tier 3 when you're near Neighborhood 1, and initially, that was at 200 feet from Neighborhood 1 place type. Change to 400 feet and that's for a limited number of uses but where there is concern about spill over, into the neighborhood. So, restaurants, bars, and other residential, if you're that close to Neighborhood 1, would be required to provide some parking.

And then finally, we added a standard that says that any development within a half-mile walk of an existing transit station and that would be at this point in time our Light Rail, Blue Line, and Blue Line Extension, if you are within that half mile walk, you can use the Tier 3 standards, which are the lowest standards we have. Even if the zoning district doesn't fall into that tier, as long as the development is not located in the Neighborhood 1 place type. But for all other place types, you can use those Tier 3 standards, which would allow less parking.

Councilmember Eiselt said Laura, can I ask a quick question about that?

Ms. Harmon said certainly.

Ms. Eiselt said I'm sorry, just because I think it's technical, I don't want to wait until the end. Even if the development is not located in Neighborhood 1 place type, what if it's located right next door to Neighborhood 1 place type?

Ms. Harmon said great question. You would still have to provide some parking if you're within that 400-foot buffer.

Ms. Eiselt said the 400 feet.

Ms. Harmon said so yeah, that is part of the Tier 3 standards, so you would have to meet that.

Ms. Eiselt said all right. Thank you.

Ms. Harmon said you're welcome. And finally, I want to talk briefly about trees, we have two scenarios for trees. One is when trees are being impacted through development, we call that the Land Development Heritage Tree Protection, and that will be included in the UDO. And then we also have situations where heritage trees are being impacted or removed not through development, but simply through the activity of a property owner. Then they're not doing development on their site and that will be in the amended Tree Ordinance. So, I'll briefly go through some of the highlights of the changes for land development or development-related activity. And the first draft, you were required to preserve a heritage tree unless there was no other reasonable location, but in the second draft, removal is allowed if there's a demonstrated conflict. So that is more flexible in the second draft. The mitigation fee has gone up from \$1,000 per tree removed, plus one tree planted to 1500. And one tree planted, and each additional tree planted we'll reduce that fee by \$250. So that's a quick highlight of what is in those standards. And then on the next slide, for nonland development activity, which again will be in the amended tree ordinance, this is where a property owner, again, is removing a tree, not because of land development activity but because they have a desire to remove the tree. Preservation in the first draft was required unless there's no other reasonable location, and in the second draft, we simply said that removal is allowed. The mitigation fee in the first draft was \$1,000 per tree and one tree planted has been reduced in the second draft to \$500 per tree and one three planted and then each additional tree planted can reduce that fee by \$250. Some pretty significant changes in adding flexibility as we're looking at heritage trees for the first time in our ordinances. And with that, I turn this over to Matt Prosser who is providing an update on the UDO Economic Analysis.

Matthew Prosser, Economic Planning Systems said Hi, everyone good to be you, I'm Matt Prosser with Economic Planning Systems, I led the development of the Economic Analysis related to the UDO. And so, I'll be walking through our approach and findings. So, just a reminder to you all, this is a pretty fundamental change to the way new development is guided in the city. Both with the introduction of the Comprehensive Plan, the related Policy Map, and then ultimately, this UDO will be the instrument for implementing many of the provisions within the plan and the Policy Map. And so, there's a great opportunity for creating the types of desired development that are wanted in the community. And so, our goal through this analysis, or working with David Green with Perkins and Will is to really understand how the UDO is directing developments in relation to the desired outcomes that are within the plan and the Policy Map and then, analyze how that impacts the feasibility and potential for developments in the city.

So, our approach was to work collaboratively with the development community too, first, identify both prototypical projects and then, specific case studies of projects that were built or are being built in the community that are good examples of development. And to understand what the programs and inputs for these different projects were and then to understand the impacts on both design and financial feasibility. As a result of the UDO. And so, there is both an economic study and a design study, final report, that are provided as I mentioned, I'm presenting the economic study findings where David Green will follow me with the design study.

And so, we went through a number of different analyses, to evaluate different issues and really, our biggest was understanding the impacts on what we are calling yield is or the amount of development that can be built on a parcel, based on the UDO. And then also looking at implications on project cost. So, what are our increases or decreases in the cost of the development as a result of the UDO and evaluating those impacts of feasibility from a physical and financial perspective?

As you may know, we have worked with several development community members throughout the process. We organized everyone into five different groups that focused on different types of development from employment types to mixed-use, neighborhoods, adapted reuse, and then, we had an affordable housing-specific group that of course, touched on a number of different contexts in terms of the products that could be affordable and in total we had I think nearly 20 meetings through the process with the development community evaluating projects, gaining input, and discussing results.

For our economic analysis, we developed pro formats for each of the different prototype and case study projects that were evaluated. Gathering inputs from the development community, inputting those into pro forma models, and then, illustrating the financial impacts both looking at multiple return measures. Specifically looking at the impacts on the yield on cost and the project returns for each project that we evaluated.

And so, I want to share with you our findings. So, we have three major findings that we identified. So, the first one and I'll walk through each of these after I present these, the first one is we believe there are being more by right developments allowed in the city. After the initial alignment rezoning and community area planning efforts are complete. And so really a shift to allowing projects that the community wants to see happen quicker. Without the need for conditional zoning districts or negotiations through rezoning processes. The second finding is that we think there's greater development potential on the whole than there are in the current ordinances. So, we're allowing more development to occur especially in places that we want it to.

And then lastly, we do think that there will be an increased level of investment required or cost for each project in most of the right conditions and we'll walk through some of the specifics related to that. And really, I think that's a product of shifting the requirements you've been getting through rezonings and conditional districts, and into a framework that will be allowed to be by right projects right away.

So first, talking about process improvements, and more by right developments. The UDO consolidates and updates several ordinances into one place that is more user-friendly,

and ultimately has the city rezoned through the alignment rezoning and further evaluated through the community planning process, we think there will be more opportunity for by-right development as well as other provisions like the UDO administrator that help navigate projects through the process and alleviate conflicts where previously there may have been hang-ups. This chart on the right illustrates new apartment projects that were built in the last three years within the city and as you can see, over 40% of projects, in a conditional zoning district [inaudible] were built and this doesn't also include rezonings to conventional districts. So, what the UDO is hoping to achieve is reducing greatly the number of projects that would need this type of conditional zoning and allowing them to happen through the traditional right process.

As I mentioned, we also think there's greater development capacity, I think that occurs through two ways. First, through the implementation of the Policy Map and ultimately the alignment rezoning. The Policy Map as you likely know, shifts our development capacity from more single-use place types like residential or employment place types to mixed-use. And what that does is it creates greater capacity for higher density development, [inaudible] multifamily housing shown on the bottom chart. So, what we've done is allowed for greater potential to accommodate the growth that is expected for the community over the planning horizon. The UDO will implement these changes through the zoned districts where they are designated.

We also think the specific standards within the UDO also increase the development capacity and David Green will go into this in a little more detail in a minute. But where we so the greatest impact and where we have been focusing on housing, we think that's where the most impact occurs, in terms of creating more capacity for growth, but through the allowance of more different housing types like a duplex, single-family attached housing. And then, through density, heights, provisions, and the draft UDO, we also think there's an increased potential in multifamily housing development as well in those areas shown in red on this chart illustrate the increase estimated to increase that we could directly attribute to the UDO. There may be the more additional capacity that we could directly attribute.

So, what I want to do is talk through some of the issues that may impact the potential capacity that were brought up through the process. So, Laura mentioned the side wall height issue for duplexes and triplexes in the Neighborhood 1 context was set at 12 feet in the first draft of the UDO, and it has been changed to 20. We've found that working with the development community, this would be a significant impediment to duplexes, specifically on narrower lots so anything really under 70 feet in width would really greatly impact the potential to build a duplex on a lot. So, this is a pretty impactful change that will allow that potential capacity to be illustrated in the previous slide to occur.

Other changes related to capacity, there was the provision to use a conservation residential development alternative for Neighborhood 1. Which allows more flexibility in lot sizes in exchange for the placement of open space or increase in open space, the previous or the first draft required a ten-acre site minimum to use this provision. And this has been reduced to two acres. To match current ordinances but also to reflect the reality that a lot of the development potential in the community is for smaller lots more and more going forward. Laura also talked about more flexibility related to parking and access. To duplexes and triplexes. This added flexibility will help support the development of these product types but also continue to preserve the character of the neighborhoods in that these housing units will be built.

And then, well, one of the biggest things that we heard throughout the process was the impact of heritage trees from the development community. The changes to the second draft greatly reduced the impacts that were identified. There was a lot of concern from the development community that within the first draft, a lot of sites would not be able to be developed because of this provision. And as well there would be upfront costs and impacts on project yield because of it. The ability to document the conflict and build even if there is heritage trees is a great improvement to the potential constraints. There will still be added costs related to needing to do tree surveys and mitigate heritage trees on sites

but the major impediments will no longer prevent developments because of the requirement.

A new provision as Laura mentioned was the addition of this height transition from areas that are adjacent to neighborhood place types. And so, we did not evaluate this initially in our analysis because it is a new provision in the second draft. But did an analysis once the second draft came out. And what we found was there on average, a parcel that is impacted may have a reduction of up to 8% of potential yield as a result of having to lose a floor of height for that first 50 - 100 feet of the site. And at a high-level estimate, we think that would potentially the highest level reduce capacity by 4% on these parcels to about an 1800-unit reduction in capacity. That's still only a portion of the adage capacity that we found in the multifamily. So, I don't find this to be as significantly impacting provision in terms of capacity and also did not create a significant financial feasibility issue on average for projects. Now, site-specific projects might have more concerns, but for the prototypical site, the impact did not create an infeasible project.

The last thing I want to touch on is the requirement for increased investment. So cost for developments. We do think that both drafts do increase costs for by-right development in certain areas, specific to heritage trees, open space and green areas, and electric vehicle charging. We do think that the second draft greatly reduces these impacts. And also, adds provisions to support affordable housing, which was a really fruitful outcome of the affordable housing group that we had formed. I'll walk through these quickly.

The green area and open space requirements were largely additive in the first draft. As Laura mentioned, they specified specific ways that these two areas can overlap, which greatly reduced the total need in many cases. And also, added provisions for land dedication in lieu or alternative for open space. Which creates more development flexibility. And so, while providing green areas may increase costs in some cases, there's greater flexibility to implement different projects and David will talk through this shortly.

Another major issue is the electric vehicle charging stations. As Laura mentioned, the requirement for 10% EV-ready spaces has been dropped so that the total requirement for project develop 32% to 22% for larger projects. We do think this is an impactful change. There will be added cost, the cost of a prototypical apartment project was a 1.3% total increase in cost. This is reduced to .9% based on the change in the ordinance. And so, an improvement but something to monitor in terms of the actual need and use of these spaces, and the requirement to have EV-capable spaces required as technologies change.

And then lastly, I wanted to touch on the affordable housing-specific changes, as I said, these are fruitful changes coming out of the group. The first draft had provisions for Neighborhood 1 place types that allow for the use of greater density or higher intensity zone districts for an affordable project. so, the Neighborhood 1-A, you can use the Neighborhood 1-B standards. The suggestion was to apply this to Neighborhood 2 and NC Districts and so the second draft provides a fair amount of flexibility in using different zoned districts in those place types that best fit affordable projects. Which really creates more flexibility which we found was more often more impactful than actual increases in density, for an affordable-specific project. So, traditional affordable projects are not just mixed-income projects. There are also some provisions related to a reduction in cost that Laura went through, which are a great addition as well, as well as changes to the bonus [inaudible] that will help create more incentive for on-site development as well as increased yield for the fee in lieu for affordable housing bonuses, which will benefit the city's efforts. So, with that, I'll turn it over to David Green to walk through the design study.

Councilmember Ajmera arrived at 11:15 a.m.

David Green, Economic & Planning Systems said hello, everyone. So, I'm going to run through quickly the analysis that we did to support the economic evaluations that Matt just went through. I do want to say that we did a fairly robust detailed analysis and two things I'm going to focus on today in this presentation are the prototype sites and the actual sites.

I also wanted to let everyone know that we did model over 300 scenarios for prototype and actual sites, this is unique in the process of adopting a zoning code or a zoning ordinance. So, I wanted to point out that there's something that is being done in Charlotte which is a little bit different and unique in a positive way.

So in the proto-type sites, what we're looking at is evaluating development that can occur under the proposed unified development ordinance, with what can happen with the current ordinance and we used the translation table, which is part of the UDO, which aligns existing zoning categories with proposed zoning categories, and that was the baseline that allowed us to understand the differences within models each of these different categories across the number of different criteria so that we could understand the impact on density, height, open space, parking, as well as some other specific issues that Matt and Laura both talked about.

In this particular case, we had some fairly clear outcomes and some fairly clear findings relative to yield, by and large, the UDO provides greater residential density, this is for single-family, it also provides greater multifamily density, this is units per acre. It also provides density opportunities that are not present in the current ordinance, which gives it more flexibility and opportunity for increased yield in relation to benefits that are going back to the community. For height, we saw the UDO providing an increased height over the current ordinance in most cases, this is not true across the board. The UDO provides additional development yield in certain areas to offset baseline reductions in height and so one thing we did find is that where we had lower height, standards, in the UDO, in many cases, those yields of lower yields were offset through more flexible design criteria, it was also offset by bonus height opportunities that are not present in the current ordinance. So, for both yield and height, we found that the bonus opportunities offer a lot of potential yield increases as well as flexibility and design. For open space and green area, notwithstanding the changes that were made in the overlapping of the second draft of the UDO, the UDO does by and large require greater open space and green area than in some of the districts, I would say the majority of the districts in the current ordinance, although this does align with the Comprehensive Plan. So, it is doing what it needs to do. It also necessitates alternative open space or green area locations in higher density commercial projects and so in this case, when you have higher density projects, you're actually needing to rely on alternatives in terms of meeting the standards for open space and green area, primarily, things like locating on the roof or fee in lieu options.

And so, we've taken all of this data and we've laid it out in a series of charts that are hopefully fairly easy to understand and I'm not going to spend a lot of time going through these, but I did want to capture the major outcomes from each of these. So, this is a density comparison and dwelling units per acre. So, this is residential density and what you can see in the baseline in orange is the current ordinance. This tells you the amount of development you can get in each of the zoning districts, currently. You then have a green line, which is the first draft of the UDO, and then, the gray dashed line is a second draft of the UDO, and then the orange line is telling you what you can get with the bonus, and what this is describing by and large is that the UDO is giving you more yield for residential dwelling with a couple of outliers that we can get into, if necessary. And that the draft, the second draft is actually increasing that, and the important piece that you'll see consistently through these slides is that there was already a beneficial increase with the first draft of the UDO. And the second draft of the UDO almost without exception increased the beneficial returns on these areas. And then further just so say in some areas, where there were still inconsistencies, the bonuses helped align these more clearly. So, I'm not going to spend as much time on the next slide. But in the next slide, you'll see the same sort of outcome for nonresidential development. And so again, starting with the baseline, seeing beneficial outcomes, with a couple of outliers, for both the UDO's first draft and second draft and the alignment with the bonus. And so, this gives you a really good snapshot that's completely data-driven, that describes the specifics of the values in terms of each of these specific zoning categories. And this is also seen in height, and you can see that there's a kind of consistency in the height with the minor increase in UDO draft 1 and UDO draft 2, but there is an expanded opportunity for increased height where it's appropriate. I will say this doesn't include areas that are within 100 feet of single-family of N1 place types. And/or within even greater distances for the 65-foot cap.

So, we're both increasing height in the areas that it's appropriate, and still protecting the N1 place types.

And then, there's a little bit of a different story with the open space comparison, and green area required. And this has to do with the idea that in all cases, what's happening, is the UDO is trying to make a more consistent set of standards for open space and green areas, and you can see this across the board. The one place where it develops a little bit is the industrial area where which requires less open space than other districts for certain reasons that are self-evident and there's a kind of average for this. But it does mean that in certain zoning categories there is going to be an increase in open space requirements and green areas, and this primarily affects the centers, the higher density areas, and mixed-use areas, but there's also greater flexibility in terms of the way that this can be mitigated. And I will say that one of the beneficial changes in the second draft of the UDO was a fee in lieu for both open space and green area, and what this allows us to do is meet the requirements of the Comprehensive Plan and get better open space for public use such as parks through this funding opportunity without detrimentally impacting the physical developability of sites.

I wanted to point out that in addition to the zoning categories in the UDO, in the translation table, there are a number of additional categories and this is simply to demonstrate that even with the translation table, and that analysis, there was greater flexibility and opportunity for increasing yield in appropriate places, but it's further enhanced and further promoted in the UDO through these additional zoning categories which can be adopted relative to specific place types in the Comprehensive Plan

So, we also looked at actual sites and this was important because working with the development community, and stakeholder groups, we needed to understand what the real impact of this was. So, we modeled hundreds of different scenarios across the prototype sites to understand the general differences between the two. But with wanted to make sure that if we were looking at the best projects, the best examples of projects across the city, we would be able to do those right under the UDO. And so, we followed a similar methodology as we did with the prototype, except in this case we were actually using as the baseline projects that were either planned and approved, that were deemed as beneficial projects, or projects that had been built that were generally deemed by the largest sort of cohort of citizens as beneficial. We looked at the same issues, height, density, open space, and parking, and included in this also, the back of the curb.

And so, we had very findings to the prototype. I do want to point out a couple of slight differences. One thing that we were looking at this and is important to understand, is that we were evaluating the existing parcels. So, the existing projects, in such a way that analyzed whether or not you could build the exact same project under the proposed UDO without having to go through any kind of conditional zoning. We also analyzed each of these parcels if you were to build the same project type but follow more closely the guidelines of the UDO. What would the impact be? And so, in most cases, yes, you could build the exact same project by and large with some small deviations. But you could also build it differently, following the guidelines and get higher yield and better outcomes, and so this is really important because it's demonstrating a specific project level that the UDO both accommodates things that have better been built to a great extent but also aligns with or increase yield and benefit over what was required to be conditionally rezoned and that goes to the heart of the initial assertion that Matt was making. And so, you can see that these general findings follow the same findings that we had for the prototype, which is good because it means that the evaluation of the prototype is actually being tested and proven to some extent through the evaluation of these specific sites.

And so, we saw this in a new office project on Caswell evaluation of all of the different criteria, you could build this as it is under the UDO and you could actually get more yield out of this, if it was redesigned with certain stipulations with the one caveat of a reduction in open space and green area, which could be bought out as fee in lieu, and that was included in Matt's economic analysis.

The same with the very nice multifamily project on Harding. Again, everything is in alignment, by and large, between the proposed UDO and the current ordinance, you can get additional development if you're looking at redesigning the project, which we did. Again, the same challenge with open space and green area, although I will point t out on this one the open space that was used in the conditional rezoning is located on the roof in two different areas and so there is some precedent for this. Although, there would still need to be a fee in lieu to make this work. You can also see that parking works in all of these scenarios as well. And another project on Selwyn, same thing. This project is a little bit different because it is directly adjacent to an N1 neighborhood and in the second evaluation of the UDO, you will see that there was a reduction in the overall development or the overall yield. However, that still is above the yield that is in place in the project as it is. This one was the other only example that we had where we had a reduction in height and so you wouldn't be able to build a 75-foot-tall building, which was conditionally rezoned in the MUDD. You would be able to build a 65-foot building and in this case, you would also have to meet the 50-foot transitional height from the N1 place type. But what this demonstrates in a very clear way is that you could build this project not exactly as it is but yielding the same number of units and the same amount of gross square footage with a slight reconfiguration, meeting the criteria and standards of the UDO. So, we think that what we're seeing here is that there's by and large alignment between the goals and the outcomes.

And so, there's just a couple of example charts here as well. And in this one, you can see that we were looking at the baseline, which was the current project is built, Analysis 1, which was understanding could we build that project under the UDO and where we get variation. Analysis 2 could we build this under the first draft of the UDO and then Analysis three, could we build this under the second draft o of the UDO? And I'll point out Selwyn, which is where the first arrow is. You can see that what happened there is we were able to yield a higher intensity of development with the UDO Draft 1 where we didn't have the transitional height plane adjacent to the N1 Neighborhood place type but it did reduce. As Matt mentioned, it reduce when we got the second UDO draft, but it was still above the numbers that we yielded with the conditional zoning. So, by in large it's good. There's some other anomalies within here, but there's nothing that precludes, again, by in large being able to development what's being developed and understood it's the best development across the city, using conditional zoning now by right under the UDO.

This is a similar evaluation for nonresidential [inaudible], and the only thing I want to point out here if you take the time to read through the analysis is that you will find some outliers like a huge increase in the amount of Non-Residential FAR, in some of the industrial sites that we looked at and this was simply because those industrial site projects were not looked at to maximize development but to understand that you could build the same thing, which again, by and large, you can do.

And so, finally, our three final findings are that again, by in large the UDO aligns with the Comprehensive Plan. So, this is getting the city where it needs to go based on the intent of the plan that the UDO generally provides increasing yields. So, that's one key issue, but then balancing that key issue is that the UDO provides a better physical environment. so, you're getting the best of both worlds at least in the way that we have modeled and analyzed this, you're getting better development, with higher yields in the appropriate places, and you're ultimately getting a better physical environment throughout the city. Thank you.

Mayor Lyles said okay, so here we are at the end of the presentation. You've heard updates on the key changes. And you've heard from the community on the second draft. As well as the changes in the second draft. But I thought it would be best if we started out with a discussion of the Economic Impact Analysis and site Feasibility Analysis for questions. And I'm glad to see that Ms. Ajmera has joined us, and Mayor Pro Tem has joined us.

Councilmember Newton said so, I have comments. Possibly a question interspersed but I'll get to that. So, I had certainly comments on the UDO presentation that we were first delivered but in as much as the Economic Analysis presentation is concerned, I'm

still greatly disturbed by the fact that we are speaking in what appears to be generalities in as much as we're talking about specific areas. I think that one slide might have broken down [inaudible] Caswell, Gibbon, Jay, South, etc., but these are all areas that are closer into the city. I keep bringing this up, and I've said this for years. We have a city that is 310 square miles. That is a large geographic area, and needs extend well beyond maybe the inner loop of this city and I just feel like our approach to planning has been a one-size-fits-all, generality driven rather than addressing, so generality driven endeavor, rather than addressing the differencing needs that we know exist in different communities and neighborhoods. There's a difference between Trade and Harrisburg Road or Shopton Road, for example, and I'm not hearing analysis coming out of these other areas and how the UDO is going to impact those areas. If anything, we completely gloss over it and this is despite the fact that neighborhoods and leaders within those communities continue to bring this up. And to say that they are being left behind and forgotten. So anyhow, I have asked for these types of economic analysis in these other areas. I recall asking about it in committee and I'm just very disappointed because it seems as though much of the emphasis is in areas that already have existing transit and infrastructure. Maybe somewhat blunted or limited in scope and certain areas, but nevertheless, more educational, nutritional, and economic options as well than others. And that's by virtue or by the result of just how large we are as a geographical region. So anyhow that's my comment on the Economic Analysis. I was somewhat disappointed that it wasn't more broad and all-encompassing. In as much as the UDO presentation was concerned earlier.

Mayor Lyles said let's stick to the economic Mr. Newton.

Mr. Newton said sure, sure.

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Due to technical difficulties, there was no audio for this portion meeting.

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Mr. Green said I would say that you're right, we did have a limited cohort of specific sites, although we did have sites in different parts of the city. But the way that we set this up it's fairly easy to go back in and model additional sites or additional areas. I think that's embedded in the logic of the UDO. So, I think it's pretty easy for us to go back and do more if there's specific areas that you would like to look at.

Mr. Newton said yes, sir, I mentioned Harrisburg Road, Shopton Road, I would be very interested in Plaza Road Extension, maybe even slightly north of there, Rocky River Road. Once again, areas that lack many of if fundamental amenities that are existing elsewhere. And to the extent that they do exist elsewhere, I would agree that I feel like the UDO, possibly even our Comp Plan does a good job of addressing the needs, but extending beyond those more amenity-rich areas, I think it does a very poor job and leaves neighborhoods and communities behind. So, any sort of economic analysis on the impact of comprehensive growth in those areas that we know is already going to happen, and add on top of that, the growth that is yet to even be, you know, seen, given kind of the deficiencies in these areas would be helpful, certainly helpful for me. I mentioned those roads and I would also encourage you to reach out to the other district reps who have areas that extend the kind of beyond that immediate loop around our city. And I've called it in the past, kind of the extra mile or beyond the last mil., I don't know if that is appropriate terminology, but hopefully, I'm getting kind of a general sense of what I'm talking about across.

Mayor Lyles said the staff has agreed that if any Councilmember would like to see additional scenarios of the analysis, that Mr. Green has done, they please just send those to Ms. Craig. So, we've got so far, Harrisburg Road, Plaza Road, Rocky River Road.

Mr. Newton said and I would say Shopton as well and on that second point, so in as much as the UDO is concerned and this does seem to be more of a sticking point for me as time goes on, that Tier 1 residential standard for parking minimums, has not changed.

mmm

We're literally talking about eliminating half of all parking spaces in new development and these are in areas, so once again, when we're talking about kind of different areas that have differing needs, there's a huge difference between kind of inner loop and then when you get beyond the inner loop of our city, where tremendous residential growth is already occurring, more will occur, under the 2040 Comp Plan, that will happen by right. Yet, we have no public transit options, no other safety-oriented transit amenities or options like sidewalks, or bike lanes, these are all on two-lane roads. We can't pay for the current needs across our city and let alone future ones and there's no plans to address these areas and so it just seems very unwise to me to decrease parking minimums in those areas, allowing for even additional residential growth when we know that even today, let alone tomorrow, many of the people in those areas will have no choice but to use vehicles. Not to say that we wouldn't want them to maybe utilize other options, but under the circumstances, I don't really think that such an abrupt change in those areas is very wise. Once again, I think it's inequitable and leave those areas behind. That's my issue in as much as that first presentation is concerned regarding the UDO and these Tier 1 residential parking minimums.

Ms. Craig said we can provide you a comparison between the ordinance today as it relates to those areas and what's proposed in the second draft but we listen to the concern that you had when we proposed to you in the last workshop to reduce those minimums, which we went back to our original Draft 1 proposed plan. We'll get you more information.

Councilmember Bokhari said I think Mr. Newton is spot-on with his comments and you know, I've had one meeting, despite almost two years of doing this, where I got to walk through some of the models that were the backbone of what we saw today. And I saw fundamentally flawed assumptions. Where the costs of building and construction, the costs of the ultimate outcomes are looking for, were the same in South Park versus specific neighborhoods in east and west Charlotte, and Mr. Newton's point, they're not the same. They're different. And if we use the same assumptions, we're going to gloss over the fact that we might be devastating certain parts of town, by abolishing single-family zoning. So, one slide on the economic impact of affordable housing, that abolishing single-family zoning will have, that's all we get. And five of us at minimum have been pleading for this information for the better part of two years. And for that to be it, and glossed over, that quickly is pretty disheartening to me. Friday, Steve Harrison from WFAE (a non-commercial public radio station in Charlotte, North Carolina) dropped an article that I hope everyone in this city gets a chance to read and it's one that reinforces everything several of us have been saying for years now. Four years ago, Minneapolis, abolished single-family zoning. They're four years ahead of us and we can look at them because we've modeled a lot of what we're doing based on that national trend that was occurring. Here's a couple of excerpts on how that's going, this is really important. As it relates to the Economic Impact Analysis we deserve and need. Smart growth Minneapolis describes the plan as harmful to low-income residents and minorities. They highlight "issues that will have a desperate impact on low-income communities of color." It's clear that the city failed in its duty to effectively engage the communities most impacted by this plan or to be transparent about the long-term unintended consequences that will ensure, which will likely be housing displacement and gentrification. The American Planning Association actually published a study, something we've been asking for, for two years, saying developers are targeting low-income neighborhoods for redevelopment. After the four years, not maybe they would, they say they are targeted. Which is exactly what we said would happen here. Their quote, these findings also suggest that property owners in relatively inexpensive neighborhoods may see the greatest price increases, which can help lesion the gap between property values study says. However, the fact that the developers are likely to target relatively inexpensive properties compared to the properties around them may lead to a short-term reduction in the supply of relatively low-cost single-family housing.

And then, [inaudible] stated Minneapolis's 2040 Comp Plan sought to address this problem by eliminating single-family zoning, allowing up to three units per property and as the belief went it would increase housing supply, and with more units. It would address the affordability crisis and promote desegregation. Exactly what we've been hearing around here for the last two years. Yet this has not happened. For one, housing is not a

unified but a diverse market. Housing built for the affluent or middle class is not the same for the poor. All things being equal, developers will build the type of housing that is most profitable for them and it is not for the poor. And these aren't just statements of the actual reality of people's opinions, in Minneapolis, who have had this for four years, the court ordered Minneapolis to cease implementation of their 2040 Plan. And they said you need to cease and desist until the city "prevails in establishing an affirmative defense", and that's what we've lacked right now. We've said, okay, well, it's fine, it will probably be fine, but they're saying right now, bit court order, you cannot do this until you go proactive, affirmatively defend your position of what you're saying is going to happen, not the otherwise. Yet, here we are, right now, not having done the actual analysis needed to understand if we're going to decimate portions of our city and where they've actually gotten creative is in sleight of hand. Election day is July 26th. The UDO vote is on August 26th. We delayed that. And then, September 6th is our organizational meeting and our swearing-in ceremony, when the next Council comes in. This was premeditated as a strategy to take a position that many Charlotteans disagree with, after the election but before the next Council takes office. In other words, without any accountability. But here's the kicker that they didn't realize. And I say this to every member of this community. Under clear words of the 2021 law, delaying the election, that's SB722, members elect can choose to take the oath in 1 time after they get the certification of the election and the certification of election is going to be no later than August 11th by estimate. So, what does that mean? It means that abolishing single-family voting was approved with a razor-thin margin last year, 6-5. The voters of Charlotte have an option to vote for a slate that will not approve the UDO as an unintended consequence.

Madam Mayor, I am almost done speaking specifically on the Economic Impact Analysis and the gains that you all have played and that gamesmanship has now put you all in a position where the voters of Charlotte can have a referendum on July 26th, and actually say, no single-family zoning will not be abolished and we will put people in office that will make sure that they uphold that and they only need one vote to do it.

Mayor Lyles said I don't quite know how to express it. Is there any comment that could help address some of Mr. Bokhari's comments about Minneapolis, flawed assumptions, targeted development, property owners being targeted, and I will not ask you to comment on when our election is being held? So, any other comments?

Mr. Green said I'll defer to Matt, and Laura on a couple of these issues but I do know the issue in Minneapolis and it's not quite that straightforward, it has to do with a specific political issue that's tied to the environmental action. But I do think that by and large, there is value. So, I work all over the world. I happen to live in Council person Newton's district, but my experience globally, not just nationally, but globally, is that a lot of the elements that the UDO is putting into place will actually have beneficial outcomes, I think, that Mr. Bokhari is looking for. Some of the stuff just doesn't happen immediately. And I think that it's probably incumbent upon Matt and myself, to go back and pull together some data that might help illustrate this a little bit more clearly. Personally, I apologize, for not getting the information that you're asking for in this presentation. But I think that there is plenty of precedent and analysis for this that we can look at as we evaluate the current UDO draft.

Mr. Prosser said I would just mention when we were looking at the impact of potential redevelopment of single-family homes late last year and early this year, we did revise our approach and incorporate six specific product types that ranged in price point and also cost to address specifically Councilmember Bokhari's comments about our analysis and found fairly similar results which we've provided within the reports for the evaluation of the UDO. So, we have been trying to hear your comments and provide additional analysis, based on your feedback and we'll continue to do that as possible to support this.

Mr. Bokhari said and my problem with that is that it's always been editing of the model with the ultimate outcome in mind of what the story that wants to be told and right now, I just I think it's the point after almost two years of constant battling, constant trying to use logic, from an Economic Impact Analysis perspective, I think that we're at a point now where we just have to agree that everyone is going to hold firm and now keep marching

forward and a referendum for the citizens of Charlotte on July 26th to decide if single-family zoning will be abolished.

Councilmember Driggs said one thing I would like to see out of this analysis is some sort of projection of what we think the ability of affordable housing will be based on all of these policies. So, a center peak to all of this was that we wanted to increase the supply of housing to make housing more affordable. I think that where we are right now is entering the third \$50 million bond cycle of the trust fund and it is not clear to me that the situation in terms of the housing shortage has improved. We've been in a very difficult and inflationary environment, I get that. But I do think that we ought to have some justification in terms of an expectation of relief on the front of affordable housing as a result of this whole plan because that was one of the major drivers. I also had asked previously about the economic analysis, and whether we take into account HOA (Homeowner Association) agreements. I remember Matt, you showed us, you know, where you thought, the affordable housing might get developed or how much of it might get developed. But HOA agreements and deed restrictions that are currently in place are critical and it's one more reason why the development gentrification is likely to accelerate because those are the most vulnerable neighborhoods not only in terms of the price point of the housing, and the cost of the land but also, in terms of the legal protection they have. I do have a question related to last week's zoning meeting. We had a number of high-density petitions and the conversation started on Council about are we really thinking about how that affects congestion? Are we modeling all of the increase in density with any regard to our road system and the capacity that we have to absorb that growth?

Mayor Lyles said I think Mr. Driggs, that there's going to be after we finish this section, you'll get comments on the comprehensive transportation item, that's a separate item and we'll come back after we complete that if that's okay. Ms. Babson is here to go through that. I think that the point is Mr. Driggs is asking about how these two things intersect and that's the next item on our agenda, Mr. Driggs. Are you okay with allowing some of the Councilmembers to comment and then come back to that one?

Mr. Driggs said I have other questions but aside from that, I'm not aware of anything in the streets map or other conversations that tells me what I can say to people who live on Providence Road about how the congestion is likely to develop along there [inaudible] right here and right now talk about what we think is going to happen in these very congested areas. So, another question I had is, on the trees, are we creating a separate rule book for trees, or are all of the requirements about trees going to be in the UDO?

Ms. Craig said all of the development-related requirements for trees will be in the UDO. There will be an amendment to the tree ordinance to talk about the property owner decisions because that's not development related but will follow the same exact adoption schedule. It's really a matter of where our legal staff recommended those regulations be.

Mr. Driggs said with respect to affordable housing, are we negotiating? There's indications that we're going to let them have this much density, and we're going to let them do the N2 density, and the N1. Have we actually negotiated with the developers to find out what it takes for them to be able to do affordable housing without public investment based on these incentives because we made the mistake before of putting the density bonus out there and no one was interested? So, do we have reason to believe that the things in the UDO, that are meant to stimulate the creation of affordable housing will actually be sufficient to encourage private investment?

Mr. Prosser said yeah, I can address that first off. And so, we, through the process, identified both changes to the bonus menu as well as this introduction of the flexibility of zone district use. So, the bonus menu creates different tiers for affordability in terms of the bonus that you get for it. Also, creates a modified incentive to try to encourage on-site mixed-income developments. What we had been hearing from the housing folks is that the fee in lieu of the additional height bonus has been working and producing dollars that have gone into the affordable housing fund. And so, adjustments that were made were trying to increase opportunities to, either pay the fee in lieu of providing sights in different variety of contexts and levels of affordability. In terms of the flexibility of zoning districts,

that was a really substantial change that was made. What we heard from the specific affordable housing developers that were in our groups and like I said, we had a specific group that was just people that are active in building affordable housing, both nonprofit, private, developers, was that often for things like low-income housing tax credit projects, increased density isn't something that is valuable to them, because they have a sort of set number of units that work well for that financing tool. Really what was most beneficial was flexibility in the standards that they could use and so, what the second draft of the UDO allows is a really unique opportunity to use zone districts that are in different place types that better support affordable project designs. If you're in an area that is calling for certain urban provisions that make building an affordable housing project more costly or difficult, you can use a less dense zone district to build your project. Which will address some of those issues, as well as things as, you know, one thing we heard about was the road to nowhere. Where affordable projects had to build the sort of stub road for future connection. One of the examples of the provision included is you no longer have to actually build that road, right away until that connection is needed and merely have to preserve that right-of-way. So, what we tried to do working with the developer specifically is identify those instances in those places where increased flexibility and reduction in cost would be most beneficial. I think we've identified some very substantive changes that can help those projects.

Mr. Driggs said I think that the holy grail, is when we get for-profit developers to include affordable housing in their developments based on incentives that we offer. So, I hope that we're going to be able to do that.

Mr. Prosser said yeah, and I agree with you, Councilmember Driggs. Dave and I pushed for some changes to further incentivize those on-site projects and it may be that you need additional or more generous incentives to further push that, and I think that's worth monitoring as this is implemented. If anybody is taking advantage of those or not. If they're not, perhaps it would warrant relooking at that and identifying some of the additional changes or more generous incentives to push the private development community to include those units.

Mr. Driggs said thank you.

Councilmember Ajmera said a couple of questions. First, I want to thank Alyson and her entire team, I've had multiple sessions to understand all of the changes that were made to heritage trees, parking, and EVs to address the concerns that we have had over the past several months. I certainly appreciate that. And the first question I have here is Matt, could you elaborate on the scope of your economic analysis and how you went about scoping that, and what was the process? Did you have the ultimate outcome in your mind as you were scoping this analysis out?

Mr. Prosser said no. I mean the scope of the analysis was really three major points. One was to identify the changes that we thought were impactful on development yield or development cost. And that was a pretty laborious process. And it was only accomplished through the generous donation of hours and effort from the development community. I would like to commend their efforts in helping us develop this plan. It was essential that they were willing to invest the time that they did and like I mentioned we had over 20 meetings with them in various contexts, as well as I, know there's groups that have been meeting weekly with city staff to go through issues. And so first, we documented the ones that we collectively thought were impactful. And then both David and I went through a pretty robust analysis to try to evaluate each of those issues. Looking at both prototypical sites and case study sites to identify which ones were more or less impactful and then document that to city staff and back to the development community. Which fed directly into changes in the second draft UDO. Which is really the third part was to identify recommendations that we thought would help alleviate concerns.

And so, really the scope of the change that you guys have taken in terms of consolidating the ordinances, the one Unified Development Ordinance, and the shift of not only the Policy Map but into a whole new set of zoned districts. Is a pretty sizable change. So, I don't know how you could possibly have any idea what the potential outcomes of those

would be. And we did find some pretty significant barriers. The heritage tree issue was a humongous issue that we needed to work with and we have a favorable change I think in terms of allowing the development but trying to achieve the goals of the community and preserving that tree canopy. There's other ones too that we have identified. But the scope of this was way too large to have any sort of set idea of what the outcome would be.

Ms. Ajmera said thank you. I think that is very helpful. So, is it fair to say that there was no ultimate outcome in mind throughout this process?

Mr. Prosser said no. Other than to help make it better.

Ms. Ajmera said okay. No, I appreciate that. You know, there is a lot of analysis done on the cost, which is great, because we want to be mindful of not increasing the cost of building but also addressing some of the other priorities that we have for affordable housing, tree preservation, and some of the other priorities that the city has. I'm trying to really understand some of these changes, especially heritage trees, parking, and EVs. What is the impact we are looking at from the environmental perspective? And what would it cost if we were not to do the things that we are intending to do or planning to do to preserve our heritage trees, while also ensuring that we have economic opportunities for our residents and that we are incentivizing affordable housing and we're incentivizing electric vehicles? I would just like your thoughts on that.

Mr. Prosser said yeah, there are a lot of benefits, and I think that the UDO does a good job of illustrating for each sort of section of the UDO, the rationale for the standards that are within it, and the outcomes and the benefits that it's trying to generate. And so, each section of the UDO has that sort of rationale section that lays out, pretty clear terms why the community is providing the standards and what are the outcomes that they are looking for. And so, a lot of the benefits that you mentioned are ones that are not quantified, at least from our perspective but are impactful. I think that it would take a pretty robust analysis on almost each issue to really highlight those benefits and I think really David's finding and our finding is through the reflection that the UDO is really doing a good job of implementing the vision that's in the Comprehensive Plan, illustrates how there's a direct connection between the value of the community and the benefits they see in things like the Urban Tree Canopy and increased connectivity and what have you. I think that we have a UDO that does a good job of trying to translate those added benefits without overly burdening the development community, specifically with the implement of that. Like I said, the sort of the trade-off between potential yield and the amount of the development they can build and increase costs is something that we are cognizant of the entire time and do not want to create an environment where the cost was not outweighed by the yield or the benefit that was generated in. Illustrating that specifically to the development community and realizing that there are community-wide benefits as well that are not necessarily [inaudible].

Ms. Ajmera said no, I think that your team has done a great job with analyzing the cost. I would like us to quantify the other benefits that we are trying to address through this UDO, whether it's affordable housing or environmental impact. So, truly give an accurate picture of what this UDO attempts to do. That's all I have and I think Councilmember Watlington had also asked for that at the last UDO workshop and I have not seen a follow-up to that question and she had asked, similarly, how do we quantify some of these benefits that we are trying to tackle? Thank you.

Councilmember Phipps said yes. I guess the presentation that was just given, showed how the UDO comports with the Comprehensive Vision Plan. And it talks about, you know, different aspects of it. And it makes mention the increases and cost for development in certain areas. I'm wondering, you know because that could be, I mean, it's already, it seems like it's already turning into, you know, and I guess a legitimate talking point in terms of will the generation of this plan result in increased cost and really diminish our ability to get some of the things that we want, increased affordable housing opportunities and such? To piggyback off of what Ms. Ajmera said, I'm interested in knowing if we didn't do this, I mean, if we somehow maintained the status quo, after all of this work that we have done, isn't there a cost to that also? So how does that cost compare? Because right now, we're operating under conditions that we don't have an approved UDO yet. This is

something that we are aspiring to. So, what is the final analysis? Does this effort that we're going through, I mean, it seems from what I'm hearing, the consensus seems to be it's an overall improvement over our current condition, but can we definitively say that in the face of projected costs increases that would accrue through the implementation of this? And I think that corresponds to what Ms. Ajmera was saying, what kind of benefits we're trying to achieve with this plan in terms of open space, and things like that? Which, you know, tree preservation, which we want to preserve our canopy. I mean, what is tradeoffs? Are we saying then that this is the direction that gives us the greatest benefit, right now? That's one question I have.

This other comment that I have on what Mr. Newton was saying about the far east areas and such. I'm wondering, I mean, can we really compare right now, the urban areas of Charlotte when you contrast them with some of our rural areas that still have vast tracts of land, still have dairy farms, along Rocky River, even along Hood Road or whatever? I mean, I've been in Back Creek now for 19 years, we're annexed in the city in 2003, and, you know, and we're certainly still waiting for some infrastructure. I wonder how appropriate is it for us to really compare the urban core with some of these urban areas that are still originally a part of ETJ (Extraterritorial Jurisdiction) areas that are moving into the city? I mean, certainly, there's a certain amount of time element that it's going to take to get those areas interspersed with both commercial, retail, and residential to get them to a point where they would have the density to be able to justify a lot of the activities that we want to see. So, I can understand Mr. Newton's frustration. But I wonder how balanced it is when you compare it against other parts of the city? You know, those are my comments and I mean, and question there was, you know, what's the cost of not implementing this new UDO? Where are we now? I mean, you know, are we better off or whatever? So that's what I have right now. Thank you.

Mayor Lyle said I believe Mr. Prosser would be best to address your question of the consequences of doing nothing, the trade-off, the costs. We have Mayor Pro Tem as our last speaker, and then I want to do a time check to see where we're going with what we want to do because we do have some really significant work to do. But I know that people have schedules.

Mr. Prosser said yeah, I think one of the most impactful changes here is the UDO is trying to create an environment where projects are built more often by right. What you have currently is the situation where a lot of the benefits that or amenities that folks want to see in new development projects whether it's, you know, sidewalks connectivity or open space, green area, tree preservation, that stuff in many cases and we tried to illustrate that in the analysis is often negotiated through conditional rezoning or process, currently. And so, what you're having to do, every project, the lack of better words, sort of fight for all of these benefits in that negotiation for the rezoning. And the UDO sets to do is just set a baseline and you can see those in David's charts, specifically, the green area and open space. [inaudible] consistent baseline, what's required for green area and open space and require that and try to push for more by-right development that's built how we want it to. And so, projects no matter where they are in the city. If there in the core, on the edge, have specific standards that meet the ideals that we want for different projects and I will say that we've evaluated every zoning district that is in the plan, and so zoning districts that would apply only sort of in the lower density [inaudible] areas were evaluated just as they were for the more core areas. And as well, and so, there was an evaluation of the variety of impacts, especially through the prototypical sites of what the challenges are. I think there's a future opportunity through the community area planning process to take what the high-level vision of the Comprehensive Plan has and specifically, apply that to specific geographies in terms of the improvements that are needed to achieve the values and the outcomes that the community would like to see in areas like the far east. So additional opportunities to guide investment and so at least with the UDO, we have a framework that's providing development projects that fit with what the community wants.

How we improve the conditions through physical improvements and capital projects is outside, I would say, of the UDO scope, but equally as important and something to consider as well.

Councilmember Eiselt said thank you, everybody, for the presentation. Well, let me ask my first question, is it fair to say, Matt, you just said it's a framework. Is it fair to say it is not law until the small area plan is completed? That's probably for staff. Because I think that's a really important point.

Mr. Prosser said I'll let staff mention, that some of these benefits, especially the density and increased yield will come as a result of the translation of the zoning and ultimately that will be guided through some different processes. I think that Laura will probably speak to that.

Ms. Harmon said we're actually recommending that the UDO take effect in June. June 1st of next year. Certainly, we'll be going back and looking at aligning zoning as part of the community area planning process. So, we'll have a lot of conditional zoning that will remain in place until those that process begins, and then all of those rezonings, anything that we propose will come back through Council for approval or not.

Ms. Eiselt said so, I'm a little confused by that. If you had development on Harrisburg Road, to Matt's point, a proposal, and it could be by right through the UDO, but it wouldn't fly in the small area plan, but you don't know it yet because the small area plan hasn't been done. Can that project be done?

Ms. Harmon said it would depend on the zoning of that property. Just as it would today without the community area plan. So, if the property is already zoned in today's world, the zoning would translate to a new district that would allow that to happen. But it would happen regardless of whether or not the UDO is adopted if the zoning is appropriate, and the market is there for the property. So, the UDO really doesn't change whether or not development would occur.

Ms. Eiselt said I know that I'm glad to see we're still talking about conditional rezonings because we're going to have to have them. My concern is though that staff has the ability to tell a developer, somebody who applies, no, that's not going to work, we're not going to allow that, and Council might even know, and we've had that happen in the TOD (Transit Oriented Development) where they can be told, well, that doesn't fit. You can go ahead and do that because it's a TOD, whereas it's a rezoning that Council would not have approved or vice versa. So, I'm a little bit uncomfortable with saying we can do it as a conditional because there will be some people who don't really know that they could come to Council and say, you know, we're being told we can't do this. I think it's very important for the areas that Matt and Ed have brought up where some of those roads and Victoria. I'm sure would say the same thing if she were on about Steele Creek, some of these roads are outliers in the sense that there's no help coming for them. I do think that they need to either be flagged or somehow given the ability to have some nimbleness with how we approach them because they are different than other roads and they're not going to be next to a right rail stop where we hope everybody will move over to the light rail or to whatever. But I don't know how we get past that without being very clear that there is another path to turn down or to alter what would be a by-right. So, I'm struggling with that one a little bit.

My other comments would be, I don't quite understand. You mentioned the open space requirement, it was 25 by 25. And then it was eliminated or what was that comment?

Mr. Prosser said yeah, there was a requirement in the first draft of the open space having a specific size of a minimum of 25 feet in width and length and that was our analysis and specifically, David's analysis found that to be pretty onerous to fit that sort of large space without some flexibility. So, what the second draft does is allows for greater flexibility of the size, of the open space as long as it meets the criteria for what is, you know, a usable open space, without having to have a specific size parameter to it. It's a relatively minor change, but it is impactful and David's analysis was trying to find a 25 by 25 spot, which sometimes was impactful on the project design. I don't know if David, you want to elaborate.

Mr. Green said it just simply had the unintended consequence of diminishing the opportunity to do small-scale development. That was the issue, and so we came one a solution where we got the same amount of open space, but it allowed us to do smaller building development whether residential or commercial. So stronger street edge, things like that.

Ms. Eiselt said it's the same amount of open space.

Mr. Green said it is. There are a number of these issues that we dug into with a sort of technical level and so just a very simple way to imagine this is we all want, you know, in sort of urban neighborhood, we want buildings that all face the street but there's a requirement for commercial open space that it had to be directly adjacent to the street, which makes sense, but there was a dimension requirement that had to be 250 feet wide. So, what you can get a drive and that open space you've got a parcel that's 100 feet wide, half of that is open space. So, you get building, open space, building, open space. What we were trying to do is allow more flexibility so we could have developed in some of these smaller projects that was more like we would see on a neighborhood shopping street, for instance. It was really just that. I didn't diminish the amount of open space whatsoever.

Ms. Eiselt said okay. I think that's probably it for my questions and comments. You know, again, I don't know how we get there, but I do think there needs to be more data around a road that might be similar to another road but it isn't because it's already got a lack of infrastructure, and we know that's not [inaudible] can do. Thank you.

Mayor Lyles said so, there's a Council Committee Meeting that starts at 12:30. So, so we have about 10 minutes. We will adjust the agenda for tonight. I believe we start at 4:00 o'clock and have the presentation on the UDO and the Comprehensive Transportation Review at that time. Since several of you have other Council committee meetings that start. But before we go there, I thought we would try to cover the procedural issue around this, and if we need to, we can have the Tap Committee look at the procedural issues. But making sure that Ms. Craig, goes through and explains what they are and how it works. But we will figure out a way to work in the UDO and the Comprehensive Transportation Review work following the zoning meeting, but before the public forum tonight.

Ms. Craig said thank you Madam Mayor. I'm going to turn this over to Laura to talk about the items that will come before you on July the 11th.

Ms. Harmon said yes, and if we get to it, the end of the presentation, but on the 11th, we will be bringing you the Unified Development Ordinance, having a public hearing on that, and related procedures. The public hearing on the revised tree ordinance, and then public comments on the Charlotte Streets Manual and including the Streets Map. So, you will have two public hearings and a public comment session, all on these related items.

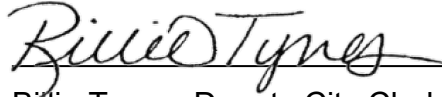
Ms. Eiselt said we also have a TAP (Transportation Action Plan) meeting that day, so that's the opportunity for Councilmembers also to get more information if they want to join us for that meeting.

Mayor Lyles said okay. All right. So, it's 12:20 now and I believe that we've covered everything and I don't want to start the UDO and the Comprehensive Transportation Work until we can actually do it as a complete report. As well as having time for questions. I do want to recognize that the Great Neighborhoods Committee meeting is coming up and give you a chance to have a break-in between that. So, this meeting for the UDO work session is now adjourned a city and we will readjourn for those that need to be there this evening and we'll get a new schedule out of when the presentation of the UDO and the Transportation Review project will come up on the agenda tonight.

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ADJOURNMENT

The meeting was adjourned at 12:21 p.m.

A handwritten signature in cursive script, reading "Billie Tynes", written over a horizontal line.

Billie Tynes, Deputy City Clerk

Length of Meeting: 1 Hour, 45 Minutes
Minutes Completed: June 22, 2022