

<b>REQUEST</b>	Text amendment to the Unified Development Ordinance (UDO).
<b>SUMMARY OF PETITION</b>	Modifies the UDO to address minor administrative items related to Tree Preservation Accounts and the Neighborhood Character Overlay District, and to correct scrivener’s errors.
<b>PETITIONER AGENT/REPRESENTATIVE</b>	Charlotte Planning, Design & Development Department Charlotte Planning, Design & Development Department
<b>COMMUNITY MEETING</b>	No meeting required.

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition.</p> <p><u>Plan Consistency</u> The petition is <b>consistent</b> with the policies and vision of 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 adjustments and revisions after adoption to correct minor errors, add clarity, and adjust use permissions and prescribed conditions.</li> <li>• The proposed text amendment will result in better functionality.</li> </ul>
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**PLANNING STAFF REVIEW**

- **Background**
  - As written, a NCO Neighborhood Character Overlay District cannot modify standards located within existing declarations of covenants and restrictions. This NCO requirement has limited application of the NCO and, for this reason, is proposed to be removed. Removal of this standard is consistent with the manner that the UDO typically addresses covenants and restrictions. Removal will allow an NCO to include standards that are more restrictive than covenants but will not allow the reduction or elimination of existing covenants.
  - The Strategy & Budget Department’s review of the UDO raised concerns about how fees and payments-in-lieu that are generated through development activities, particularly tree-related activities, are accounted for. It was suggested that relevant ordinance language, especially terminology, be amended in Articles 20 and 39.
- **Proposed Request Details**  
The text amendment contains the following provisions:
  - Article 14: Special Purpose and Overlay Districts
    - Removes paragraph 14.3.B.2, which states an NCO cannot modify any standards located within existing declarations of covenants and restrictions.
  - Article 20: Landscape, Screening & Tree Preservation
    - Per a request by the Strategy and Budget Department, clarifies the funds to which various fees and payments-in-lieu are paid.
    - Per a request by the Strategy and Budget Department, clarifies how the heritage tree mitigation payment is established.

Article 39: Enforcement

- As requested by the Strategy and Budget Department, clarifies where collected fine revenue shall be deposited.
- **Public Plans and Policies**
  - The text amendment builds upon the vision and goals in the 2040 Comprehensive Plan, refining the UDO regulations and uses to provide better functionality.
- **TRANSPORTATION SUMMARY**
  - **Charlotte Department of Transportation:** No comments submitted.

**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.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** 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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