

REQUEST	Text amendment to the Unified Development Ordinance (UDO).
SUMMARY OF PETITION	The purpose of this UDO text amendment is to make changes to the conservation residential development standards in Section 4.5 of the UDO to increase the quantity and quality of required open space, increase transitions to adjacent parcels, and revise frontage requirements. There are proposed changes in 5 of the 39 Articles.
PETITIONER AGENT/REPRESENTATIVE	Charlotte Planning, Design & Development Department Charlotte Planning, Design & Development Department
COMMUNITY MEETING	The proposed text amendment was presented to the community via two virtual public information sessions. The first session was held at noon on April 2, 2024, with 43 individuals in attendance, including three Planning Commission Members. The second session was held at 6:00 pm on April 9, 2024, with 25 individuals in attendance, including one Planning Commission member.

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is consistent with the policies and vision of the <i>2040 Comprehensive Plan</i>. <u>Rationale for Recommendation</u> • The petition supports Goal #2: Neighborhood Diversity and Inclusion, Goal #3: Housing Access for All, and Goal #7: Integrated Natural and Built Environments. • The text amendment will increase the quantity and quality of required open space, and design standards for required open space. The standards will ensure that common open space is accessible and useable by residents. • The text amendment adds requirements that lots front on public streets, open spaces, or green areas to ensure lots have better access and relationship with frontage. • The amendment adds a perimeter landscape yard for the site to provide a better transition between the conservation residential development and adjacent parcels.
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PLANNING STAFF REVIEW

- **Background**
- An overview of the text amendment was presented to the City Council on March 25, 2024.
- The proposed text amendment was presented to the UDO Advisory Committee (UAC) on March 7, 2024 and March 28, 2024.
- A high-level briefing of the proposed text amendment was presented to the Transportation, Planning, and Development Committee (TDP) of the Charlotte City Council at their April 1, 2024 meeting.
- On April 9, 2024, staff provided an overview of upcoming text amendments, including the conservation residential development text amendment, to the Charlotte Planning Commission.
- Two virtual information sessions were held on April 2, 2024 and April 9, 2024.
- On April 9, 2024, staff provided an overview of upcoming text amendments, including the conservation residential development text amendment, to the Charlotte Planning Commission.
- **Proposed Request Details**
The text amendment contains the following provisions:

Article 2: Definitions

- Adds a new definition for "Conservation Protection Area".

Article 4: Alternative Residential Development Options

- Replaces Section 4.5.A in its entirety with new regulations. Highlights include:
 - Addition of a purpose statement and an intent statement.
 - Applicability:
 - Permitted in N1-A, N1-B, and NC-C zoning districts. Minimum size: 5 acres
 - Site Layout:
 - Revised that lots shall front on a public street, common open space, or green area, and added conditions for fronting on common open space or green area.
 - Added a Class B landscape yard of 25 feet shall be required along the perimeter of the site, except where it abuts an existing public street or network required private street.
 - Revised maximum number of lots to be determined by the gross acreage of the site, minus rights-of-way for existing public streets, divided by the minimum lot area of the zoning district.
 - Continued to allow minimum lot area and lot width reduction by 50%.
 - Continued to allow front and rear setback reduction by 50%.
 - Reduced the setback when fronting on a common open space or green area to 5 feet.

(Added after public hearing)

- Added standards for alleys. (After the public hearing, increased maximum length of alley from 150' to 200' when lots on both sides of alley front on common open space or green area tree save)
- Added visitor parking requirement.
- Conservation Protection Area:
 - Increased amount of site area required for conservation protection area to 40%. Thirty percent of the overall site shall be green area and 10% shall be common open space.
 - Additional standards for green area and common open space are as follows:
 - Trees on private lots/sublots shall not count toward the required green area.
 - Increased minimum dimension of common open space areas to at least 50 feet in all directions.
 - Added requirement that at least one common open space area shall be accessible from all residential lots in the development within a 1,000 foot radius of the common open space area.
 - Clarified that required common open space shall be improved for either active or passive use.
 - Added that residential lots fronting common open space shall provide perimeter trees at a rate of one large maturing tree for every 40 feet of lot width.
- Green area and common open space conveyance:
 - To Mecklenburg County in support of the Mecklenburg County Park and Recreation Department, if accepted by the County.
 - To a conservation organization approved by the City, if accepted by the designated organization.
 - To one or more homeowner's associations.
 - Added a stipulation that green area and common open space shall have no development rights except when these areas are improved for active or passive recreational purposes. (Revised after public hearing to clarify these areas may be developed for active or passive recreation)

Article 4: Voluntary Mixed-Income Residential Development

- Adds a sentence clarifying that the conservation residential development provisions shall not be paired with the conservation residential development incentives of Section 4.5.A.
- Allows property zoned the N1-A Zoning District to be developed in accordance with the standards of the N1-C Zoning District, property zoned the N1-B Zoning District to be developed in accordance with the standards of the N1-D Zoning District, and property zoned the N1-C Zoning District to be developed in accordance with the standards of the N1-E Zoning District. (Revised zoning districts after public hearing to provide greater flexibility)

Article 15: Use Regulations

- Allows a principal use Parking Lot of up to 10 spaces to accommodate visitor parking.

Article 16: General Development Regulations

- Adds an exception to the regulation that every lot shall abut a street and allows building in a conservation residential development to abut a common open space area or green area.

Article 19: Off-Street Vehicle & Bicycle Parking

- Requires visitor parking to be located on-street or in a common parking lot.

- **Public Plans and Policies**

- This text amendment is consistent with the policies and vision of the 2040 Comprehensive Plan and supports Goal #2: Neighborhood Diversity and Inclusion, Goal #3: Housing Access for All, and Goal #7: Integrated Natural and Built Environments.

- **TRANSPORTATION SUMMARY**

- **Charlotte Department of Transportation:** No outstanding issues.

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Not applicable.
- **Charlotte Water:** No outstanding issues.
- **Erosion Control:** No outstanding issues.
- **Long Range Planning:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** No comments submitted.
- **Urban Forestry / City Arborist:** No comments submitted.

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org
Planners: Alan Goodwin (704) 432-3418