

# UDO Workshop

Charlotte City Council

# Meeting Purpose

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- Review several topics of the Draft UDO that have received a **significant number of comments from the community** through the online comment portal as well as in community conversations.
- Staff will provide Council with **recommendations for changes on these topics** to acquire Council feedback on these proposed changes in advance of the next draft of the UDO expected late May.

# Heritage Trees

# Heritage Trees: Policy and Regulation

## Comprehensive Plan Policy >>> Proposed First Draft

- ▶ *Prioritize preservation of large, healthy, mature trees and existing contiguous healthy forests (Policy 7.7)*



### ▶ Heritage trees

- Require permit for removal of healthy, native (to NC) tree greater than 30 inches dbh.
- Mitigation required unless dead, diseased, hazardous. If hazardous, tree can be removed without permit.
- Same requirements for land development customers and general citizen tree removal (non-land development).

# Heritage Tree- Proposed Changes

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## First Draft

- Same requirements for land development customers and general citizen tree removal (non-land development)
- Heritage tree definition: healthy, native (to NC) tree greater than 30 inches dbh (diameter at breast height)



## Proposed Revisions to 2<sup>nd</sup> Draft

- **Separate requirements.** Tree removal and mitigation requirements now differ for land development customers vs. non-land development
- Same definition of heritage tree

# Heritage Tree Preservation & Strategy

## First Draft

### Land Development\* & Non-Land Development

- Primary intent – Preservation required
- Preservation strategy - Required in most cases, unless severe conflict is demonstrated
- Secondary intent – Mitigation & tracking



## Proposed Revisions to 2<sup>nd</sup> Draft

### Land Development\*

- Primary intent – Balancing preservation, mitigation & tracking
- Preservation strategy - Required when no conflict is demonstrated
- Secondary intent – Incentivize preservation

### Non-Land Development

- Primary intent – Mitigation & tracking
- Preservation not required in any case
- Secondary intent – Increase preservation awareness

\*Land Development: Includes construction of a new principal structure, addition or expansion of built-upon area or building coverage to an existing structure by 5% or 1,000 sq ft., and approval of a new subdivision.

# Heritage Tree- Proposed Changes

## First Draft

- Tree removal permit only granted when:
  - *“The tree and critical root zone are located within the buildable area where a structure or improvement may be placed and there is no other reasonable location.”*
  - *“Preservation of the tree would unreasonably restrict use of the property.”*
  - *“The tree is sufficiently diseased, injured, dead, in danger of falling, creates unsafe sight distance, or conflicts with other sections of this Ordinance or provisions of other ordinances or regulations.”*



## Proposed Revisions to 2<sup>nd</sup> Draft

### Land Development

- *“Heritage trees shall be protected to the greatest extent possible.”* Tree removal permit issued where a conflict is demonstrated.
  - Allows development to design site regardless of heritage tree location but preservation of trees not in conflict is required.
  - Site requirements and allowances per other articles of the UDO would control building placement and design.

# Heritage Tree- Proposed Changes

## First Draft

- Tree removal permit only granted when:
  - *“The tree and critical root zone are located within the buildable area where a structure or improvement may be placed and there is no other reasonable location.”*
  - *“Preservation of the tree would unreasonably restrict use of the property.”*
  - *“The tree is sufficiently diseased, injured, dead, in danger of falling, creates unsafe sight distance, or conflicts with other sections of this Ordinance or provisions of other ordinances or regulations.”*



## Proposed Revisions to 2<sup>nd</sup> Draft

### Non-Land Development

- Removal permitted in all cases, unless located in previously approved tree save area.
  - Property owner must obtain a tree removal permit from city and meet mitigation requirements.
  - General land disturbing activity within heritage tree critical root zone will not be regulated\*
    - Examples: planting a garden, installation of a fence, installation of fire pit, installation of sod, installation of irrigation lines
- \*UNLESS**
- Disturbance level rises to the level of triggering land development regulations
    - Regulatory threshold: construction of new principal structure, cumulative addition of 1,000 sq. ft. or > 5% of built upon area/building coverage



# Heritage Trees- Proposed Changes

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## First Draft

- Mitigation:
  - Payment of \$1,000 fee, replant one tree for any approved tree removal.
  - Fee could be reduced to \$500 if one tree was planted for every 10 inches diameter at breast height lost.



## Proposed Revisions to 2<sup>nd</sup> Draft

### Land Development

- Mitigation:
  - \$1,500 fee and one tree replanted for each approved tree removal.
    - Fee could be reduced to \$0 if additional trees are replanted. Each additional tree planted would reduce the fee by \$250.
    - Specimen trees may be preserved in-lieu of submitting mitigation payment

### Non-Land Development

- Mitigation:
  - \$500 mitigation fee and one tree replanted.
  - Fee could be reduced to \$0 by same rate as specified above.

# City Council Discussion

# Parking

# Proposed UDO Zoning Districts

## Neighborhood Zoning Districts

(UDO Part III)

<b>N1-A</b> NEIGHBORHOOD 1-A	<b>N1-B</b> NEIGHBORHOOD 1-B
<b>N1-C</b> NEIGHBORHOOD 1-C	<b>N1-D</b> NEIGHBORHOOD 1-D
<b>N1-E</b> NEIGHBORHOOD 1-E	<b>N1-F</b> NEIGHBORHOOD 1-F
<b>N2-A</b> NEIGHBORHOOD 2-A	<b>N2-B</b> NEIGHBORHOOD 2-B
<b>N2-C</b> NEIGHBORHOOD 2-C	

## Employment Zoning Districts

(UDO Part IV)

<b>CG</b> GENERAL COMMERCIAL	<b>CR</b> REGIONAL COMMERCIAL
<b>IC-1</b> INSTITUTIONAL CAMPUS 1	<b>IC-2</b> INSTITUTIONAL CAMPUS 2
<b>OFC</b> OFFICE FLEX CAMPUS	<b>ML-1</b> MANUFACTURING & LOGISTICS 1
<b>ML-2</b> MANUFACTURING & LOGISTICS 2	<b>IMU</b> INNOVATION MIXED-USE

## Centers Zoning Districts

(UDO Part V)

<b>NC</b> NEIGHBORHOOD CENTER	<b>CAC-1</b> COMMUNITY ACTIVITY CENTER 1
<b>CAC-2</b> COMMUNITY ACTIVITY CENTER 2	<b>RAC</b> REGIONAL ACTIVITY CENTER
<b>UC</b> URBAN CENTER	<b>UE</b> URBAN EDGE
<b>TOD-UC • TOD-NC TOD-CC • TOD-TR</b> TRANSIT ORIENTED DEVELOPMENT	

## Special Purpose Districts

(UDO Part VI)

<b>MHP</b> MANUFACTURED HOME PARK
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# 3-Tier Approach to Parking Requirements

## TIER 1

Minimum off-street parking requirements. No maximum parking limits.

ML-1

ML-2

IC-1

OFC

MHP

N1 (all)

N2-A

N2-B

## TIER 2

Both minimum and maximum off-street parking requirements apply.

IMU

IC-2

NC

N2-C

CG

CR

CAC-1

## TIER 3

No parking minimums, except for a limited number of uses (including residential) in certain locations. Maximum parking limits apply.

TOD(all)

UC

CAC-2

RAC

UE

Tier 3 minimums for residential uses may be reduced or eliminated with a local City parking permit program or parking study/strategy to reduce parking demand approved by Planning Director .

# 3-Tier Approach to Parking Requirements

## TIER 1



- **Minimum** off-street parking requirements
- **No maximum** parking
- **ML-1, ML-2, IC-1, OFC, MHP, N1 (all), N2-A, ~~N2-B~~**
  - Single-family: ~~2~~ **1** space per dwelling unit
  - Manufactured home: 1 space per dwelling unit
  - Other residential: ~~1.5~~ **1** space per dwelling unit
- **Non-residential**
  - Typical standard: 1 space per ~~500~~ **750** square feet (gross)
- Some uses have different parking standards based on their unique characteristics. Car wash and correctional facilities are examples.

# 3-Tier Approach to Parking Requirements

## TIER 2



- Includes **both minimum and maximum** off-street parking requirements
- ~~Maximum does not apply to parking structures~~
- IMU, IC-2, NC, **N2-B**, N2-C, CG, CR, CAC-1
- **Residential**
  - Minimum:  $\pm$  **0.8** space per dwelling unit
  - Maximum: 2 spaces per dwelling unit
- **Non-residential**
  - Typical minimum: 1 space per ~~750~~ **1,000** square feet (gross)
  - Typical maximum: 1 space per 250 square feet (gross)
- Some uses have different parking standards based on their unique characteristics.



# 3-Tier Approach to Parking Requirements

## TIER 3



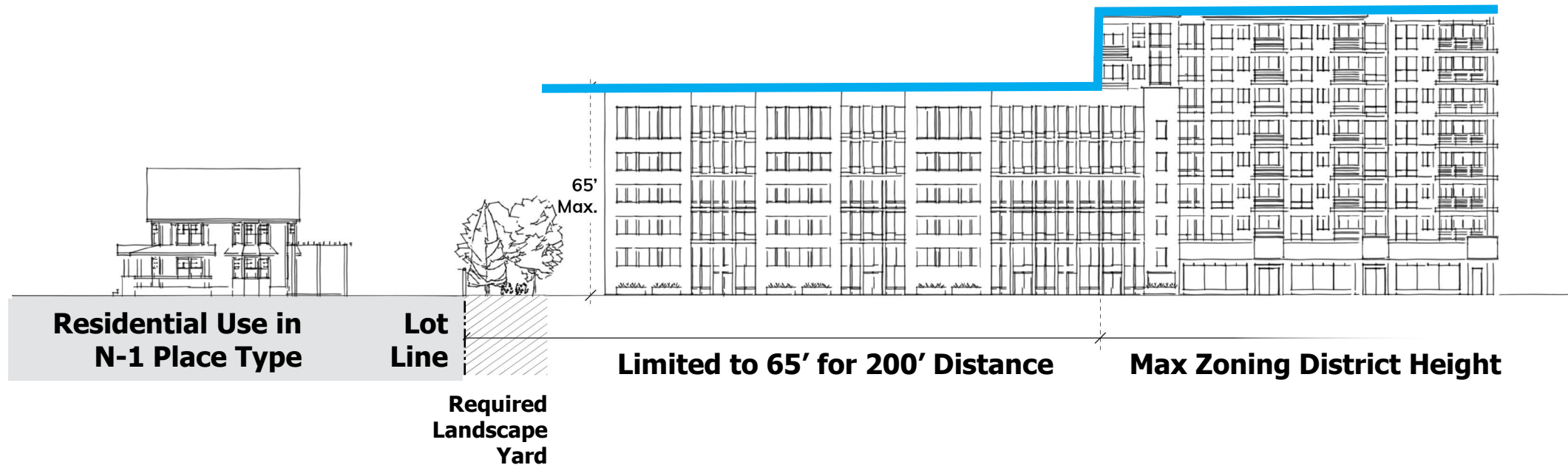
- Approach based on TOD districts
- Focused on maximum off-street parking requirements
- TOD (all), UC, CAC-2, RAC, UE
- **Minimum:**
  - Applies to multi-family residential, live performance venues, micro-production of alcohol (excluding brewing facilities), nightclubs, and restaurants/bars **within 200' of N1 zoning**
  - 1 space per 500 square feet (gross) plus 50% of outdoor seating/activity area; Residential uses 1/dwelling unit
- **Maximum**
  - Residential: Typically 1-2 spaces per dwelling unit depending on dwelling type
  - Non-residential: Typically ranges from 1 space per 200 square feet (gross) to one space per 300 square feet (gross)



# City Council Discussion

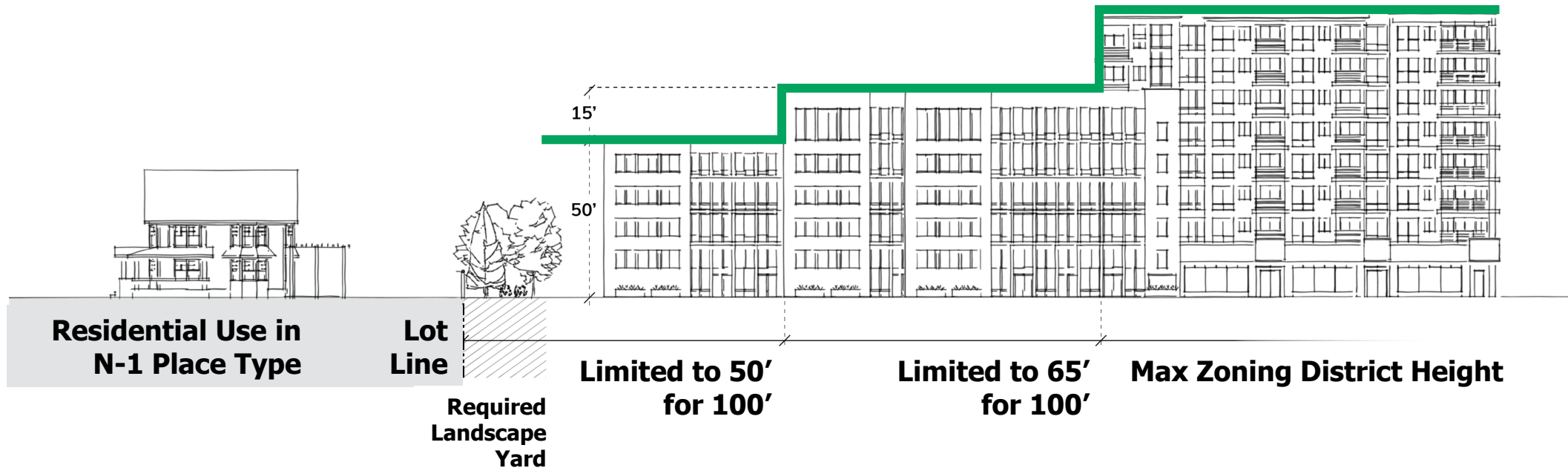
# Height Transition

# Height Transition



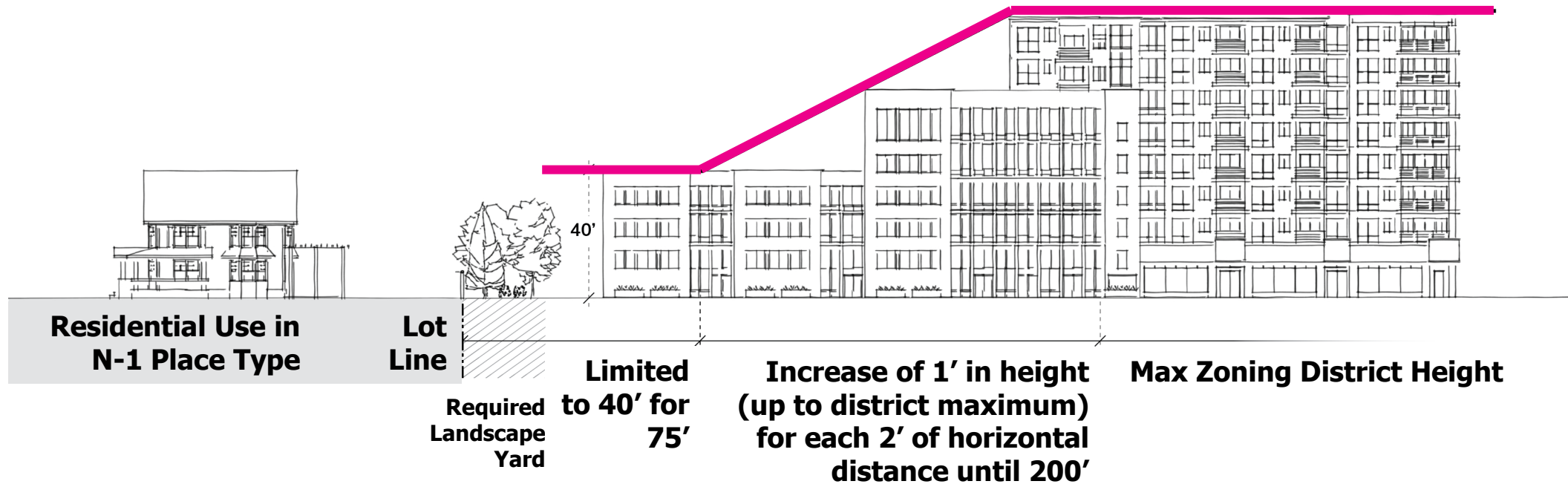
## UDO 1<sup>st</sup> Draft Proposal

# Height Transition



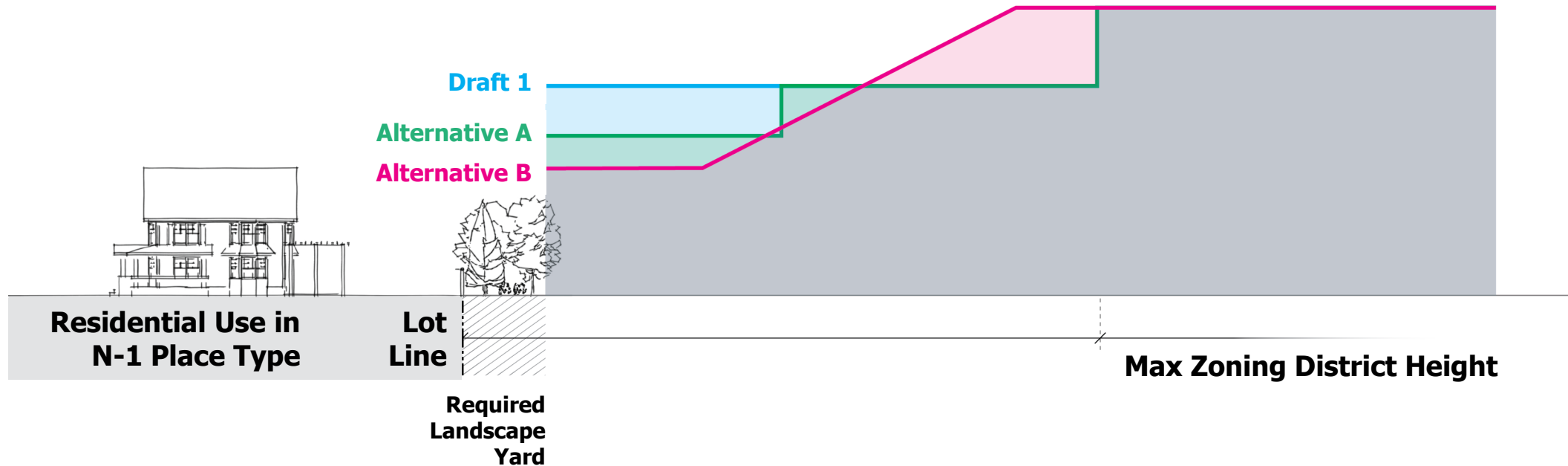
## UDO Alternative A

# Height Transition



## UDO Alternative B

# Height Transition



## Approach Comparison

# City Council Discussion

# Zoning Translation and Alignment



# Zoning Translation and Alignment

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- ▶ **Recommended Effective Date: 9 months after adoption of the UDO**
- ▶ **All conventional zoning will translate from current zoning districts to new zoning districts on the effective date of the UDO**
- ▶ **Conditional zoning will not translate; however, all conditionally zoned sites will be considered for alignment zoning after the UDO goes into effect. Most alignment zoning will occur in conjunction with the community area planning process**
- ▶ **A recommended alignment rezoning for a property will be based on that property's place type, as confirmed or updated by the community area plan that applies to the property**
- ▶ **There will be extensive community engagement for the zoning alignment process**

# Conventional Rezoning

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- ▶ **Zoning category for conventional rezoning petitions will translate to the new district if still pending on effective date**
- ▶ **Can file conventional rezoning beginning on the effective date of the UDO**
- ▶ **Community/Informational meeting added for conventional rezoning**

# Permit Choice

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- ▶ **Established by State Law**
- ▶ **If applicant submits a permit application for development, and if a regulation is changed after permit application but before application decision, applicant may choose which version of the regulation or ordinance to use**
- ▶ **Permit choice includes development activity but doesn't include rezonings**
- ▶ **If multiple development permits are required, subsequent permits may use permit choice rule if applied for within 18 months of initial permit**
  - Sign permits and soil and erosion control permits are not considered initial permits

# Conditional Rezoning

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- ▶ **If filed 4 months prior to UDO effective date, can move forward and be approved under the current (pre-UDO) zoning regulations, even if decision is after effective date**
  - However, decisions for conditional rezonings petitions to current (pre-UDO) districts must be no more than 9 months after UDO effective date
- ▶ **Can file for conditional rezoning for UDO zoning district beginning on effective date**

# City Council Discussion

# Thank You