

Legislation Text

File #: 15-18508, Version: 1

Unified Development Ordinance

Action:

Adopt the Unified Development Ordinance with an effective date of June 1, 2023.

Staff Resource(s):

Alyson Craig, Planning, Design & Development
Laura Harmon, Planning, Design & Development

Explanation

- The City of Charlotte Unified Development Ordinance (UDO) is a set of regulations designed to guide the city's future growth and development.
- The development of the UDO has been a city-wide effort to consolidate and update eight ordinances and regulations (zoning; subdivision; street and sidewalk regulations; trees; post-construction stormwater regulations; floodplain regulations; driveway/access standards; and soil erosion and sedimentation control) into one document.
- The UDO aligns these regulations with the vision adopted in the Charlotte Future 2040 Comprehensive Plan and builds from other city policies including the Strategic Mobility Plan, the Strategic Energy Action Plan, and complements the Tree Canopy Action Plan.
- The UDO is divided into five sections: Ordinance Introduction (Articles 1 and 2); Zoning Districts and Standards (Articles 3 through 22); Stormwater (Articles 23 through 28); Subdivision, Streets, and Other Infrastructure (Articles 29 through 34); and UDO Administration (Articles 35 through 39).
- In conjunction with adoption of the UDO, the following chapters, articles, and appendix of the City Code are repealed in their entirety on the effective date:
 - Chapter 9, "Floodplain Regulations";
 - Chapter 17, "Soil Erosion and Sedimentation Control";
 - Chapter 18, Article 4, "Post Construction Stormwater";
 - Chapter 19, Article 3, "Driveway Connections";
 - Chapter 19, Article 6, "Sidewalk and Drainage Facilities";
 - Chapter 19, Article 8, "Obstructions and Encroachments", Item 19-245(b)(2);
 - Chapter 20, "Subdivisions"; and
 - Appendix A, "Zoning Ordinance".
- The proposed ordinance to adopt the UDO includes the following:
 - The adoption of the UDO and the repeal of the above referenced ordinances, which shall become effective on June 1, 2023;
 - On June 1, 2023, the Zoning Board of Adjustment shall be renamed the UDO Board of Adjustment;
 - On June 1, 2023, areas mapped with a conventional zoning district will translate to a new UDO zoning district. Areas mapped on the Official Zoning Map with a conditional or optional zoning district will retain their zoning district designations and approved site plan conditions;
 - On June 1, 2023, pending conventional rezoning petitions requesting a rezoning to a pre-UDO zoning will be translated to a UDO zoning district and will become null and void if no decision is reached within two years from the application submittal date, or the effective date, whichever is later;

- Conditional and optional rezoning applications requesting a zoning map amendment to a pre-UDO zoning district will be accepted by city staff and processed under the pre-UDO zoning regulations, if a complete application is filed by February 1, 2023, even if the decision is made after the effective date. However, the decision must occur no later than March 1, 2024. The petition will become null and void if no decision is reached within that timeframe; and
 - Following the adoption date of the UDO, text amendments to the UDO may be made without further public hearing to codify changes approved by City Council in conjunction with the approval of the UDO, to include addition of or changes to graphics, and to correct typographical or cross-reference errors.
- The approval and repeal of parts of Chapter 21, “Trees”, will be brought to City Council in a separate action.

Background

- Camiros Ltd., a planning and design firm, was hired by the city in the winter of 2015 as the UDO project lead, to work with Planning, Design & Development (PD&D) staff on developing the UDO. The law firm of Parker Poe Adams & Bernstein, LLP, a sub-consultant to Camiros Ltd., provided legal support.
- A UDO Advisory Committee (OAC) was assembled in late 2016, to provide feedback to city staff on technical issues and community concerns throughout the development of the UDO. The OAC represents the development and design professions, neighborhood organizations, non-profit organizations, environmental groups, and other interested groups. The OAC began meeting in late 2016. Over the past seven years, 68 OAC members participated at various times, and 57 OAC meetings were held.
- On April 15, 2019, City Council adopted the first prototype chapter of the UDO for Transit Oriented Development, with a second revision on June 15, 2020. A second UDO chapter for Signs was adopted on October 21, 2019, with a revision on October 19, 2020.
- A city and county interdepartmental team began meeting June 8, 2020, to review and discuss the UDO.
- The first draft of the UDO was released on October 7, 2021, with a 26-page reference guide.
- Public engagement included in-person events throughout the city. There were 750 interactions at 11 pop-up events and five in-person open house events held between September and December of 2021.
- Additional public engagement also included 20 virtual conversations on the various UDO topics in December and January of 2022, with 349 citizens attending, plus eight listening sessions with 318 citizens participating in February and March of 2022.
- Public comments were solicited through a web based public input portal. A total of 1,273 public comments were received on the first UDO draft during the public engagement period between October 7, 2021, and March 18, 2022. PD&D staff responded to each public comment, with staff responses posted on the UDO website at www.charlotteudo.org.
- With assistance from Communication & Marketing, four episodes of “Charlotte’s UDO and You!”, were filmed to share general information about the UDO, illustrate how it affects the community, and provide a deeper dive into heritage trees, the Neighborhood 1 Zoning Districts, and the changes made in the public hearing draft of the UDO.
- On June 3, 2022, the city released the UDO Public Hearing Draft, also known as the Second Draft, for public review and comment through a public comment portal.
- Public comments were solicited on the UDO Public Hearing Draft through the web-based public input portal. A total of 290 comments were received during the public engagement period between June 3, 2022, and June 30, 2022, and at community input events. PD&D staff responded to each public comment, with staff responses posted on the UDO website at www.charlotteudo.org.
- On June 14, 2022, and June 16, 2022, staff held four virtual sessions to highlight key changes made in the UDO Public Hearing Draft. Twenty-five individuals participated in these sessions.

- A UDO open house was held on June 15, 2022, where residents could drop by to learn about the UDO and the key changes proposed in the UDO Public Hearing Draft. Fourteen individuals interacted with staff.
- A series of 16 virtual office hour sessions were held on June 21, 2022, June 22, 2022, June 23, 2022, and June 28, 2022. Residents could sign-up for 15-minute time slots to speak with staff about the following parts of the UDO: Streets, Sidewalks and Other Infrastructure; Zoning, Stormwater, Trees, and Administration.
- On July 11, 2022, a public hearing was held for City Council and the Planning Committee of the Planning Commission. Twenty-two speakers addressed City Council with comments on the UDO.
- On July 14, 2022, after the UDO public hearing, staff released a summary of 70 recommended changes to the UDO Public Hearing Draft for Planning Committee consideration and released an updated draft of the UDO Public Hearing Draft with the Recommended Changes highlighted.
- At its July 19, 2022 meeting, the Planning Committee of the Charlotte-Mecklenburg Planning Commission voted 7-0 to recommended approval of the UDO Public Hearing Draft with the staff recommended changes and included one additional modification to the UDO use matrix. The Committee recommended requiring a conditional zoning with prescribed conditions (C/PC) for gas stations, and major and minor vehicle repair facilities instead of allowing these uses by-right, with prescribed conditions (PC), as indicated in the attachment, "Planning Committee Recommendation".
- The UDO adoption draft includes all recommended changes and City Council will consider the UDO adoption draft during their scheduled vote on the UDO on Monday, August 22, 2022. To view and download the UDO Adoption Draft, without redline changes, visit <https://charlotteudo.org/wp-content/uploads/2022/08/Complete-Adoption-Draft-Clean.pdf>
- Additional information can be found on the UDO website at www.charlotteudo.org.

Attachment(s)

Proposed Ordinance to Adopt UDO

Planning Committee Recommendation

Summary of Recommended Changes to the UDO Public Hearing Draft