

REQUEST Text amendment to Sections 2.201, Table 9.101, 9.404, 9.503, 9.703, 9.803, 9.1003, 9.1103, and 12.527 of the Zoning Ordinance.

SUMMARY OF PETITION The petition proposes to revise the regulations for single room occupancy residences by:

- 1) modifying the definition of a "single room occupancy residence" and adding a new definition for "supportive services";
- 2) modifying and expanding the number of zoning districts where single room occupancy residences are permitted with prescribed conditions; and
- 3) modifying the prescribed conditions for single room occupancy residences.

PETITIONER Charlotte-Mecklenburg Planning Department
AGENT/REPRESENTATIVE Charlotte-Mecklenburg Planning Department

COMMUNITY MEETING Meeting is not required.

STATEMENT OF CONSISTENCY This petition is found to be consistent with adopted policies and to be reasonable and in the public interest by a 5 to 1 vote of the Zoning Committee (motion by Commissioner Fallon seconded by Commissioner Phipps).

ZONING COMMITTEE ACTION The Zoning Committee voted 5 to 1 to recommend **APPROVAL** of this petition.

VOTE

Motion/Second:	Fallon/Phipps
Yeas:	Dodson, Fallon, Firestone, Phipps, and Rosenburgh
Nays:	Lipton
Absent:	Walker
Recused:	None

ZONING COMMITTEE DISCUSSION Staff summarized the text amendment. A Commissioner asked what type of entities can run a single room occupancy residence (SRO), and who decides what type of special needs services are provided? Staff responded that a SRO may be run by any type of entity: federal, state, local, non-profit, or private entity. The type of special needs services is determined by the entity running the SRO, based on resident needs, which can vary.

A question was asked about how can it be determined that the services provided are adequate or appropriate? Staff responded that Neighborhood & Business Services, who enforces the regulations, can ensure there are support services provided, but cannot monitor or assess the adequacy of the services. Zoning Ordinance regulations focus on how land is used.

There were no additional questions.

MINORITY OPINION The minority opinion focused on a concern that the text amendment should not require support services without providing a mechanism to assess the appropriateness, effectiveness, and adequacy of the

services.

STAFF OPINION

Staff agrees with the recommendation made by the majority of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW**• Background**

- A “single room occupancy (SRO) residence” is currently defined as “a building containing at least 11, but not more than 120 rooming units, which are available for rental occupancy for periods of seven days or longer. This does not include boarding houses, motels, hotels, private dormitories, congregate care facilities, nursing homes, family care homes, group homes, emergency shelters, homeless shelters, and accessory shelters.”
- A stakeholder group, consisting of over 30 individuals and representing neighborhoods, the SRO industry, law firms, County agencies, representatives from other types of special needs housing, and other interested parties, met over a ten month period. Their charge was to investigate the possibility of changing the SRO standards regarding: 1) notification and/or increased awareness of proposed projects, 2) proximity of other SROs and similar uses in an area, and 3) zoning districts in which this use is permitted. This text amendment is the result of this stakeholder process.
- Single room occupancy (SRO) residences are currently a permitted use allowed with prescribed conditions in the INST, B-2, UMUD, TOD-R, TOD-E, TOD-M, TOD-RO, TOD-EO, TOD-MO, U-I, and I-1 zoning districts.
- The following are highlights of the current SRO prescribed conditions:
 - Minimum rooming unit size: 80 square feet with an additional minimum of 50 square feet for each additional occupant.
 - Minimum common space: five square feet per rooming unit, but totaling not less than 250 square feet.
 - Operation: On-site management shall be provided 24 hours.
 - Density: Based upon the maximum non-residential Floor Area Ratio (FAR) of the zoning district where located with a minimum of 11 and maximum of 120 room units per site.
 - Off-street Parking: 0.20 spaces per rooming unit; can be reduced by 50 percent when within a quarter mile of a transit line.
 - Signs: Signage identifying the use shall be in accordance with the underlying district.
 - Buffers: Buildings, outdoor active recreation facilities, and off-street parking and service areas shall be separated by a Class B buffer from any abutting property zoned or used for single family residential use.

• Proposed Request Details

The text amendment contains the following provisions:

- Adds a new definition for “supportive services”.
- Modifies the definition for “single room occupancy (SRO) residence”, by:
 - Adding a provision to allow no more than three buildings on a site.
 - Modifying the minimum rental occupancy period from seven days or longer to 30 days or longer.
 - Adding a provision that SROs must provide supportive services for individuals with special needs.
 - Deleting reference to uses that are not considered SROs.
- Modifies how SROs appear in Table 9.101, “Table of Uses” by moving them from the category titled “Office and Business Uses” to the category titled “Residential Uses”.
- Deletes SROs from being a use allowed with prescribed conditions in the INST, U-I, and I-1

- zoning districts.
- Expands the number of zoning districts in which SROs are permitted with prescribed conditions to include the UR-2, UR-3, UR-C, O-1, O-2, O-3, and B-1 districts, in addition to the districts that currently allow SROs.
 - Modifies the prescribed conditions for SROs:
 - **Minimum Rooming Unit Size:** Deletes the requirement to add an additional minimum of 50 square feet per additional occupant and sets a maximum size of 450 square feet.
 - **Rooming Unit Capacity:** Adds a new requirement that rooming units in SROs shall be limited to one occupant per room.
 - **Operation:** Modifies the prescribed condition by requiring that rooming units in each building must be accessed through one primary location.
 - **Number of Rooming Units Permitted:** Renames "Density Requirements" to "Number of Rooming Units Permitted".
 - **Signs:** Adds a cross-reference to the location of the sign requirements in Chapter 13.
 - Adds new prescribed conditions for SROs:
 - **Proximity:** Requires a minimum separation distance of ½ mile from any other SRO site.
 - **Expansions of Existing, Legally Conforming SROs:** Allows any legally conforming SRO that exists at the time of the adoption of this text amendment to expand consistent with the provisions of Section 12.527, including existing, legally conforming SROs located in the institutional, urban institutional and industrial zoning districts.
 - **Public Plans and Policies**
 - The *General Development Policies (GDP)* for residential location and design encourages a range of housing types and densities to meet the needs of different types of households.
 - This petition is consistent with the *General Development Policies*.
 - **Staff Recommendation (Updated)**
 - Staff recommends approval of this text amendment.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:**
 - There is no site plan associated with this text amendment.
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OUTSTANDING ISSUES

- No issues.

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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