

Petition No. 2011-037
Petitioner: Charlotte-Mecklenburg Planning Department

**AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE –ZONING ORDINANCE**

ORDINANCE NO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

1. PART 2: DEFINITIONS

- a. Amend Section 2.201 “Definitions”, to add a new definition for “supportive services” in alphabetical order, and to modify the definition of “single room occupancy residence”. The remaining definitions shall remain unchanged. The new and revised definitions shall read as follows:

Section 2.201 Definitions.

Supportive Services.

Supportive services should include, but are not limited, to the provision of meals; assistance in obtaining permanent housing; medical counseling, treatment, and/or supervision; psychological counseling, treatment, and/or supervision; assistance in recuperating from the effects of, or refraining from, the use of drugs and/or alcohol; nutritional counseling; employment counseling; job training and placement; and child care.

Single Room Occupancy (SRO) residence

A building site consisting of no more than three (3) buildings and containing at least eleven (11), but not more than one hundred and twenty (120) rooming units, which are available for rental occupancy for periods of ~~seven (7)~~ thirty (30) days or longer. Single room occupancy residence developments must provide supportive services for individuals with special needs. 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.

(Petition No. 2005-35 §2.201, 04/18/05)

B. CHAPTER 9: GENERAL DISTRICTS

1. PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS

- a. Amend Table 9.101, “Table of Uses” by 1) deleting “Single Room Occupancy Residences” from the “Institutional Use” category, and from the “Office and Business Uses” category in the TOD-R, TOD-E, TOD-M, UMUD, Institutional, B-2, U-I, and I-1 zoning districts, and then 2) re-adding “Single Room Occupancy Residences” as a permitted use with prescribed conditions in the UR-2, UR-3, UR-C, O-1, O-2, O-3, B-1, B-2, UMUD, TOD-R, TOD-E, and TOD-M zoning districts, under the “Residential Use” category. The revised table insertion shall read as follows:

Institutional Uses:			
	TOD-R	TOD-E	TOD-M
Single room occupancy residences	PC	PC	PC

Office and Business Uses:					
	UMUD	Institutional	B-2	U-I	I-1
Single room occupancy residences	PC	PC	PC	PC	PC

Residential Uses										
	UR-2	UR-3	UR-C	O-1	O-2	O-3	B-1	B-2	UMUD	TOD-R
Single room occupancy residences	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC

Residential Uses:		
	TOD-E	TOD-M
Single room occupancy residences	PC	PC

2. PART 4: URBAN RESIDENTIAL DISTRICTS

- a. Amend Section 9.404, “Urban Residential Districts: uses permitted under prescribed conditions”, by adding a new subsection (5.1) titled “Single Room Occupancy (SRO) residences”. The remaining subsections shall remain unchanged. The revised text shall read as follows:

Section 9.404 Urban Residential Districts: uses permitted under prescribed conditions.

(5.1) “Single Room Occupancy (SRO) residences (UR-2,UR-3 & UR-C only), subject to the regulations of section 12.527.

3. PART 5: INSTITUTIONAL DISTRICTS

- a. Amend Section 9.503, “Uses permitted under prescribed conditions”, by deleting subsection (20) “Single room occupancy (SRO) residences”, and replacing it with the term, “RESERVED”. The remaining subsections shall remain unchanged. The revised text shall read as follows:

Section 9.503 Uses permitted under prescribed conditions

(20) ~~Single room occupancy (SRO) residences, subject to the regulations of Section 12.527.~~ [RESERVED]

4. PART 7: OFFICE DISTRICTS

- a. Amend Section 9.703, “Uses permitted under prescribed conditions”, by adding a new subsection (29.6) titled “Single Room Occupancy (SRO) residences , The remaining subsections shall remain unchanged. The revised text shall read as follows:

Section 9.703 Uses permitted under prescribed conditions.

(29.6) Single Room Occupancy (SRO) residences, subject to the regulations of section 12.527.

5. PART 8: BUSINESS DISTRICTS

- a. Amend Section 9.803, “Uses permitted under prescribed conditions”, by modifying subsection (33) titled “Single Room Occupancy (SRO) residences”, by also allowing them in the B-1 zoning districts. The remaining subsections shall remain unchanged. The revised text shall read as follows:

Section 9.803 Uses permitted under prescribed conditions.

(33) Single Room Occupancy (SRO) residences (B-1 and B-2 only), subject to the regulations of section 12.527.

6. PART 10: URBAN INDUSTRIAL DISTRICT

- a. Amend Section 9.1003, “Urban Industrial District; uses permitted under prescribed conditions” by deleting “single room occupancy residences” from the list of uses, and replacing it with the term, “RESERVED”.

Section 9.1003. Urban Industrial District; uses permitted under

prescribed conditions.

- (7) ~~Single room occupancy (SRO) residences, subject to the regulations of Section 12.527. [RESERVED]~~

7. PART 11: INDUSTRIAL DISTRICTS

- a. Amend Section 9.1103, “Uses permitted under prescribed conditions”, by deleting subsection (47) “Single Room Occupancy (SRO) residences” and replacing it with the term “RESERVED”. The remaining subsections shall remain unchanged. The revised text shall read as follows:

Section 9.1103 Uses permitted under prescribed conditions

- (47) ~~Single Room Occupancy (SRO) residences (I-1 only) subject to the regulations of section 12.527. [RESERVED]~~

C. CHAPTER 12: SUPPLEMENTAL DEVELOPMENT STANDARDS

1. PART 5: SPECIAL REQUIREMENTS FOR CERTAIN USES

- a. Amend Section 12.527, “Single Room Occupancy (SRO) residences”, replacing the current text. The revised text shall read as follows:

Section 12.527. Single Room Occupancy (SRO) residences.

Single room occupancy (SRO) residences are permitted in the UR-2, UR-3, UR-C, O-1, O-2, O-3, B-1, Institutional, B-2, UMUD, TOD-R, TOD-E, TOD-M, TOD-RO, TOD-EO, and TOD-MO, U-I, and I-1 districts subject to the standards of the individual district in addition to the following requirements. If any conflict should occur between the standards of the individual district and the following requirements, the following shall apply.

- (1) Minimum Rooming Unit Size: Rooming units shall be a minimum of eighty (80) square feet, ~~with an additional minimum of fifty (50) feet for each additional occupant. not to exceed four-hundred fifty (450) square feet total.~~
- (2) Rooming Unit Capacity: Rooming units in single room occupancy residences shall be limited to one (1) occupant per room.
- (23) Minimum Common Space: The building shall contain common space such as recreation areas, lounges, living rooms, dining rooms, or other congregate living spaces at a rate of five (5) square feet per rooming unit, but totaling not less than two hundred and fifty (250) square feet. Bathrooms, laundries, hallways, the main lobby, vending areas, and kitchens shall not be counted as common space.

- (34) Operation: Rooming units in each building must be accessed through one primary location. On-site management shall be provided on a twenty-four (24) hour basis per building. Adequate on-site management includes having an employee on premises twenty-four hours a day. The employee must be accessible to residents, law enforcement personnel, and any other individuals who need to establish communication upon or about the premises. Adequate on-site management also requires that the employee has the authority to exercise control over the premises to ensure that the use of the premises does not result in littering, nuisance activities, noise, or other activities that interfere with the peaceful enjoyment and use of surrounding properties.

Cleaning services shall be provided and utilities shall be mass metered.

- (45) Density Requirements: Density (Number of rooming units permitted: The number of rooming units permitted) shall be based upon the maximum non-residential Floor Area Ratio (FAR) of the zoning district where located with a maximum of 120 and a minimum of 11 rooming units per site.
- (56) Off-Street Parking Requirements: 0.20 space per rooming unit - may be reduced by 50% within a quarter mile of transit line.
- (67) Signs: Any signage which identifies the use shall be in accordance with ~~the underlying zoning district~~ Section 13.109(1)(c) of the City of Charlotte Zoning Ordinance.
- (78) Buffers: All buildings, outdoor active recreation facilities, and off-street parking and service areas will be separated by a Class B buffer from any abutting property zoned or used for single-family residential use. (*Petition No. 2003-90 §12.527, 10/20/03*)
- (9) Proximity: Single room occupancy residence sites shall maintain a minimum separation distance of one-half (0.5) mile from any other single room occupancy residence site, measured from the closest property line of each development.
- (10) Expansions of Existing, Legal Conforming Single Room Occupancy Residences: Any legally conforming single room occupancy residences that exists as of the adoption of these regulations (July 18, 2011) shall be allowed to expand consistent with Section 12.527, including existing, legal conforming single room occupancy residences located in the Institutional, Urban Industrial, and Industrial zoning districts.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

I, _____, City Clerk of the City of Charlotte, North Carolina, DO
HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted
by the City Council of the City of Charlotte, North Carolina, in regular session convened
on the _____ day of _____, 2011, the reference having been made in Minute Book _____,
and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this
____ day of _____, 2011.
