

REQUEST	Text amendment to Sections 2.201, 9.406, and 12.101
SUMMARY OF PETITION	The petition proposes to: 1) add new standards to the UR-1 and UR-2 zoning districts to provide flexibility for special yard, lot, and street standards for small infill residential sites of ten acres or less; and 2) modify the definition for zero lot line.
PETITIONER AGENT/REPRESENTATIVE	Fairhills Park South Associates, LLC Keith H. MacVean, King and Spalding, LLP
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 unanimous vote of the Zoning Committee (motion by Commissioner Fallon seconded by Commissioner Allen).

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend APPROVAL of this petition.
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VOTE	Motion/Second: Griffith/Allen
	Yeas: Allen, Fallon, Griffith, Johnson, Phipps, and Zoutewelle
	Nays: None
	Absent: None
	Recused: None

ZONING COMMITTEE DISCUSSION	<p>Staff briefly summarized the text amendment. A question was raised asking why the text amendment allowed a 25 percent reduction in the side yards, and why the side yard was not just reduced from five feet to three and 75/100 feet. Staff stated that the current standards for UR-1, UR-2, UR-3, and UR-C already allows for a reduction of any yard by up to 25 percent, provided the reduction will result in more efficient use of the site, preserve natural features, or not unduly diminish light, air, and privacy to abutting properties. The 25% provision was left in the UR-1 and UR-2 for consistency with the same requirement in the UR-3 and UR-C districts. Plus, the reduction was allowed if it resulted in a more efficient use of the site, preserved natural features, and did not unduly diminish light, air and privacy to abutting properties.</p> <p>A question was asked about the recommendation in the Residential Design Standards text amendment to eliminate the Surface Water Improvement and Management Stream buffer incentive that allows a reduction in the side yard to a minimum of three feet. Does staff have a problem with recommending a six feet separation distance in this text amendment? Staff noted that the minimum six foot separation would only apply to zero lot line lots, where one or more of the building sides rests directly on a site lot line.</p>
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Another question was asked about allowing a “combination of public and private streets”. Does this mean that as a driver travels down a street that it would be unclear where the public street stops and the private street begins? Staff responded that yes, the desire was to have them look identical, with the same planting strip and sidewalk widths. Maintenance, however, would clearly be different, with the private streets maintained by the owner(s). There were no further questions.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

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

PLANNING STAFF REVIEW**• Background**

- The urban residential zoning districts are designed to provide standards and incentives to promote new urban development or redevelopment with a predominantly residential character at moderate densities.
- The current UR-1 and UR-2 district standards provide limited flexibility, especially when compared to some of the standards in other residential districts.
- This text amendment creates new alternative standards and greater flexibility for single family or mixed residential development that encourage urban infill development on smaller infill lots. It also allows, under limited conditions, the provision of private streets with or without gates, for smaller developments.

• Proposed Request Details

The text amendment contains the following provisions.

- Creates special yard, lot and street standards for residential development in the UR-1 and UR-2 zoning districts that may be applied to residential development of ten acres or less, for detached dwellings, duplexes, triplexes, or quadraplexes. The following provisions may be used independently, or in any combination:
 - Minimum lot size for detached dwellings may be reduced by ten percent, provided the average size of all lots or sublots meets the minimum size.
 - Zero lot line parcels may be permitted within the interior of the residential development, consistent with the existing standards allowed in the single family districts.
 - Private streets, with or without gates, may be built for detached dwellings if the following conditions are met:
 - Private streets for detached dwellings shall not be used to 1) meet vehicular connectivity required by the Subdivision Ordinance, 2) eliminate external connectivity shown in an approved UR-1 or UR-2 conditional plan, or 3) eliminate external vehicular connectivity that the Planning Director deems appropriate for the development.
 - If a private street is gated, the following conditions must be met:
 - The development must contain 35 or fewer units.
 - CDOT must review and approve the location of the gate.
 - Sidewalk connections from private streets to public streets shall be constructed and open to the pedestrian access.
 - Any dwellings units fronting onto a local public street shall have features that provide an orientation to such local street, such as sidewalk connections, architectural treatments, or other similar features.
 - Private streets must be established on an approved conditional plan. Previously approved UR-1 and UR-2 conditional plans may be amended to allow public streets to become private. Proposed site plan revisions to allow a public street to be converted to a private street shall be submitted to the Planning Department for review and approval, and then reviewed and approved by the Zoning Committee.

- Adds a new footnote to the UR-1 zoning district for consistency with UR-2 and UR-3 standards, allowing the creation of a subplot with less than 3,000 square feet when the sale of individual dwelling units within a single family attached structure includes land directly associated with the unit. Sublots must include a minimum of 400 square feet of private open space.
 - Revises the definition for zero lot line to include various types of zero lot line lot configurations.
 - **Public Plans and Policies**
 - The petition is consistent with adopted policy.
 - **Staff Recommendation (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.
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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 comments received.
 - **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.
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Attachments Online at www.rezoning.org

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

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