

Note: Staff is requesting a withdrawal of this text amendment. The Zoning Ordinance update will address these issues.

REQUEST	Text Amendment to Sections 3.310, 5.101, 9.8508, 9.908, 9.1211, 10.804, and 10.911 of the Zoning Ordinance
SUMMARY OF PETITION	<p>The petition proposes to make the following changes to the authority of the Board of Adjustment:</p> <ol style="list-style-type: none"> 1) allow the Board of Adjustment to have jurisdiction to hear and decide variances from specific standards of the MUDD (mixed use development), UMUD (uptown mixed use), TOD (transit oriented development), PED (pedestrian overlay), and TS (transit supportive overlay) zoning districts; 2) remove restrictions that prohibit the Board of Adjustment from hearing an appeal with respect to an interpretation of, or decision made by, the Zoning Administrator regarding the TOD (transit oriented development) or PED (pedestrian overlay) development and urban design standards; and 3) allow the Board of Adjustment to have the authority to consider variances related to the number and size of permissible signs in a conditional district.
STAFF RECOMMENDATION	Staff recommends approval of this petition. The petition is consistent with the <i>Centers, Corridors and Wedges Growth Framework goal</i> .
PETITIONER AGENT/REPRESENTATIVE	Charlotte-Mecklenburg Planning Department Charlotte-Mecklenburg Planning Department
COMMUNITY MEETING	Meeting is not required.

PLANNING STAFF REVIEW

- **Background**
 - The Board of Adjustment currently has no jurisdiction to hear and consider variances from the MUDD (mixed use development), UMUD (uptown mixed use), TOD (transit oriented development), PED (pedestrian overlay), and TS (transit supportive overlay) zoning district standards.
 - The Board of Adjustment currently has no jurisdiction to hear an appeal with respect to an interpretation of, or decision made by the Zoning Administrator about the PED (pedestrian overlay) and TOD (transit oriented development) development and urban design standards, except as a result of a notice of violation, for which an appeal can be filed to the Board.
 - The Board of Adjustment has no authority to consider a variance related to the number or size of permissible signs in a conditional district.
- **Proposed Request Details**

The text amendment contains the following provisions:

 - Adds provisions allowing the Board of Adjustment to have jurisdiction to consider variances from the following specific standards in the MUDD (mixed use development) and UMUD (uptown mixed use) zoning districts:
 - Minimum setback
 - Minimum side yards
 - Minimum rear yard
 - Maximum height
 - Maximum size and location of signs, banners, flags and pennants
 - Minimum vehicle and bicycle parking requirements
 - Minimum loading requirements
 - Adds provisions allowing the Board of Adjustment to have jurisdiction to consider variances from the following specific standards in the TOD (transit oriented development), PED (pedestrian

overlay), and TS (transit supportive overlay) zoning districts:

- Minimum setback
 - Minimum side yards
 - Minimum rear yard
 - Maximum height
 - Maximum size and location of signs, banners, flags and pennants
 - Minimum and maximum vehicle and bicycle parking requirements
 - Minimum loading requirements
 - Removes the current restrictions that prohibit the Board of Adjustment from having jurisdiction to hear appeals with respect to an interpretation of, or decision about, the development or urban design standards in the TOD (transit oriented development) and PED (pedestrian overlay district) districts, except as a result of a notice of violation for which an appeal is filed.
 - Removes the current restrictions that prohibit the Board of Adjustment from having authority to consider a variance related to the number or size of permissible signs in a conditional district. This does not include signs that are specifically restricted in the conditional district.
 - **Public Plans and Policies**
 - The petition is consistent with the goal of the *Centers, Corridors and Wedges Growth Framework* to address growth and redevelopment issues, by eliminating barriers in the development approval process.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Vehicle Trip Generation:** Not applicable.
 - **Connectivity:** Not applicable.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** No comments received.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
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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.

OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

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