
REQUEST	Text amendment to Sections 9.205, 9.303, 9.305, 12.102, 12.805 and Figures 12.102(a) and 12.102(b) of the Zoning Ordinance
SUMMARY OF PETITION	The petition proposes to clarify and revise the setback measurement requirements for single family and multi-family zoning districts. Setbacks will be measured from the "right-of-way" instead of the back of curb.
STAFF RECOMMENDATION	Staff recommends approval of this petition. This petition is consistent with the <i>Centers, Corridors and Wedges Growth Framework</i> goal to preserve and enhance existing neighborhoods.
PETITIONER AGENT/REPRESENTATIVE	Charlotte-Mecklenburg Planning Department Charlotte-Mecklenburg Planning Department
COMMUNITY MEETING	Meeting is not required.

PLANNING STAFF REVIEW

• Background

- The current setback regulations were part of petition 2010-073, adopted by City Council on December 20, 2010, to implement the *Urban Street Design Guidelines*. The update to the Zoning Ordinance changed the requirements of where setbacks were measured.
- Internal and external customers have provided feedback since the adoption of petition 2010-073 indicating there are issues with measuring the setback from the existing or future back of curb.
- Staff is recommending this petition to address the customer concerns. This text amendment changes the location from where the setback is measured by measuring the required setback from the right-of-way. This is where the setback was measured prior to the adoption of petition 2010-073.
- While this text amendment will make changes to where the setback is measured, it will not impact the other ordinance changes that were made in 2010 to implement the *Urban Street Design Guidelines*.

• Proposed Request Details

The text amendment contains the following provisions:

- Single family and multi-family districts:
 - Revises the measurement of the minimum front setback from "the existing or future back of curb" to "the right-of-way".
 - Revises the minimum setback requirements for lots along local and collector street right-of-way approved prior to 12-20-10.
 - Adds footnotes to:
 - 1) reference the corner lot setback requirements in Section 12.102;
 - 2) reference the standards for the location of parking in Section 12.206(3); and
 - 3) state that setbacks on a recorded plat at the Register of Deeds shall supersede required setbacks in the Zoning Ordinance.
- Multi-family districts:
 - Adds a footnote allowing for the use of alternative setbacks when an established block face is at least 25 percent developed, or has at least four existing dwellings.
- Special setback requirements in all zoning districts:
 - Adds a requirement for corner lots that the required side yard may not be reduced to less than 10 feet from the right-of-way.
- Lots in a Surface Water Improvement and Management Stream buffer:
 - Limits the ability to reduce the front setbacks for local and collector streets.
 - Deletes references to the existing or future back of curb.
 - Deletes the default street type requirement for local streets where no curb exists.

• Public Plans and Policies

- This petition is consistent with the *Centers, Corridors and Wedges Growth Framework* goal to

preserve and enhance existing neighborhoods.

DEPARTMENT COMMENTS (see full department reports online)

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

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