

REQUEST	Text amendment to Section 12.202A
SUMMARY OF PETITION	The petition proposes to modify the short-term bicycle parking requirements to allow bicycle parking to be located in the public right-of-way and/or within the required setback, in a variety of zoning districts, subject to additional requirements.
PETITIONER AGENT/REPRESENTATIVE	Design Resource Group Design Resource Group
COMMUNITY MEETING	Meeting is not required.
STATEMENT OF CONSISTENCY	<p>This petition is found to be consistent with the <i>Centers, Corridors and Wedges Growth Framework</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • It meets the goal to support a range of transportation choices. <p>Therefore, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because the proposed text amendment:</p> <ul style="list-style-type: none"> • Modifies the short-term bicycle parking requirements to allow bicycle parking to be located in the public right-of-way and/or within the required setback, in a variety of zoning districts, subject to additional requirements; <p>By a 6-1 vote of the Zoning Committee (motion by Commissioner Nelson seconded by Commissioner Walker).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-1 to recommend APPROVAL of this petition with the following modification:</p> <ol style="list-style-type: none"> 1. The Zoning Committee asked the petitioner to clarify if the five (5) parking spaces were required spaces and if the additional bicycle parking spaces beyond the required amount can exceed the five (5) short-term bicycle parking spaces per 100 linear feet of street frontage requirement.
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VOTE	<table border="0"> <tr> <td>Motion/Second:</td> <td>Nelson/Walker</td> </tr> <tr> <td>Yeas:</td> <td>Dodson, Eschert, Labovitz, Nelson, Sullivan and Walker</td> </tr> <tr> <td>Nays:</td> <td>Ryan</td> </tr> <tr> <td>Absent:</td> <td>None</td> </tr> <tr> <td>Recused:</td> <td>None</td> </tr> </table>	Motion/Second:	Nelson/Walker	Yeas:	Dodson, Eschert, Labovitz, Nelson, Sullivan and Walker	Nays:	Ryan	Absent:	None	Recused:	None
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Nays:	Ryan										
Absent:	None										
Recused:	None										

ZONING COMMITTEE DISCUSSION	<p>Staff presented a summary of the text amendment. A Commissioner asked how staff would evaluate the requirement that the bicycle parking could not obstruct movement from on-street parking to the required sidewalks. Staff responded that CDOT and NCDOT staff would review the plans to make sure that vehicles parked in on-street parking spaces had adequate "door-swing" areas to allow passengers to exit vehicles and reach the sidewalk.</p> <p>The Commissioner observed that the amendment seemed to give priority to vehicle parking over bicycle parking, by allowing vehicle parking in the public right-of-way, but restricting bicycle parking. Staff responded that the intent was to ensure placement of bicycle parking in appropriate and safe locations where it can be free of conflicts with vehicles and pedestrians. No priority is given to one over the other.</p> <p>The Commissioner asked why only five bicycle parking spaces were proposed per 100 linear feet, instead of more. Staff responded that the numbers were limited to prevent bicycle parking lining the street</p>
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frontage, and to prevent conflicts with utilities, trees, and other amenities that also locate in the public rights-of-way or setback.

Another Commissioner asked what other cities were doing in regards to bicycle parking in these areas. In response, a Commissioner noted that Copenhagen was the most bicycle friendly city, and streets there are lined with hundreds of bicycle parking facilities. The Commissioner suggested modifying the amendment to allow more bicycle parking in the public rights-of-way and setback.

The Commission discussed requesting the petitioner, who was not in attendance, to provide additional clarity regarding bicycle parking in the public right-of-way. In particular, could both required and non-required bicycle parking be allowed in the public right-of-way? Would the petitioner consider clarification?

The Commission's vote to recommend approval included this request to clarify the text amendment to allow additional non-required bicycle parking in the public right-of-way.

MINORITY OPINION

The Commissioner is supportive of the text amendment, but troubled that there is no opportunity for the Zoning Committee to question the petitioner during the public hearing to bring up concerns, and that the petitioner was not present at the Zoning Committee meeting to address the concerns.

STAFF OPINION

Staff agrees with the recommendation of the majority Zoning Committee.

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

PLANNING STAFF REVIEW

- **Proposed Request Details**

The text amendment contains the following provisions:

- Allows short-term bicycle parking to be located within the public right-of-way and/or within the required setback in the urban residential (UR-1, UR-2, UR-3, UR-C); research (RE-3 only); mixed use development (MUDD); uptown mixed use (UMUD); neighborhood service (NS); pedestrian overlay (PED); transit oriented development (TOD-R, TOD-E, and TOD-M); and urban industrial (UI) zoning districts, subject to the following requirements:
 - The bicycle parking shall not obstruct required sidewalks or movement from on-street parking to the required sidewalks, and shall not impact the minimum planting area or spacing requirements for street trees or required screening.
 - Bicycle parking may be located in the public right-of-way subject to approval by the Charlotte Department of Transportation or the North Carolina Department of Transportation. If bicycle parking is not approved in the public right-of-way, then the required parking must be located entirely on the site.
 - There shall be no more than five (5) required short-term bicycle parking spaces per 100 linear feet of street frontage. Additional bicycle parking beyond the required amount can exceed the 5 short-term bicycle parking spaces per 100 linear feet of street frontage requirement.

- **Public Plans and Policies**

- The petition is consistent with the *Centers, Corridors and Wedges Growth Framework* goal to support a range of transportation choices.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.

- **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte Water:** 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.
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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
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water 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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