

Charlotte Zoning Ordinance Assessment Summary Public Meeting Notes

September 18, 2012

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The comments summarized below were made by individual members of the audience following a presentation on the goals and schedule of the Charlotte Zoning Ordinance Assessment Project. The comments reflect the thoughts and opinions of the individual audience members. Where a single individual made a number of comments, they are grouped and identified as "Comment X."

1) Public Meeting 4:00 – 6:00 p.m.

- There should be more public meetings included in the zoning project process.
- Is the zoning code an economic development tool or a barrier?
- How will all of the topics be covered in this zoning project?
- The link between area plans and zoning is unclear.
- Comment 1
 - Why is the rezoning process political?
 - This question relates to how an applicant can rely on a consistent response. Applicants want a decision based on facts.
- Comment 2
 - Why are a number of other ordinances (outside of the zoning ordinance) being considering as part of this process? How do we comment if the project is focusing on the zoning ordinance? The request for proposals for this project says it is a zoning ordinance assessment.
 - How will all of the topics be covered?
 - How can members of the public provide input?
 - Can there be an on-going process to evaluate code monthly – why not tweak the code monthly? This is not happening – very proscriptive, not proactive.
- Comment 3
 - There should be more public input than just two meetings in the first year of the zoning project.
 - The presentation mentioned issues with siting microbreweries. These were permitted in past. What is the problem doing this now?
 - There are conflicts between the city and state definitions for alcohol-related permitting.
- Comment 4
 - Meaningful input from zoning professionals can bring forth issues and should be included in the project.
 - Engineers can help the project by identifying key issues with development community.

- Conditional rezoning is painful because it is politicized.
- Comment 5
 - Neighborhoods and citizens are involved in the area plan process but then the city approves rezonings that violate the plans.
 - (An estimated) 33% of rezonings aren't consistent with plans; this violates area plans
 - It is hard to not make rezoning political when public participates in area plans and then politics changes the outcome.
- Comment 6
 - Transit-oriented development and urban overlays are flexible but involve rezoning.
 - Dwelling units/acre is not best way to evaluate intensity, city should consider using floor area ratio (FAR) and looking at scale and massing.
 - Breakdown in project evaluation occurs as project moves into other ordinances and reviews; there are long sessions with professionals and the development community.
- Criteria should be added to help with cost/benefit analysis and competitiveness of Charlotte with other cities
- Hostels should be added to the code.
- Comment 7
 - The code should consider the need for parking 10-20 years in future, including:
 - cars that drive themselves
 - robotic cars don't need as much parking
 - reduce parking areas and reusing the space
- Comment 8
 - Would like to review the Denver zoning assessment, Charlotte has not been favorable toward providing info on it.
 - The Planning Department needs to have more public meetings on this zoning project.
- Comment 9
 - The current code website needs a searchable code to make base zoning and overlays clear to property owners so that property owners know what zoning is on their property.
 - Area plans and overlay are very specific. Sometime specific standards are applied too generally, such as:
 - Building heights in residential districts
 - Maximum building height for entire city
 - All standards are not city-wide in value
 - A one-size-fits-all solution happens too often.
- Comment 10
 - This speaker wants to echo that the one-size-fits-all solution heard a lot.
 - People want transect-based zoning.
 - The city's area plans are excellent and good but the current zoning is not supportive and then the plans don't happen.
 - People have to rezone to follow the plan but instead people will develop without rezoning.
 - When plans are adopted and then don't happen it demoralizes people in the neighborhoods.
- Comment 11
 - The zoning project should include case studies that look at state law versus local control.

- Do other cities have more control? There is a need to clarify the enabling authority for other cities versus that of Charlotte.
- Other states take a more creative approach to non-conforming uses.

2) Public Meeting 7:00 – 9:00 p.m.

- Would prefer an independent assessment of zoning ordinance without staff review and input during drafting.
- Comment 1
 - This zoning project should include a stakeholder group for the term of the project.
 - How will the on-line survey be managed, tracked, and tabulated? Can people pad remarks?
 - The public input for the zoning project should not be edited by staff.
 - The city council is elected every two years but this zoning project will only run for one year, how will the project results be coordinated with the election cycle?
 - Members of the public have watched new plans become guidelines without regard to zoning. This citizen has participated in two area plans and is scared by how they are created. Staff directs the participants how to feel and think. Then the council changes zoning without notice. The city will do 20-22 area plans per year. Staff is stuck in middle to defend policies in area plans.
 - Participants are “driven” through area plan process and guided by staff. Residents didn’t give input regarding local area plans but were supplanted by stakeholders. Then the developers wanted something else and created further negotiation.
 - Politics are a heavy driver in plans, site plans, zoning requests.
- Comment 2
 - Will this process turn the ordinance over to developers rather than neighborhoods?
 - The plan should guide rezoning, that is not happening.
 - There are people who want to live in suburbs; changes to the code should not be too urban-focused.
 - Staff is caught in hard place. The developers are schmoozing the city. This speaker is surprised that developers give money to help with project and money gets given back.
 - Charlotte is political. All projects go to council. Staff is unsure what the outcome will be. Neighborhoods need to partner with other neighborhoods at council meetings to show strength in numbers.
 - This speaker is concerned about planning department doing what developers want. Staff is then leaving planning department to go work for developers.
 - There is a need for more protection for watershed, green areas, air, tree canopy in the county. Planners have no tools – stuck with city tools. We need more effective tools in ETJ.
- Comment 3
 - We need to focus on a healthy Charlotte and retain green areas in Charlotte for future residents. We should create healthy and vibrant areas with character, our long-term development choices matter. This will strengthen the economy of our community. We need stronger tools to protect the environment, trees, and Catawba River watershed, especially within the ETJ.
 - We need to look at public transportation.
 - In the center city there has been cooperation and friendships with city staff and elected officials. This has resulted in added stadiums and preserved homes and buildings. We are laymen but we have built friendships. Some residents have had a bad experience, but do have some good experiences over years.
- Comment 4
 - We have good and bad developers. The bad developers have caused this situation because the planning department doesn’t uphold rules and regulations. To be heard residents need pitchforks at public hearing.

- We don't have uses within walking distance.
- Undesirable facilities – landfills, homeless shelters, and Section 8 housing are placed within neglected corridors. Devaluation of land in some areas because of this. It is important to note that people need a voice in the process.
- Developers have money and the community is not heard.
- The Blue Line extension is a forever changing project, including changing neighborhood impacts. It is difficult for the citizens to know what we want.
- Comment 5
 - It would be helpful to have a full-time neighborhoods advocate.
 - Some areas are not taken care of. The city should concentrate on these areas that need revitalization rather than harming neighborhoods.
- Comment 6
 - Some neighborhoods are well represented while other neighborhoods are not educated. The citizen speaking worries about neighborhoods being ignored and getting railroaded because they do not know what is coming.
 - Staff is not able to support plans or enforce before rezoning. Many neighborhoods don't track the city's website daily to see what is happening on development front.
 - Lack of understanding of zoning ordinance is rampant among the general public. Many people have no clue what is happening when they see a rezoning sign.
- Comment 7
 - There is discontent because many have participated in plans that end-up meaning nothing. When businesses come in with a project the plans are not implemented (have no teeth).
 - Staff does sometimes stand up and oppose development that does not comply with the plan but the non-compliant projects are still approved.
 - Once a rezoning is approved, even if against the plan, the rezoning amends the plan. This is crazy.
- Comment 8
 - Many residents/neighborhoods find out too late in process that a rezoning is proposed – the public need more time from the notice process. Developers do contact residents/neighborhoods where there are conditional rezoning applications.
 - There are e-mail alerts and mail contacts and the developer has meeting with neighborhoods. Most applicants do this, but the application is in planning department's hands for a long time. Applications are tweaked to the point where staff approves and then residents find out about project.
 - Center City Partners run Uptown and makes decisions without listening to residents. Eventually City Partners run over local preferences and overpowers the voices of citizens.
 - The subdivision ordinances can be manipulated to increase density four-fold and staff will approve the application. The approval takes effect in 10 days without neighborhood notification and is posted after the decision.
- Comment 9
 - This resident lives in city but can't vote and is affected by decisions. Traffic in this citizen's neighborhood is bad and there is rail near his property. Some of his neighbors have no idea what changes will happen in the neighborhood.

- This citizen asked to increase notification beyond 300' and have notice provided directly across street where there is current no notice required.
- Comment 10
 - The city should remove glitches in notifications and try to focus on citizen engagement. Residents can feel bullied when developers show up at stakeholder meetings.
- Comment 12
 - Public community meetings could be held by developers. Council members should not there; there could be structural changes to neighborhood community meeting process to improve its usefulness.
 - Existing zoning can be bad for a neighborhood. This resident described a small lot that was divided into two lots in a single family neighborhood. This did not protect the neighborhood and created an eyesore in neighborhood.
 - There are duplexes in every neighborhood.
 - It is expensive for small businesses to pay for a rezoning