

**ZONING COMMITTEE
RECOMMENDATION
March 1, 2006**

Rezoning Petition No. 2006-018

Petitioner: Charlotte Mecklenburg Planning Commission

Request: To amend several of the development standards for planned multi-family developments, in 1) multi-family districts, 2) urban residential districts, 3) office districts, 4) business districts, 5) mixed-use development districts, and 6) uptown mixed-use districts.

Action: The Zoning Committee voted unanimously to recommend **APPROVAL** of this text amendment.

Vote: Yeas: Carter, Cooksey, Farman, Howard, Hughes, Ratcliffe, and Shield
Nays: None
Absent: None

Summary of Petition

Text amendments are proposed to the development standards for planned multi-family developments in the multi-family, urban-residential, office, business, MUDD, and UMUD zoning districts:

Multi-family Zoning Districts. A text amendment is proposed to require garages to have a minimum setback of 20', or observe the district setback, as measured from the back of the sidewalk, or edge of the street, whichever is greater. Parking pads and driveways, likewise, are required to have a minimum length of 20', measured from the back of the sidewalk, or edge of pavement, whichever is greater. This modification will assist in preventing vehicles from blocking sidewalks and extending into the right-of-way.

This amendment also adds stoops to the list of architectural features that may extend into the area within 15' of any side of residential building used for entry into the building.

Development standards currently apply when both sides of a public street, other than a thoroughfare, area located within or runs through the boundaries of a planned multi-family and attached development, a single multi-family building, or an attached building on a lot with more than 12 units in a building. This text amendment would expand the application of these development standards when a public street, other than a thoroughfare, abuts the site, in addition to when both sides of a public street are located within, or runs through the boundaries of the site.

A footnote has also been added to the area, yard, and bulk regulations table in Sections 9.305, allowing a property owner of a planned multi-family development who dedicates land with a minimum width of 30', to the city or county, for incorporation into an abutting park or greenway, the ability to reduce the rear yard requirement along that newly created property line from a minimum of 50' and 40' to a minimum of 20'.

Urban Residential Districts. A text amendment is proposed to reduce the number of off-street loading spaces required for multi-family and attached dwellings, with 25-74 units from two (2) loading spaces down to (1). This makes the section consistent with the fact that multi-family and attached dwellings with 75+ units are only required to have one loading space.

Office and Business Zoning Districts.

A footnote has been added to the area, yard, and bulk regulations tables found in Sections 9.705(1) for office districts, and Section 9.805(1) for business districts. This footnote would permit a property owner of a planned multi-family development who dedicates land, having a minimum width of 30', to the city or county, for incorporation into an abutting park or greenway, the ability to reduce the rear yard requirement along that newly created property line from a minimum of 50' or 40' down to minimum of 20'.

Mixed-Use Development Districts (MUDD), and Uptown Mixed-Use District (UMUD)

This text amendment in both MUDD and UMUD zoning districts would change the number of loading spaces required in for multi-family dwellings (25-74 units) from two spaces to one. The requirement for a minimum of three loading spaces for multi-family dwellings with 75+ units would be eliminated.

Zoning Committee Discussion/Rationale

Mr. MacVean summarized the text amendment, noting that parking pads and driveways would now have a minimum setback of 20', measured from the back of the sidewalk, or edge of pavement, whichever is greater. He also noted that off-street service/delivery spaces has been reduced from 2 to 1 space for multi-family and attached dwellings, with 25-74 units in the Urban Residential, MUDD, and UMUD zoning districts.

A modification has also been made in the development standards in multi-family, office, and business zoning districts that if a property owner of a planned multi-family development dedicates land, having a minimum width of 30' to the city or county for incorporation into an abutting park or greenway, the rear yard requirement along that newly created property line shall be reduced to 20'.

Statement of Consistency

Upon a motion made by Cooksey and seconded by Carter, the Zoning Committee voted unanimously in finding this amendment consistent with state and local law.

Vote

Upon a motion made by Carter and seconded by Howard, the Zoning Committee voted unanimously to recommend approval of this text amendment.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.